

TOWN OF NEWINGTON  
CONSERVATION COMMISSION

March 18, 2014  
Town Hall, Helen Nelson Meeting Room  
7:00 p.m.

**AGENDA**

**I. CALL TO ORDER**

Chairman Philip Block called the March 18, 2014 meeting to order at 7:02 p.m. in the Helen Nelson Meeting Room, Town Hall.

**II. ROLL CALL**

Present at the meeting: Chairman Philip Block, Vice-Chairman Zelek, Secretary Igielski, Commissioner Sadil, Commissioner Cassanta, Commissioner Clark, Commissioner Krawiec, (7:30 p.m.), Commissioner Paskevich  
Not Present: Commissioner Ancona  
Commissioner Paskevich was seated for Commissioner Ancona.  
Peter Arbur, Secretary is not available.  
Chris Greenlaw, Town Engineer, present.

**III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**  
(Each speaker limited to 2 minutes)

None

**IV. ACCEPTANCE OF MINUTES**

A. Regular Meeting of February 28, 2014

Commissioner Igielski: Just a question. On page 8, February 18<sup>th</sup>, item 7 A, motion was to carry over, table the item until the March meeting, yet we have this agenda item as the public hearing for this meeting, so I'm questioning when the motion had been made to initiate a public hearing for the Inland Wetlands LID changes for the regulations?

Chris Greenlaw: Mr. Chair, if the Commissioner can re-state the question as it pertains to.....

Commissioner Igielski: On this evening's agenda there is a public hearing and typically at a previous meeting the motion is made, seconded and passed to call a public hearing on the item which would then cause it to be on this evening's agenda. I thought it was at the February meeting, the last regularly scheduled meeting that the public hearing would have been motioned and carried forward, does anyone recall? Does the maker of the motion recall?

Commissioner Sadil: I do not, I'm sorry, Commissioner.

Vice-Chairman Zelek: I think what might help, Chris, do you have the official notice that was printed in the paper as far as the public hearing.

Chris Greenlaw: Yes, I guess I didn't fully understand the question. I can answer the question with a statement. The statement is, this item does need to stay open. It does need to remain open, and I do have this week's announcement, but I think we're still on the minutes. You want to question the minutes, correct?

Commissioner Igielski: Which meeting minutes called the public hearing?

Chris Greenlaw: I would have to check. What I can tell you is that this item on the agenda needs to remain open until I hear back from counsel and the DEEP. What I can tell you is that I have continued to publish in the paper, on my end, the announcement for the public hearing.

Commissioner Igielski: Just continue, I have no more comments on the minutes.

Vice-Chairman Zelek: We had a public hearing on this at the last meeting.

Chairman Block: I think what you are asking John, is if there was authorization for the public hearing.

Commissioner Igielski: Basically. When was this public hearing first set forth by this Commission? Was it at the last regularly scheduled meeting?

Commissioner Cassanta: It would have been the meeting of February 18<sup>th</sup>.

Chairman Block: The comment is that the minutes do not seem to reflect us voting to conduct a public hearing.

Commissioner Igielski: Commissioner Zelek is indicating that last month's regularly scheduled meeting had a public hearing on this topic, so I think the previous meeting would have been where it was called for.

Chairman Block: All right, that explains it. Are there any further corrections to the February 18<sup>th</sup> minutes. Seeing none, a motion to accept the minutes as written.

Commissioner Igielski moved to accept the minutes of the February 18<sup>th</sup> regular meeting. The motion was seconded by Commissioner Zelek. The vote was unanimously in favor of the motion with seven voting YES.

#### B. Special Meeting of March 4, 2014

Commissioner Clark: On page one, and thereafter, in the middle of Item 4, the paragraph beginning, Michael Fox, the other individual was Mr. Edward Horan, H-o-r-a-n. His name appears thereafter.

Chairman Block: Okay, anything else?

Commissioner Clark: No.

Commissioner Cassanta moved to accept the minutes of March 4, 2014 as corrected. The motion was seconded by Commissioner Paskevich. The vote was unanimously in favor of the motion with seven voting YES.

