

Town of East Haven, CT
Inland Wetland and Watercourse Commission
Minutes
Wednesday May 9, 2012

1. Chairman Joanne Esposito called the meeting to order at 7:04 PM.
2. Roll Call- Joanne Esposito, Barbara Brow, Richard Poulton, Joseph Luciano, Ronald Andrade, and Ronald Ferraiolo were present. Also present was Town Engineer, Kevin White.
3. Mrs. Brow made a motion to approve the minutes from March 14, 2012. Seconded by Mr. Ferraiolo. Mr. Poulton asked for a correction to the date, it should say 2012, not 2010. All were in favor, motion carries.
4. Old Business- Mrs. Brow asked about Philips Street. Mr. White stated that he had met with the homeowners, but no work had started yet.
5. New Business
 - a. Application #12-01 Farm River Maintenance

This application is from the Town for maintenance of the Farm River. Six sites that have been worked on previously and two new sites. The new sites are Estelle Rd/Main Street and Main St/Route 1. The work would consist of removal of sediment and dead/fallen trees. Mr. White had pictures, which he gave to the Clerk. There was discussion on clarification of site locations, if the had to work within a certain amount of feet from the banks and if some of this clean up was the result of last year's storms. Mr. White stated that the work would be performed this summer, when the water is at its lowest, by the Public Works. There was some discussion of whether some of the problem was from the railroad or highway culverts. Mr. Poulton asked if Mr. White had any plans to come back to the commission with the expired permits for the 28 sites. Mr. White said he was not aware of any plans. Mr. White asked for approval of the work to be performed by Public Works. Mr. Poulton

mentioned Section 11-6 were these could be 5 year permits. Mr. Andrade made a motion to approve the work with the same conditions as when the work was last done. Seconded by Mrs. Brow. A roll call vote was taken, all were in favor, motion carries.

b. Application #12-02 30 Brown Road

Mr. Poulton stated that this should be 60 Brown Rd. Nancy Anderson and Wally Erickson, homeowners, passed out copies of a State permit and a DEEP survey of the property. They were asking to connect their dock to their deck, 7 feet from the end of the pier to the the deck. Mr. White stated he had received an email from Marci Belin, DEEP, stating that this may be an overlap of jurisdiction. He had done a site visit and didn't think that the small portion of work needed a permit from the commission. Mr. Andrade recommended a permit so as not to set a precedent for future project that may come before the commission. Mr. Andrade mad a motion to approve the permit, seconded by Mr. Poulton. A roll call vote was taken, all were in favor. Motion carries.

6. Enforcement-Palumbo Trucking

Mr. Poulton had a handout for all the commission members. Mrs. Esposito asked why the hand out was coming from Mr. Poulton and not Mr. White. Mr. White responded that he had asked Mr. Poulton to handle this situation for him due to his busy schedule. Mrs. Brow asked the Clerk to read the letter into the minutes. Mrs. Esposito asked if Mr. White approved this letter, he stated he did. Mrs. Brow asked how this had come to his attention. Mr. White stated by an anonymous phone call. There had been no activity on the property.

7. Notice of Violation-1285 North High Street

Tony Esposito, homeowner, was present. Mr. White stated he had received an anonymous complaint regarding flood plain activity. Mr. White had met with the homeowners and he acknowledged the activity. The homeowner was informed that all activity was to cease. Mr. Esposito stated he had brought in gravel to park his boat and trailer on. This area had always been mowed and had a garden on it. The elevation increase was minimal. There was a storm drain that ran through the back yard that had been installed by the town. He

had contacted a soil scientist and if there was a chance he could leave the work that had been done, he would go ahead with the soil testing. Mr. Andrade asked if this could be put on next months agenda. Mr. White thought that without a boundary map he could not make a recommendation. The homeowner was told he could see a copy of the map in the engineer's office. Mrs. Brow asked that all commission members walk the property, in groups that didn't make a quorum. The homeowners gave permission to let commission members walk the property.

8. Other Business

a. DEEP Informational handouts

Mr. Poulton stated he had registered to take Part 2 of the state class for duly authorized agents but it had been cancelled. He did receive a handout with new information from DEEP regarding an Enforcement Flow Chart, which he handed out to commission members. Mr. White asked commission member if they received any of this information from the state or if it only came to his office. . Member stated they did not. Mr. White will ask the DEEP if members can get this information

b. DEEP Regulation changes

Mr. Poulton noted regulation changes from 2010 and 2011. These new changes were Section 7-2 and 10-3. These changes were results of legislative changes or judicial ruling. Mr. Andrade asked if the commission had to have a public hearing regarding these. Mr. Poulton stated no and that he should have the changes for the commission's handbooks at the next meeting.

9. Communication.

Mr. White had a response from the Town Attorney regarding his opinion on the duly authorized agent. Mr. White asked that this be held until the next meeting so that everyone would have a chance to review the information. Mrs. Esposito asked about the cease and desist order on the Crosby property, Cliff St. Mr. White said he would have something at the next meeting for that.

10. Comments

Mrs. Brow asked that packets be ready for the full board 3 days prior to the meeting. She also asked for the full board to be included on communications.

11. Election of Chairperson and Vice-Chairperson

Mr. Ferraiolo made a motion for Mr. Andrade as chairman. Seconded by Mr. Poulton. A roll call vote was taken. Mrs. Esposito-no, Mrs. Brow-no (She commented that Mr. Andrade had been on the commission for over 20 years and had served as chairman for many of those year in the past. She felt that 20 years was an excessive and has the potential to create a powerbase and wrongdoing). Mr. Poulton-yes (he commented that the chairperson should have a vast knowledge.) Mr. Andrade-yes, Mr. Ferraiolo-yes. Motion carries. Mr. Andrade made a motion for Mr. Poulton as Vice-chairman. Seconded by Mr. Ferraiolo. A roll call vote was taken. Mrs. Esposito-no. Mrs. Brow-no (She commented that for the same reasons as the previous vote, and that Mr. Poulton had been vice-chair under Mr. Andrade for many years and this had the potential to become a powerbase or political dynasty). Mr. Andrade-yes. Mr. Poulton- Yes, he accepted the nomination. Mr. Ferraiolo-yes. Motion carries. Mrs. Brow responded to Mr. Poulton's comment that she was not questioning anyones expertise but that her concern was that Mr. Andrade and Mr. Poulton had tried to stop the reorganization of this commission a few years earlier.

12. Mrs. Brow made a motion to amend the agenda for discussion on the Main Street issue. Seconded by Mrs. Esposito. All were in favor, motion carries.

The clerk read a letter from one of the Main Street homeowners. The homeowner stated that Atlas had pumped water from its property to the other side of the highway. There was discussion on the ditch behind the Main Street properties and excess water from the CarMax property. Mr. White asked how deep the Main Street properties were and noted that their usable yard was only approx. 150 deep due to the wetland behind there. Mr. White will see that kind of soil is behind the house and have reports at the next meeting.

A motion was made by Mr. Andrade at 8:16PM to adjourn. Seconded by Mrs. Brow. All were in favor, motion carries.

Respectfully submitted,

Kristen Vineyard, Clerk