



# Town of Griswold



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## GRISWOLD INLAND WETLANDS & WATERCOURSES CONSERVATION COMMISSION

### REGULAR MEETING MINUTES

November 18, 2010

GRISWOLD TOWN HALL

#### I. Regular Meeting (7:30 P.M.)

##### 1. Call to Order

Chairman Courtland Kinnie called this regular meeting of the Griswold Inland Wetlands & Watercourses Conservation Commission to order on November 18, 2010 at 7:40 p.m.

##### 2. Roll Call & Determination of Quorum

**Present:** Chair Courtland Kinnie, Vice Chair Robert Parrette, Member Edward (Jay) Waitte, Dean Rubino, Glen Norman, WEO, Peter Zvingilas, Recording Secretary Donna Szall, Alternate Gary Serdechny

**Absent:** Secretary Stacie Stadnicki, Lawrence Laidley

C. Kinnie appointed G. Serdechny to sit for S. Stadnicki. It was determined that a quorum was present for this meeting. C. Kinnie appointed G. Serdechny as secretary pro tem in S. Stadnicki's absence.

##### 3. Applications

A. No pending applications.

##### 4. Additional Business (New Applications)

A. No new applications

C. Kinnie stated that there is an item from the town planner regarding the MS4 Stormwater Annual Report. That requires a public hearing. This will be discussed under new business.

##### 5. Reports from the Enforcement Officer

C. Kinnie asked P. Zvingilas for his report. P. Zvingilas stated that he had no report other than the letter from Atty. Harry Heller.

**6. Old Business**

- A. Review of updated changes to the Griswold Inland Wetlands & Watercourses Conservation Commission Regulations based on the State DEP Model Regulations so as to be consistent with the State of Connecticut Inland Wetlands and Watercourses Act, Sections 22a-36 to 22a-45, known and cited as the "Inland Wetlands and Watercourses Act".

C. Kinnie asked for a motion to place Item 6 at the end of the agenda. J. Waitte made a motion to move Item 6 Old Business to the end of the agenda. R. Parrette seconded the motion. All were in favor. The motion carried.

**7. New Business**

C. Kinnie stated that there is an item from the town planner regarding the MS4 Stormwater Annual Report. The town planner asked to schedule a public hearing for December. There was discussion of this matter. G. Norman made a motion to set a public hearing for the 2010 MS4 Stormwater Management Annual Report on December 16, 2010 at 7:15 p.m. J. Waitte seconded the motion. All were in favor. The motion carried.

**8. Approval of Minutes**

- A. Approval of Minutes of the Regular Meeting of October 21, 2010

C. Kinnie stated that there was a correction to correct D. Sorrentino to D. Szall. D. Szall will make the correction. R. Parrette made a motion to accept the minutes as amended. G. Serdechny seconded the motion. All were in favor. The motion was carried.

**9. Communications**

- A. Memorandum dated October 19, 2010 from Connecticut DEP Wetlands Management Section regarding Inland Wetlands Training DVD: An Introduction to Map Reading & Site Plan Review DVD "Introduction to Map Reading".

There was discussion of this matter. All members can take the DVD's home. C. Kinnie stated that the first DVD was DEP Regulations. This one is for map reading.

- B. Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter, Fall 2010, Volume XIV, Issue 4.
- C. Letter dated November 2, 2010 from Atty. Harry B. Heller regarding Glemacy Builders, LLC – 67 Jennifer Lane, Griswold.

C. Kinnie read this letter dated November 2, 2010 to Carl Fontneau for the record that this property is in foreclosure and was received on November 4, 2010. C. Kinnie stated that Mr. Norman Johanson was present and asked if he was informed of this letter. N. Johanson stated that his attorney informed him of this letter. He stated that he has a problem and he voiced his concerns for damages to his property that occurred over the last two years and never had occurred in the past thirty years. He stated that Glemacy Builders was given a dead line of September 22, 2010 to correct the problems and nothing has been done. He asked if the commission has the ability to do something in matter. He explained that he was at the October 21, 2010 meeting and was told that an opinion would be asked of the town attorney; and he asked if he has heard anything from the town attorney. C. Kinnie asked if the Selectmen gave authorization to get an option from the Town Attorney. P. Zvingilas stated no because we received the letter from Harry Heller explaining that the property was in foreclosure.

J. Waitte stated that there should be questions given to the town attorney; What can be done with this property that is under foreclosure; and what are the Commissions options; and what is the responsibility of the Town to fix this problem since Glemacy Builders, LLC is not addressing this problem; N. Johanson stated that they did not fix the problem that was designed by their engineer and his engineer agreed with their engineer. P. Zvingilas stated that the people involved don't have the money to do the project and aren't there, the house is sitting vacant; there's a mortgage on the property. D. Rubino stated that this will fall on the Bank. P. Zvingilas stated that there won't be a certificate of occupancy until this from wetlands.