### V. PUBLIC HEARING

#### A. Inland Wetlands Regulation Changes -- LID (Low Impact Development)

Chris Greenlaw: Mr. Chairman, if I will, I'll read in to the record: Notice of Public Hearing, Town of Newington Conservation Commission, Town Hall, Helen Nelson Meeting Room B &

C, Main level, Tuesday, March 18, 2014 at 7:00 p.m. The Newington Conservation Commission will hold a public hearing to the following: Continued from February 18, 2014. Inland Wetlands Regulation Changes, LID, Low Impact Development. All materials and plans relevant to the above regulations are on file in the Town Engineer's Office. Dated in Newington, February 19, 2014, Phil Block, Chairman, Newington Conservation Commission. I have two things Mr. Chairman to report in regard to the LID regs at this time, three things. The LID regs as they pertain to TPZ with the Zoning and Subdivision as an aside, they have approved them as they relate to their own regulations. Ours, specifically, how the regulations pertain to Inland Wetlands, my recommendation is to keep this public hearing open. I contacted the DEEP and the DEEP was actually able to contact the person who is reviewing these regulations, and they have requested that they have more time and keep the public hearing open. They just haven't had time to read through them and the Council hasn't reviewed them and commented back to me, so that being the case, I would recommend to the Commission to keep the public hearing open for those agencies.

Chairman Block: Do you have a copy of the regulations with the changes in red, so if you haven't read them, please do.

Commissioner Igielski: Mr. Chairman, isn't that a different topic that you are beginning to encroach upon?

Chairman Block: You're right.  
All right, motion to table this again, please?

Commissioner Zelek: This is a public hearing, public comments?

Commissioner Sadil: The public hearing has to be closed at the next month's meeting, is that right?

Chairman Block: Yeah, we'll run out of time.

Commissioner Igielski moved to table agenda item 5A Public Hearing on the Inland Wetland Regulations Changes relative to Low Impact Development to the next regularly scheduled meeting in April. The motion was seconded by Commissioner Sadil. The vote was unanimously in favor of the motion, with seven voting YES.

## VI. NEW BUSINESS

### A. Application 2014-04, 16 Fenn Road

Chris Greenlaw: Mr. Chairman, I have to report that the application was received in the appropriate time period. The application did not go out in the mail and it is here before you tonight, but there is a conflict with the consultant and the applicant could not be here this evening. This application is formally received this evening and the clock starts.

Commissioner Sadil: I move to table Petition 2014-04 to the next meeting. The motion was seconded by Commissioner Cassanta. The vote was unanimously in favor of the motion, with seven voting YES.

**VII. OLD BUSINESS**

**A. Application 2014-03, Cedar Street (MDC)**

Chris Greenlaw: Mr. Chair, I believe that we have the MDC here with us if they would like to come up and answer any remaining questions. They had a couple of items that they were supposed to prepare, which they did, very diligently. There was a question as to the mapping of the wetlands and the (inaudible) wetland limit as it pertains to the town official map. There was a question I believe as it pertained to the state data base as it pertained to protected species.

Adam Thompson: I'm project manager and professional engineer with the MDC. We did provide the maps. We had showed out wetland delineation, which was not consistent with the town delineation. We have since provided the maps to include town delineation. We did report back and did not find any species on the protected list. The great blue heron was specifically the question that evening, if I remember correctly. Not to say that they are not out there, but the data base did not show the information for that.

Commissioner Zelek: So did you do the inspection on site, or did you just visit the data base?

Adam Thompson: We did visit the site, and nothing was there but most of our information is based on the state data base.

Commissioner Zelek: And who did the visit, some type of biology experts?

Adam Thompson: Yes, we had a soil scientist and they didn't see anything?

Commissioner Clark: They did the site inspection in the last few weeks. Has that site even been inspected at any other time of the year?

Adam Thompson: Not that we are aware of. When he did an initial delineation, that was probably in the time that the vegetation was growing, spring to fall which was a while ago, but since then we have not seen anything.

Chairman Block: In that regard, your testimony is that no one has seen a Blue Heron during the winter, which would be fairly obvious.

Commissioner Zelek: I would disagree, because I observed them there just a month ago prior to the meeting that we had on this application.

Chairman Block: So then you are considering this re-visit to be timely?

Commissioner Zelek: I don't understand your question.

Chairman Block: My point is that at a time before the snow and the ice descended on us, would it be more likely to see this specie in this locale, and now with the inclement weather.....

Commissioner Zelek: Let's just stop, are you an expert, and you would know when they would be.....

Chairman Block: No, that's why I'm asking.....

Commissioner Zelek: That's why I asked, and there is an expert on site, to do an inspection, so that should satisfy the question.

Chairman Block: Okay.

Commissioner Paskevich: Is there a document in writing attesting to that?

Brian Hickey: Our wetland scientist couldn't be here tonight, but for the record, Brian Hickey, project manager for PDM Smith and I'm the project manager for the project and I can double check to see if there is any correspondence, I'm not sure. Beyond checking the state's data base and reviewing the area, beyond that, I don't know what else you would expect.

Adam Thompson: I'm sorry the scientist couldn't be here tonight, but we do have two points, one is the data base and one was when he was out there for the delineation, he has not been back in winter. He was out there during the original delineation of the wetlands.

