

**Inland Wetlands Commission  
Special Virtual Meeting  
Final Minutes  
December 3, 2020**

The Special Virtual Meeting was called to order at 1:00 p.m.

Roll Call:

Lee Reichart, Chairman, Raul Ferreira, Dennis Unites, William Wright and Alternate Nick Salerno (seated for Michael Finiguerra). Also, present, Candace Palmer- WEO.

Commission members and applicants accessed the meeting remotely via Webex by computer or phone.

Consent Agenda:

**IW #16-01 Elizabeth Jenny Brummund** - Seeking a permit for construction of a single-family residence, driveway, utilities and associated grading within the uplands review area. Property located on River Rd., Pawcatuck CT. Assessor's Map 6 Block 2 Lot 6; Zone RA-15. **RENEWAL.**

Candace Palmer, WEO stated that the permit is available for renewal. The renewal is for five (5) years and would be good until March 3, 2026. Mr. Reichart asked if there were any questions from the commission. With none, Raul Ferreira made a motion to approve the renewal, it was seconded by Dennis Unites. Vote was all in favor, 5-0. Motion carried.

Old Business:

**IW#20-10 Christopher & Faith Lutat (Paul Biscuti, P.E.)** - Seeking a permit to construct a new single-family residence, driveway, septic system, underground utilities and associated site improvements within the upland review area. Property located on 174 Montauk Avenue, Stonington. Assessor's Map 124 Block 2 Lot 15B, Zone RR-80.

Paul Biscuti, Project Engineer reviewed the plans for the applicant. They will be using a rain garden to manage storm water and safely discharge water to the wetland. Mr. Unites asked for the composition of the driveway materials. A portion will be gravel with pavement near the house and future workshop.

Mr. Wright moved to approve the application with the following stipulations:

1. Staff shall be notified prior to the start of construction to inspect sediment/erosion control measurements.
2. The rain garden shall be established prior to zoning compliance.

Motion was seconded by Mr. Unites, all in favor, 5-0. Motion approved.

Public Hearing:

**IW #20-11 Town of Stonington (CLA Engineers, Inc.-Kyle Haubert, PE)** - Seeking a permit to replace an existing concrete box culvert for the installation of a new tide gate valve, create rain gardens, regrade and pave a portion of the property. Filing and activity in the wetlands and the upland review area. Property located on 10 Broadway Avenue, Mystic. Assessor's Map 174 Block 5 Lot 13, Zone RH-10.

Kyle Haubert, CLA Engineers, presented the application. The site is the former Fourth District Voting Hall and reviewed the site conditions. The wetlands are on the southern portion of the property from tidal wetlands and discharges through a culvert. The tide valve is from the 1970s and has been non-functional for the past five to ten years. They have gone to DEEP for a permit to work below the Coastal

Jurisdiction Line and DEEP stated they do not have jurisdiction over this type of isolated wetland. They are still poorly drained soils and feel they are considered inland wetlands. They are proposing to install the new tide gate valve and construct new rain gardens, and repave around the building and create paved and gravel parking spaces. If left in its current state the neighborhood will continue to be affected by flooding. Mr. Haubert reviewed the construction process and erosion and sedimentation controls. Mr. Reichert asked for an explanation of the tide gate valve. Mr. Unites asked about the existing valve structure. Mr. Haubert explained it is an older technology and inaccessible to repair. This will be added to the town's yearly maintenance program. It can also be replaced without ground disturbance. Mr. Salerno asked about maintenance for the rain garden. Mr. Haubert explained they are low maintenance. Mr. Haubert reviewed the paving plan around the building.

**Public Comment:**

Jill Miller, 19 Church Street, expressed her gratitude for the town taking this on and the impact it has had on her property and the neighborhood. Ms. Miller asked about construction timing and impact to her property. She also asked for clarification on whether this work will end the tidal flooding. Mr. Haubert explained it will stop the tidal flooding but rain events may still cause some ponding. They will provide notice of construction.

Britton Price, 7 Fraser Street, asked about the location of the tide gate valve and reasoning. Mr. Haubert explained the valve will keep the tidal waters in the cove. The volume of water in the culvert is minimal and will not impact the water levels in the cove.

Ray Trubia, 6 Broadway Ave, also asked for clarification on the valve location and function. Mr. Haubert clarified the process of how the valve stops the water and how the water is stored in the culvert. Mr. Trubia asked about any potential impact to his property from construction and grading. Mr. Haubert confirmed there would not be and there will be notification of construction.

**Public Comment Against:**

None.

**General Comment:**

None.

Mr. Reichert closed the Public Hearing at 1:47 p.m.

Mr. Unites moved to approve the application with the following stipulation:

1. Staff shall be notified prior to the start of construction to inspect sediment/erosion control measurements.

Motion was seconded by Mr. Ferreira, all in favor 5-0. Motion approved.

**Enforcement Officer's Report:**

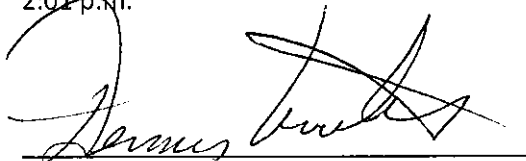
33 Hopkins St., Stonington. Ms. Palmer explained there were complaints about the property owner clearing phragmites on the lot. Mr. O'Hara property owner, explained that their home is right on the property line and wanted to complete a survey to understand the lot line after purchasing the neighboring lot. They were told they could not complete the survey without removal of some of the phragmites. He attempted to clear the area and ended up hiring a landscaping company to clear a path for the survey. There was also a debris pile on the side of the house and they had

phragmites over taking the house. The landscaping company came back and removed the man-made debris pile. They did not receive complaints personally, and found out through the town. They reviewed the site with Ms. Palmer and looked at the wetlands on site. Ian Cole came out and identified the wetlands and made several recommendations for them and contacted the town for approval to follow the recommendations which they have been following. Mr. Reichert asked about their plan to maintain the phragmites going forward. Mr. O'Hara explained they will not touch those in the wetlands delineation and will only be trying to reduce them around the home and trim back with a weedwhacker. Ms. Palmer stated that they are in compliance as long as there is no further disturbance in the wetlands.

Minutes:

Mr. Ferreira moved to approve the minutes of the November 5, 2020 meeting and November 21 Site Walk, seconded by Mr. Unites, all in favor 5-0 motion approved.

Mr. Ferreira moved to adjourn, seconded by Mr. Unites, all in favor 5-0. The meeting was adjourned at 2:01 p.m.

A handwritten signature in black ink, appearing to read "Dennis Unites", written over a horizontal line.

Dennis Unites, Secretary