G. Serdechny stated that the cease and desist was lifted and we should ask the town attorney to reinstate the cease and desist and whether we can place a lien on the property for any future owner. There was discussion of this matter.

C. Kinnie stated the question should be asked if the certificate of occupancy can be tied to the wetlands permit. P. Zvingilas stated that the co will not be issued given until the zoning and wetland conditions have been met for wetlands and zoning.

C. Kinnie asked for a motion to send this specific request to the first selectman's office to ask for the opinion of the town counsel and for the town attorney to take whatever action deems appropriate at the time. R. Parrette so moved. G. Norman seconded the motion. All were in favor. The motion was carried.

N. Johanson stated that his problem may exist indefinitely and that it is still polluting Pachaug Pond. J. Waitte stated that we cannot make those decisions; and that it would be up to the town. There was discussion of this matter. P. Zvingilas stated that they must do the corrective action based on the conditions of the permit before a certificate of occupancy is issued.

N. Johanson asked if he should come to the meeting next month. C. Kinnie asked N. Johanson call the Town Planner if there was any information from the town attorney. There was discussion of this matter. D. Rubino suggested that N. Johanson speak with the First Selectman regarding this matter.

- D.** Letter date October 30, 2010 from the Northeast Organic Farming Association regarding 10<sup>th</sup> Annual NOFA Course in Organic Land Care and the NOFA Annual Gathering on the UConn Campus in Storrs.

There was discussion of this matter.

- E.** The Habitat Newsletter, Connecticut Association of Conservation and Inland Wetlands, Commissions, Inc, Fall 2010, Volume 22, Number. 3.

There was discussion of this matter.

- F.** The Connecticut Landscape Architect, Fall 2010, Connecticut Chapter of American Society of Landscape Architects.

There was discussion of this matter.

C. Kinnie stated that there was a request last month from Rivers Alliance asking for a donation and asked D. Szall what the balance was in the budget. D. Szall will find out the amount that is left. R. Parrette made a motion to give the \$35 dollar donation to Rivers Alliance if there is enough money in the budget. G. Norman seconded the motion. All were in favor. The motion carries.

**9. Reports from Members**

J. Waitte stated that two years ago there was stuff coming out of the culvert. He was on the pond until two week ago and he drives by the property in his boat and he has not seen any damage that N. Johanson is talking about. There has not been any runoff into the Pond after the big storms. P. Zvingilas stated that since it has grassed over and the weeds have grown it is pretty stabilized. J. Waitte stated that he did not see anything in the gully between the properties and not in the road when he drove by there. He stated that if there is a problem that I'm not seeing then it needs to be rectified. There was discussion of this matter.

**10. Conservation Commission Matters**

There was no conservation matters discussed.

**Item 6 Old Business**

- A. Review of updated changes to the Griswold Inland Wetlands & Watercourses Conservation Commission Regulations based on the State DEP Model Regulations so as to be consistent with the State of Connecticut Inland Wetlands and Watercourses Act, Sections 22a-36 to 22a-45, known and cited as the "Inland Wetlands and Watercourses Act".

C. Kinnie had a question about the State Section 22a-36 – 22a-45 and whether to statute section numbers were correct. D. Szall will look in to the matter. C. Kinnie had questions whether the definitions were the same for the state regulations and town regulations citing the State statutes 1-1q. D. Szall will look in to the matter. C. Kinnie stated that there were questions on page 5, page 9, page 3 and page 12. There was discussion of this matter. C. Kinnie stated that the inland wetland map described on the town side is not in the State definition would be better. D. Szall will make any corrections and submit new copies to the members. C. Kinnie stated that he did not have a problem with adopting what the state regulations have. C. Kinnie asked members to review the regulations for next month and make notations so that we pick up everything that we have under to town to add to the state model. C. Kinnie stated that we can take this to public hearing some time in January.

C. Kinnie stated that we should review the 2011 Schedule of Meetings and asked for a motion for this to be placed on the agenda. R. Parrette so moved. G. Norman seconded the motion. All were in favor. The motion was carried.

R. Parrette made a motion to approve the schedule as presented for 2011 Schedule of Meetings. G. Norman seconded the motion. All were in favor. The motion was carried.

**11. Adjournment**

C. Kinnie asked for a motion to adjourn. J. Waitte made a motion to adjourn. G. Norman seconded the motion. The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Donna M. Szall  
Recording Secretary