Commissioner Paskevich: Which was when?

Brian Hickey: I don't want to misquote, November, December, 2011.

Commissioner Clark: Blue Herons are found in Connecticut all twelve months near open water, so in the data base, are you talking about anything that can be found anywhere in Connecticut or a data base based on Town of Newington. What data base specifically are we talking about? Are we talking about a threatened specie data base?

Brian Hickey: I would think, and I wasn't present at the last meeting, but I would assume that it is the state's endangered specie data base.

Commissioner Clark: So this is just for endangered specie that live there, rather than species that normally live there and might be interrupted.

Chairman Block: I think there was, I would question again, I think there was some reference to a past meeting and how concerned we could be without a threatened species, but in this particular case, an indigenous species that wanders, this habitat, after this work is done, will the habitat in that area be significantly permanently changed?

Brian Hickey: No, I mean, there is a plan to restore the area to existing or even better conditions because some of the shrubs that are proposed are berry bearing which are food sources for animals, so it is actually going to be an improved condition for that reason.

Chairman Block: So I think in that case, we can go onto other issues with the project.

Chris Greenlaw: Mr. Chairman, if I will, I believe Adam, you sent me a copy of this list, and if you don't have it with you, I'd like to give it to you, because you seem to be looking for it, and maybe you can share this with the Commission.

Adam Thompson: Thank you.

Chris Greenlaw: Mr. Chairman, the applicant is reviewing the data that they sent as far as their endangered and threatened data base as pertains to various animals. They are reviewing it.

Adam Thompson: There is no listing for the Great Blue Heron.

Chairman Block: All right, any other issues or concerns with this application?

Commissioner Clark: I just want a general question answered. That is that when a Commission such as ours is making a decision we are just speaking to, could there be an endangered or threatened species in this area, not that the species in that area that are not threatened or endangered, hence the great heron, and certain species might be displaced, and I just wanted to ask if that was a concern of the Commission, or only threatened or endangered species is affected.

Chairman Block: If I remember correctly, I think the statute goes to permanent changes in characteristics of the wetlands and the question, and as was pointed out, a temporary displacement is one thing, a permanent change to the wetlands would be another, which is why I asked the question as to whether or not the area would be permanently altered or restored to the same components, and the answer was that it would be restored and improved from a wetlands perspective, so nothing that we have heard says that there will be a significant detrimental impact in this regard.

Commissioner Clark: And I know that we spoke about the timing, and we're encouraging them to start after spring migration and nesting season, if that would be an issue, and I know that they were just trying to get it to where it would be low water time, but is it based on low rather than the birds nesting?

Adam Thompson: It is low flow which is typically late summer or in the winter time, so I think....

Commissioner Clark: That would take care of that.

Adam Thompson: Yes.

Commissioner Paskevich: What is the nesting area of the Blue Heron?

Commissioner Clark: They would not be nesting in that area. Heron's find an area which is called a rookery where there is a bunch of dead trees, and they all nest in the same area, so they would not nest any where near here, so that particular species, I can state for the record, that we would not be displacing the nesting area.

Commissioner Zelek: I don't know if you're familiar with the area Kathleen, but there are a number of dead trees there. I see them going from Mill Pond, kind of following Mill Brook.

Commissioner Clark: Right, but they usually congregate all in one area and if there was a heron rookery in Newington you would know that, but good observation.

Commissioner Sadil: That's true, just by St. Mary's there's trees that have been pushed into the area there.

Commissioner Clark: It's worth looking this spring, maybe we are missing something, but I doubt it with people out roaming, I think herons are probably safe enough.

Chairman Block: Is there any further questions or concerns on this project?

Chris Greenlaw: The consultants have before them the plan with regard to Commissioner Clark's statement, you picked up the trees in the area within the easement where you are working, you could review that for any, I believe the term was rookery, that you used.

Brian Hickey: The storm that we had back in 2012, when ever that freak snow storm was on Halloween, a lot of trees came down, and that could have contributed to the changed conditions over time.

Chairman Block: Excuse me, unless I'm totally confused, this is the project that is going to go along side Cedar Street, is that right?

Brian Hickey: For the most part, yes.

Chairman Block: And it goes from where it intercepts the brook, so there isn't any quiet secluded area, or any place where it isn't frequented by people and so I do not see, I'm not an expert, any place that is quiet enough or undisturbed enough to be used as a nesting area by anything, much less a rookery.

Brian Hickey: I think one other thing, the DOT has drainage that discharges right into Mill Brook right in that area, so it's a disturbed area.

Chairman Block: All right, anything further from the Commission?

