



## Inland Wetlands and Watercourses Agency

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### REGULAR MEETING Minutes

Inland Wetlands and Watercourses Commission

Thursday, March 9th, 2023 at 7:00 PM

This meeting was held remotely, via ZOOM:

**CALL TO ORDER:** 7:01 pm

**ROLL CALL:** Chairman P. Bassermann, Commissioners S. Botta, M. Papantones, M. Funaro, C. Begemann, M. Ormrod, M. Steinberg. Commissioner Meinsen joined and was seated at 7:14 pm. Commissioner M. Ormrod joined at 7:28 pm but was not seated.

#### 1) **MINUTES FOR APPROVAL:**

- a) February 9, 2023 Regular Meeting Minutes-Commissioner Botta makes a motion to approve the meeting minutes. Commissioner Begemann seconds. Motion carries unanimously.
- b) February 15, 2023 Special Meeting Minutes-Commissioner Botta makes a motion to approve the special meeting minutes. Commissioner Steinberg seconds. Motion Carries unanimously.

#### 2) **APPLICATIONS FOR RECEIPT:**

- a) IW#23.03.01 | 56 Stony Creek Rd | rebuild existing barn with 160sf addition -
  - i) Request to be reviewed administratively-
- b) IW#23.03.02 | 22 School Street | house addition with deck and septic system repair-WITHDRAWN

#### 3) **JURISDICTIONAL RULING REQUEST:**

- a) 180 and 200/206 North Main St – vegetation management -project was influenced by the need for Billboard maintenance. Work is in the state right of way, and covered in the general permit given by the state. So the only work that the commission has jurisdiction over is the activity on private properties. David Roach-All Habitats-looking to remove the invasives and vegetation maintenance. View shed is impeded by the vegetation. Looking to remove the invasives that are blocking the view of the billboard and replacing it with a more diverse plants that won't have the same issues of blocking the billboards. It's a strategy we have used elsewhere in town with success. This is just the first time we have done this kind of work for Lamar. Commissioner Botta makes a motion to make the activity as of right under section 4.2 Motion carries unanimously.

#### 4) **APPLICATIONS FOR REVIEW:**

- a) IW#23.01.01 | 11 Howd Ave | residential addition-JF this application has been reviewed by the commission and it was requested a staff report was done prior to a motion to approve. Commissioner Begemann makes a motion to approve the application of 11 Howd Ave with the recommendation of the staff report that was written for this evening and the standard conditions. Commissioner Funaro Seconds-Roll Call:

- P. Basserman-aye
  - S. Botta-aye
  - M. Papantones-aye
  - M. Funaro-aye
  - C. Begemann-aye
  - J. Meinsen-aye
  - M. Steinberg
- b) IW#23.01.02 | 76 Greenfield Ave | regrading & expansion of driveway (after the fact)-met with homeowner on site and got some photos and measurements at the site. Commissioner Botta makes a motion to approve the application with the understanding that the property lines before us are correct with the additional condition that the surface of the driveway not be changed unless reviewed by the agency, markers should be placed at the rear of the driveway to indicate no further clearing should be done vegetation at the end of the driveway should be left in its natural state and the understanding that what was presented and occurred happened on 76 Greenfield. Commissioner Steinberg seconds Roll Call vote:
- P. Basserman-aye
  - S. Botta-aye
  - M. Papantones-aye
  - M. Funaro-aye
  - C. Begemann-aye
  - J. Meinsen-aye
  - M. Steinberg-aye
- c) IW#23.02.02 | 9 & 33 Elm Street | modification to site plan at 9 Elm St to include 33 Elm St-Jim Pretti-6 additional plantings, arborvitae, serviceberry, 2 copies of the latest plan set from 3/7/2023-with conditions set forth in staff report dated 3/8/2023. Along with standard conditions and provisions that go with every approval, and also that the final planting plan is approved by the agency or agent. Botta amends to clarify that the person doing the monitoring is a wetland scientist or other qualified individual. Funaro Seconds. Roll Call Vote:
- P. Bassermann-aye
  - S. Botta-aye
  - M. Papantones-aye
  - M. Funaro-aye
  - C. Begemann-aye
  - J. Meinsen-aye
  - M. Steinberg-aye
- 5) **ENFORCEMENT:**
- a) CC#22.06.01 & 2<sup>nd</sup> NOV | 20 Huntington Drive | removal of trees and placement of debris
- i) Progress on restoration plan –J.Frederick received an email right before the meeting -needs a contract with the contractor by the April meeting. J. Frederick will meet homeowner on site to review the plan.
- b) CC#22.11.01 | 9 & 33 Elm Street | noncompliance with permit IW#20.04.02, including clearing & grading beyond approved limits of disturbance onto 33 Elm Street
- i) just cause hearing – continued from 12/8/22-main staff concerns was that they got approval for the additional clearing and that the site was stable. Both of

those conditions have been met. Chairman P. Bassermann makes a motion to approve. Commissioner M. Papantones seconds. Motion carries unanimously.

- c) CC#22.12.01 | 21 Brainerd Road | Construction without permits
  - i) just cause hearing – continued from 12/8/22 -been in touch with property owner as well as waldo associates. Property is on their schedule so we will hopefully get it by April 1<sup>st</sup>.
- d) CC#22.12.02 | Valley Road | Vegetation removal and ground disturbance within wetland without permits
  - i) just cause hearing – continued from 12/8/22
  - ii) review of planting plan-vegetation removal and invasive species along the watercourse -plan was put together by a family member who consulted with a landscape professional. Commissioner Botta concerned about survivability in the event of a flood and would need to end up replacing them on a semi regular basis. Commission determined that the plan was sufficient, and any alterations in the species or number of plants would need to be authorized by the IW Agent.
- e) NOV | 76 Greenfield | expansion of driveway within upland review area
  - i) **Tabled pending review of application**
- f) NOV | 92 Flax Mill Rd | removal of trees within the 100 ft upland review area
  - i) receipt of survey-NOV is resolved. Commission determined that presented plan can be approved administratively by the Agent.
- g) Notice of Non-compliance RE IW#20.03.01 | 58 East Industrial Rd | contractor's yard
  - i) Non-compliance with erosion control plan & site layout-will have something submitted for the April meeting-tabled
- h) CC#13.11.01 | 117 Flax Mill Rd | filling
  - i) New property owner, preliminary discussion regarding
    - (1) potentially modifying the mitigation plan
    - (2) application for proposed pool-met with the property owner to go over how to resolve it. Need to have a Soil Scientist to revisit the site since the plan was constructed so many years ago that conditions may have changed and the recommendations in the older report are no longer viable. J. Frederick will work with homeowner to get needed reports.

6) **OTHER BUSINESS:**

- a) IW#19.11.01 | 1151 West Main | construction of bank and grocery store and associated improvements
  - i) Monitoring report & permit compliance
  - ii) Bond return request-**Tabled until April 13 meeting.**

7) **AGENT APPROVALS:**

- a) IW#23.02.03 | 85 Todds Hill Rd | deck adjacent to house & pool

8) **CORRESPONDENCE AND ANNOUNCEMENTS:**

- a) Aquatic Pesticide permit for 9 Totoket Rd
- b) Aquatic Pesticide permit for 14 Long Point Rd

c) H.B. No. 5616 – An Act Improving Standards to Inland Wetland Commission Authority, Membership and Enforcement

**ADJOURNMENT:** Motion to adjourn by Commissioner S. Botta at 10:20. Chairman Bassermann seconded. Motion carried unanimously.

Respectfully Submitted,

Katy Blanchette