

TOWN OF KILLINGLY
INLAND WETLANDS AND WATERCOURSES COMMISSION (IWWC)
REGULAR MEETING MINUTES

Killingly Town Hall
172 Main Street
Danielson, CT
Monday, May 7, 2018

RECEIVED
TOWN CLERK, KILLINGLY, CT

2018 MAY 31 AM 9:49

Elizabeth M. Wilson

- I. Call to Order & Roll Call: Chairman Sandy Eggers called the meeting to order at 7:30 p.m.

Members Present: Ronald Dass (arrived 7:36. p.m.), Chairman Sandy Eggers, Secretary Rod Galton, Beth Dubofsky-Porter, Fred Ruhlemann, and Corina Torrey. **Members Absent:** Jasen Cusson-Malone with notice.

Also Present: Eric Rumsey, Town Planner

- II. Adoption of Minutes:

- A. April 2, 2018 Regular Meeting:

MOTION #1 (05/07/18): made by Mr. Galton **SECONDED BY** Mr. Ruhlemann that the Inland Wetland and Watercourses Commission approve April 2, 2018 Regular Meeting Minutes as amended

- Agenda Item 1: Jasen Cusson-Malone is "**Vice**" Chairman

VOICE VOTE: UNANIMOUS;

MOTION CARRIED

- III. Citizens' Participation: None

- IV. Unfinished Business:

- A. **Application #18-1448** of T&B Building Company for a single family home with associated driveway, septic system, well, and grading within 200' of wetlands / watercourses; Located at 125 Hartford Pike; GIS Map 108; Lot 18' 4+/- acres; Rural Development Zone

APPLICANT PRESENTATION: Paul Archer, Archer Surveying, was present to represent the applicant. He presented site plans for discussion and noted this is a lot of record and this house will have a non-engineered septic system as there are no reported related issues in the immediate area. Proposed activity is outside the 100 foot wetlands buffer but within 200 feet of upland review. Joseph R. Theroux, Certified Forester/Soil Scientist provided a favorable wetlands report as submitted into the record. Additionally, the applicant has received and submitted the Northeast District Department of Health approval.

TOWN STAFF COMMENTS: Mr. Rumsey agreed this is a lot of record. The proposed home, septic, and driveway locations are outside the 100 foot distance area from the edge of wetlands and there should be no lasting impact provided erosion and sedimentation controls are in place and maintained throughout the length of the project.

MOTION #2 (05/07/18): made by Mr. Galton **SECONDED BY** Mr. Ruhlemann that the Inland Wetland and Watercourses Commission approve Application #18-1448 as presented

VOICE VOTE: UNANIMOUS;

MOTION CARRIED

- B. **Application #18-1449** of JP Pechie for 8' high retaining wall replacing an existing wall within 75' of Alexander's Lake; Located at 238 North Shore Road; GIS Map 82; Lot 5; 0.02 acre; ALZOD.

APPLICANT PRESENTATION: Paul Archer, Archer Surveying, was present to represent the applicant. He presented site plans for discussion and noted the associated activity was a re-build of an existing wall previously approved by Eric Rumsey. Mr. Archer noted the property owner purchased/leased a .5 acre parcel directing abutting his property shortly after the approval. When the wall was re-built it was extended onto this .5 parcel.

TOWN STAFF COMMENTS: Mr. Rumsey noted a permit was granted in the past to replace this wall. At this point, the wall is complete; however, the property owner did not build the wall in compliance with specifications of the permit. After review of this situation, Mr. Rumsey noted this property falls within the jurisdiction of the ALZOD overlay district regulations and this activity is in compliance with such regulations. In summary, IWWC Regulations do not apply to this situation.

IWWC COMMENTS/CONCERNS: IWWC members noted this is a very unfortunate incident and it is clear the property owner violated IWWC approval and did not re-build the wall in compliance with specifications of the permit. Additionally, it appears ALZOD regulations do not fully address the creation of possible negative conditions as a result of this activity.

MOTION #3 (05/07/18): made by Mr. Ruhlemann **SECONDED BY** Mr. Galton that the Inland Wetland and Watercourses Commission reach a consensus that Town Staff oversee this project

Discussion ensued: After lengthy discussion IWWC conceded in protest to ALZOD Regulations

VOICE VOTE: UNANIMOUS;

MOTION CARRIED

V. New Business: None

VI. Correspondence to the Commission: As submitted in agenda packet and/or at the meeting.

VII. Other:

A. Wetlands Agent Activity Report

B. Monthly Zoning/Wetlands Report

VIII. Town Council Liaison: None

IX. Adjournment

MOTION #4 (05/07/18): made by Mr. Torrey **SECONDED BY** Mr. Dass that the Inland Wetland and Watercourses adjourn at 8:24 p.m.

VOICE VOTE: UNANIMOUS;

MOTION CARRIED

Respectfully submitted,
Sherry Pollard
IWWC Recording Secretary