Commissioner Cassanta: I do have one question. I remember from the last meeting you said you had contacted all the homeowners sans one for approval, and you had gotten approval. Were you successfully about to contact that one remaining household in the interim?

Brian Hickey: The one house is the one directly adjacent to the brook, and we have not, that is still in foreclosure with the bank.

Commissioner Cassanta: I just wanted to check for factual purposes at this point.

Chairman Block: Does anyone from the Commission see the need for a public hearing on this issue? Then, if there are no questions, are you prepared to vote on this?

Commissioner Igielski: The standard procedure at this point would be that the Chair ask the Town Engineer if the application is complete.

Chairman Block: Chris, is the application complete?

Chris Greenlaw: Yes Mr. Chairman., and the updated map as well.

Chairman Block: Are there any proposed conditions?

Commissioner Igielski: At this point Mr. Chairman, I make a motion that based on the evidence put forth the Commission make a finding of fact that a public hearing is not necessary for Application 2014-3 because the proposed activities do not have a major impact or significant effect on the regulated area.

The motion was seconded by Commissioner Sadil. The vote was unanimously in favor of the motion, with seven voting YES.

Chairman Block: Are there any conditions, Chris?

Chris Greenlaw: I do not have the conditions with me at this time. The standard twelve would prevail, but I have no special conditions to add to this application.

Commissioner Igielski: Standard conditions one through twelve, and no special conditions?

Chris Greenlaw: Correct.

Commissioner Igielski: At this point I would make a motion that the Commission issue a permit by summary ruling for Application 2014-03 and subject to the following conditions, numbers one, two, three, four, five, six, seven, eight, nine, ten, eleven, and twelve. The motion was seconded by Commissioner Cassanta.

Commissioner Igielski: I think that this application is necessary because of the work that is needed to be done for the people who live along Cedar Street. It will benefit them, specifically and directly but also will benefit the entire town by enhancing the MDC's facilities that service this town. I would like to thank the MDC for coming forward with the project.

The vote was unanimously in favor of the motion, with seven voting YES.

A recess was taken at 7:30 p.m. Meeting was resumed at 7:39 p.m.

#### B. Application 2013-22 Milk Lane

Chris Greenlaw: Just to update the Commissioners. This application was for Milk Lane for public works and they had, we had proposed as part of the CIP to invest in our roadways and parking area down at what we call the yard. Now like anything else, before we invest, just to reiterate, before we invest in the roadway, there are culverts there, CL&P culverts, we are losing them, it's a hazard, they are rotting out. We are going to replace those twin pipes with polyethylene, this pipe will be seen. In addition to that, we went through the permitting process, easement process, tentatively to propose, underneath there's wires, there's transmission lines from CL&P, it's a division that I haven't dealt with before and we, to improve upon the hydraulics and this serpentine challenge that we have, we had proposed also to improve upon the swale. Last time I came to you we were discussing the swale itself, what it looked like and additionally what we were going to do to "harbor" it because now it's a storm water conveyance channel and has quite a bit of water that comes down from Fenn Road, and the water is serpentine, you get erosion, we discussed what we were going to do. All right, that being said, I asked for a little bit of time because I was a little skeptical myself as far as some of the conveyance pipe that we had upstream and some of the velocities, so I was just going to extend my show and tell to you. The pipe manufacturer has a whole division in just slope protection and slope control matting devices, so they came in to talk to us about some of the different erosion control mat that they have, whether it's penzar grids, whether it's for underneath pavement, but more for typical swales, we have everything from the traditional straw, and you can pass these around, you see a lot of this, it has a polyethylene net that goes over it that biodegrades in about a year, and the idea is that when you put this swale in, we are going to seed it and these rolls, all this material here, which keeps from what is called real erosion, whether it's velocity of water, whether it's because of the slope or channel, what it is, is, it holds in place. They have biodegradable staples, they have steel staples and this material comes in rolls and you literally roll it out in various lengths, various widths. This is something, I'm going to show this to you, and pass it around because this is something that traditionally people would use on slopes two to one, three to one, and greater, in residential lots, construction sites, and you might see something along the lines of this.

Commissioner Paskevich: Chris, how does that compare with jute mat?

Chris Greenlaw: Jute actually has, that's a good question, jute actually has like a coconut fiber in it as well and it will help with the seed to be established. It's just a little bit thicker, it holds up better, a little better biodegrade, it has like a coconut fiber in it as well, a little bit thicker. This here is the item that we are going with. It's more of a polyethylene product, it biodegrades in about three to five years and it holds up to a more canalized, high velocities for a swale rather than a slope. That's more for slope, construction sites, residential houses, two to one slope. This is something that we can utilize. We got this from the manufacture's rep. Just to give you an idea too, the area that we are looking at is like 240 feet, and from the bottom up, two twelve-four foot rolls will do it, and I think the difference for this whole area is like \$1500.00 by going up to this. It's a no brainer for us to utilize this, so we are going to go with this. This will photodegrade in up to about three years. It looks immediately green. Everybody has got to like that.

Chairman Block: Chris, do you plant over that? Do you seed over it?

Chris Greenlaw: You actually seed under it. This will go over it. We have to dig channels. They have used this product before but this is going to have the same methodology, little bit heavier, little bit thicker for this first year, until that grass really gets established, they are going to have to be careful. You aren't going to go in there with a flail mower the first year. You're going to have to have a more gingerly approach or go in the next year. They will hydroseed first, just so you know, we had a meeting with the highway superintendent, parks and rec, myself, we got educated on this because I believe that we need a little something extra. The pipes that you see to the west, we are going to have rip-rap, preceding these pipes, we are going to have rip rap, rip rap comes in various sizes. We are going to have appropriate size rip rap, good size, six to ten inches or so, but in between, this is where you are going to see the mat and grass, put in topsoil, hydroseed, mat, and this should work with the velocities.

We are going to use the mix that Parks and Rec, unless they tell me differently, they are going to utilize the same mix that they use down by the cemetery, establish the slope, came in beautiful, very thick. There was no real erosion. They used this matting and it worked fantastic so we know that, it came in like a golf course, really. It far exceeded my expectations.

Commissioner Zelek: And that is fine for a cemetery, but this is kind of like an industrial, it's kind of like a wetland in an industrial area. Is it possible to put in a seed mix so that if there is (inaudible) in that corridor you would be able to take advantage of it?

Chris Greenlaw: The question that I would have, it would come down to, because they do maintain it, they do mow, and we have public works and we have highway. It would come down to, if they can, I have no problem with asking, the hydroseed truck, they mix the dye, they mix water, they mix the seed, they have a mulch, and the thing you have to be concerned about is the diameter of the holes in the hose, because they do plug, and it becomes cumbersome, but I can certainly ask. I will write that down and ask them, but I kind of have a feeling that is what it is going to come down to.

Chairman Block: Also ask them if it would be possible to hand feed.

Chris Greenlaw: When you plant next to channels, you have to be careful. There are certain advantages to try to get shady on channels if there are fish and whatnot, okay? But at the same time, you want it up on the channel so if you do have higher flows, it doesn't rip out of the bank and become an obstruction.

Chairman Block: If there is something that we could nurture and use as a food source as well as holding the banks back.....

Chris Greenlaw: So a request for horticulture species by the horticulturist as to whether, if it's possible to over plant with something that could be of benefit to the wild life.

Commissioner Zelek: We should probably leave it up to the experts to decide what is best and appropriate for that site.

Chris Greenlaw: I will ask, because I'm sure they are full of recommendations, but it will come down to money, I'm just being brutally honest with you. We did go with the upgrade, I did get this into the budget, I just wanted to show you this though, this is kind of interesting, and if I haven't told the Commission before, when I was trying to learn about all the different LID techniques and methodologies, did I mention the Hole in the Wall Park down in East Lyme? There is an engineer down there, he took his money from DEEP and he had donations and the town helped and they have down there, they have a display of various different types of LID techniques, so if you happen to be going through the center there, they have a nice streetscape, they have an area called the Hole in the Wall park. They are doing a lot of different things down there. They have buildings that are running on solar power, they do a lot of different things with the parking treatments that they have used, everything from pavers to grass with polyethylene type of structure, but not to get off track, that's where I saw this material. He actually has a detention pond, and the overflow, he's used this. This material here is good up to twenty-five c.f.s, so if you can image twenty-five cubic feet of water per second moving over this and what he did, he had an area with this, and without it, and I took a picture of it, and you can see where the bank is eroded, and he did that purposely so you can see the benefit of this material. Now something like this for flows is much more expensive, it's much more dense as you can see for high flows, but I wanted to mention the area down there, because even if you don't have someone to walk you through it, it's something that you can go down, and they have signs up, and you can learn about some of these different LID techniques and treatments for parking and detention ponds, so I just wanted to throw that out to you. Instead of having a rip rap, this is acting as an armor protecting the soils from high velocity being eroded and taken away.

Chairman Block: Is there any action necessary on this item tonight? Do we need to table it again?

Chris Greenlaw: One thing I want to add, one thing that came out of the meeting post our little seminar, is that obviously, as far as the phasing, before we had all the snow, the ideal was that we were going to have the cross culvert operation in the winter months, so we could concentrate on our roads and everything in the summer. The benefit to this is, obviously we can't have grass grow in the winter, so we would like to do the culverts in the winter, which has now become the spring, but the idea is that just a little drainage class, you always put in drainage low to high, and the benefit to that is that you might see these culverts go in in the spring, but we will do the swale either in spring itself, or fall, because those are planting seasons. The good thing about it is that when you construct low to high, going up slope, we're going to work in the shadow of the water that is here. So we are never working in the channel until the last twenty-five feet up here, and I want you to know that, which is a benefit. So this project would go in two pieces. Obviously this was our charge, to replace the culvert. For a lot of good engineering reasons we want to do this, and there happened to be pretty good inland wetland reasons because improving this is going to improve the characteristics of the swale, but I want to let you know, you may see this go first, if approved, in the spring, or even maybe next fall, but the good news is, we do it in the shadow of the protection of the

water that is here and that's the idea. I talked to Parks about that, and they are even willing to possibly leave this, so we can construct this and get that grass going and then do the last twenty-five feet. We've been discussing that and that seems to be the phasing of this.

Commissioner Zelek: What happens to the existing culvert?

Chris Greenlaw: The existing culvert what we are looking to do is a cut and fill, so we would cut here to this plateau, leave it there, and then once this becomes operational, we would fill that in and seed that as well.

Chairman Block: Again, is there any action necessary tonight? So the application, is it complete tonight?

Chris Greenlaw: I believe so.

Commissioner Igielski: I make a motion based on the evidence put forth, the Commission finding that a public hearing is not necessary for Application 2013-22 because the proposed activities are not a major impact or significant effect on the regulated area.

The motion was seconded by Commissioner Sadil. The vote was unanimously in favor of the motion with seven voting YES.

Chairman Block: Will there be conditions on that?

Chris Greenlaw: There will be conditions. I was originally going to state that there would be the original twelve, but what I would like to do, pursuant to the questions asked about the seed and the habitat species of plantings we could add, if those are approved, it's going to be budgetary or an operational constraint. I believe both of those comments are good comments, I endorse them and will bring it to the attention of Park, and if so Mr. Chairman I have no problem doing this if it is possible.

Chairman Block: So would the Commission like to have that addressed informally or would you rather hold the application until a new vote and apply the conditions formally.

Commissioner Igielski: I would recommend that the Commission allow the Town Engineer to complete this informally.

Mr. Greenlaw, you mentioned the standard conditions, one through twelve, and no others at this time, so we can move forward with just the standard conditions.

Chris Greenlaw: Yes.

Commissioner Igielski: At this time I would make a motion that the Commission issue a permit for a summary ruling for Application 2013-22 subject to the following conditions, numbers one, two, three, four, five, six, seven, eight, nine, ten, eleven and twelve. The motion was seconded by Commissioner Paskevich. The vote was unanimously in favor of the motion with seven voting YES.

#### C. Inland Wetlands Regulation Changes – LID (Low Impact Development)

Chairman Block: I note that we have received the Inland Wetlands Regulations with the annotations. Chris, report?

Chris Greenlaw: Mr. Chair, being as though we have tabled the public hearing to the next month, unless, certainly if Commissioners have additional comments at this time, but we would like to table this as well until we hear back from the other agencies. Certainly if the Commissioners have any comments now that they want to incorporate we can bring them forth.

Chairman Block: Now I had asked you all to read the regulations in the interval, and if there is anything that you would like to bring up for consideration I think now might be the time to speak up.

Commissioner Zelek: Mr. Chairman, are you talking about Low Impact Development Changes or are you talking about legislative changes or are you talking about other changes.

Chairman Block: Other changes.

Commissioner Zelek: Under C, we are talking about Low Impact Development and I don't think we should be introducing any other items into that agenda. So can we please just focus on that as the engineer has advised, we should probably table this.

Commissioner Sadil: I have a question. This came in the mail, and it says this is a legislative update.

Chris Greenlaw: Mr. Chairman, for the benefit of saving money, quite honestly, and I did check into this, I actually created these myself, and I checked with IT first, just to give you an idea, they charge us, if you want one text, either with Kinkos, FedEx, or Staples, fifty-nine cents a side, so what I did was, I opted to, I don't have my own color printer next to my desk, so I got permission from IT to print these off. That's a long way of saying, that's why I always hesitate to print in color and I check with IT and try to be (inaudible) and I try to incorporate, and you should have both the legislative upgrade and the LID in one document.

Commissioner Sadil moved to table the Inland Wetlands Regulation Changes-LID until the next meeting. The motion was seconded by Commissioner Cassanta. The vote was unanimously in favor of the motion, with seven voting YES.

D. Inland Wetlands Regulation Changes – Legislative Changes

Chris Greenlaw: I just want to keep the Commission up to date. I sent that over to the Town Attorney first. They are somewhat convoluted in their raw form if you think of this, developed by the attorneys, legislatures, so end of the day, he did approve those sections as I had incorporated them for your read into the regs, and now they are back to us to digest and go through and ask questions, so you are seeing this basically right from the DEEP website, and we have about six years of updating, and those you can look at in their raw form, they are public acts, they list them on line, you go in and pull them out. The difficult thing is figuring exactly where you put them into your sections of the regs, so they are there before you in red and you will see, because we have six years, you will read through it and notice how they have changed and how one might supercede the other.

Commissioner Sadil: So basically the subcommittee has finished their work? I thought at the last meeting we said there was a sub-committee formed to approve.....

Commissioner Zelek: So I guess the question Chris, are you reporting back on behalf of the subcommittee?

Chris Greenlaw: No, and I want to clarify that, and this is a question Mr. Chair. Low Impact Development, we wanted to utilize because of the obvious reasons. We had a consultant, we had developed these regulations over a year, we want to go and use this. Pursuant, the legislative changes are incorporated in for your review, but we do I believe have a subcommittee and it's Commissioner Igielski and Chairman Block.

Commissioner Sadil: And yourself.

Chris Greenlaw: Yes, and we have not met yet because I have not begun to start typing the changes that I have proposed. So that subcommittee has not met, nor have we started to go into the body of the regs, outside of those specific changes.

Commissioner Paskevich: The question I have now is, are we going to continue to keep these on the agenda, or wait until you come up with your survey with the subcommittee?

Chris Greenlaw: Mr. Chair, for instance the legislative changes, much like the LID after we somewhat memorialize these, we have a subcommittee to report, I send out another hard copy, electronic copy, and then we have to have a public hearing, then they have to be sent to the Commissioner, I have to send to TPZ and the Council, that's why I'm calling the LID changes the dry run, we're going to have to do the same thing all over again, so first we as a Commission, we're going to have a subcommittee, then we are going to meet as a Commission, we are going to go through those changes, make sure you all agree. You as a Commission are going to agree to the changes of, I want this condition here, I want this as a standard condition, you are going to bring up things that you want to propose, then it gets sent to, back to the Town Attorney as well.

Commissioner Paskevich: Are you making amendments, changes or conditions.

Chairman Block: All of the above. Anything that you read in there, that you think needs to be changed, one way or the other, should be brought to the attention of the Commission at this time.

Commissioner Zelek: I think it is too premature to ask us that. We have asked the subcommittee be formed, and that occurred, and I think the question is, does this need to remain on our agenda month to month. Can the subcommittee just go ahead and do their work and then when they are done, come back to us and present it.

Commissioner Paskevich: That's exactly what I'm thinking.

Commissioner Clark: If we did have a question, would it be more appropriate to address it to the subcommittee members and not spend the Commission's time.

Chairman Block: Again, this was last revised in 2010, it's going to be hopefully done in 2014 when we vote on it again, but I want to make sure that somebody doesn't come up and say, whoops, we should have thought of this, that's why I want all of you looking at it and making sure that there is nothing in there that you want to address. Either bring it up to the subcommittee or bring it up to the full Commission, I couldn't care less, but I don't want something to slip by that someone later regrets.

Commissioner Paskevich: I think what Commissioner Clark is asking is if one of us, including her going to ask for a condition or a change or an amendment to the subcommittee at the table, or outside of the table?

Chairman Block: Well again, I don't think it matters how it is done. I do think if you bring it up to the subcommittee there could be an issue of some other Commissioner who might have been able to comment or consider but wouldn't know about it.

Commissioner Paskevich: I'm still thinking the subcommittee has been chosen and recommended to be working on this are going to be scrupulously working on this together to make those changes, and then our job is to maybe, is, to read them after you have applied them and presented them to us. Not actually go in there and start moving things around while you are moving things around, I think that is a conflict of interest, and will cause more confusion about verbiage and literal, and everything, I don't want this, myself, to become more confusing than it may be come.

Chairman Block: Any changes are going to have to be considered by the entire Commission. It's not a question of making the changes, but finding something like this, or something that concerns you. It's a question of having more minds than one, two, three. You all have experience, you all have an ability to think that you understand the intent for the purpose of these regulations, and we want that contribution, if something comes to mind after we look at it, that's all.

Commissioner Paskevich: Back to the original question, month to month basis or waiting until it has been looked at by the subcommittee?

Chairman Block: The sooner that we find the areas that somebody is concerned about, the sooner we can consider them and eventually propose coming to a consensus as to how we want the regulations to function. So, this has already been the third meeting that we have had on this, at which I have exhorted you looking at it and start coming up with your own concerns.

Commissioner Paskevich: I'm still of the thinking that subcommittee should meet first and provide their scrupulous activities of looking at it together before we start looking at it, aside from the subcommittee.

Chairman Block: I'll tell you the truth, I've read through this three times recently, so again, many eyes are better. Anyway, enough on that today.

Commissioner Krawiec: I don't feel that we have completely resolved the concern of the Commission.

Chairman Block: At this point in time, the subcommittee is going to be meeting, okay, I've exhorted you please, if you have something, to bring it to the attention of the subcommittee and/or the Commission in general at the next meeting, I don't think there is anything further to be done with it.

Commissioner Zelek: I think there is. We have not resolved, Alan brought up a question, is this going to be on the agenda month to month where we spend time of this, talking about it, or is it going to be the subcommittee's duty to go through it on their own and bring back to us once it is completed. Can we have an answer on that? I think the entire purpose of the subcommittee was to alleviate the burden from the Commissioners.

Commission Igielski: I would recommend in the interest of the length of the meetings, that it not be on the agenda on an on-going basis until the subcommittee has something to report to the Commission. At that time, the Chair will place it on the agenda.

Chris Greenlaw: Mr. Chair, the legislative changes have been sent to the Town Attorney. If we are going to incorporate our changes as a subcommittee in the next proceeding months we will get together, and it could be two, three months down the road and we will then bring them for discussion with the Commission. Add it to the agenda and we will come in with a report, probably in two, three months.

I recommend that you take a consensus of the Commission whether they want this item to continue to appear on the regular agenda.

Chairman Block: I think I've heard from you all that you don't see any great need to continue this on the agenda until there is something to report. If that is the case, then we can let it go off the agenda next month.

Commissioner Krawiec: I'd like to see this on the agenda in June so that we don't lose sight of this, and years go by, do you think we could get a report from the subcommittee by June?

Commissioner Paskevich: Not to contradict you, but just listening, the Town Attorney and the State have to first look at this, and we don't know when they are going to do that, do we?

Chairman Block: Well, it's.....

Commissioner Sadil: I would think the Attorney would get it last. There are going to be all these changes, he's going to be the gate-keeper here, so I think you update everything and everybody's changes and I think he looks at the final draft and marks it up.....

Chairman Block: Let me see if I understand this, I thought the proposed changes, the ones in red here, that apply to LID are the ones that are sent to the State.

Chris Greenlaw: Different item: LID is its own item, and that process has already been initiated, that's all ready been handed out, it's been approved once by the Town Attorney, it's gone to all of the agencies, we're waiting to hear back. We've already discussed that agenda item, that's a dry run to get us used to it. What we are talking about now are the legislative changes and the Town Attorney is like a gate keeper. He looks at that up front to make sure that I run correctly, and my staff is willing for the appropriate sections of the regs. Now we are going to get together as a subcommittee and we're going to report back to you in two or three months, we'll put it back on the agenda. I believe you are discussing that now, and what we are going to do is show you all of the changes, in addition to those legislative updates, we'll send them back up to the Town Attorney, he'll comment on obvious things that need to be changed and possibly kick them back down. At that point, much like LID once we have boiled them down and incorporated our changes, have a review from the Town Attorney then, just like LID all the regs, including the LID regs get sent again to the DEEP Commissioner, TPZ, and the Council and then they come back to us after that. So I think what I'm hearing is that you want the subcommittee, you're going to vote tonight to have this come off the agenda and let us work on this and then report back.

Commissioner Igielski: That would be my recommendation.

Commissioner Paskewich: I concur.

Commissioner Sadil: I recommend the June meeting, so we have some sort of a finale, deadline. So I would set some time, two to three months that we would put this back on the agenda, whatever the subcommittee felt comfortable with.

Chairman Block: I would suggest that we just leave it there, that way, if there is something to deal with, it will be there rather than pulling it out of our recollection.

Commissioner Paskewich: I agree with that, but there is an exception that we don't start conversing about it if there is nothing to report from the subcommittee.

Chairman Block: I think the way to solve this is for someone to make a motion.

Commissioner Zelek moved to remove the inland wetland regulation legislative changes until such time as the subcommittee is ready to report back.  
The motion was seconded by Commissioner Igielski.

Commissioner Krawiec: I would like to suggest that it be back on the agenda in two or three months, just to keep our eyes on the progress.  
The vote was unanimously in favor of the motion, with seven voting YES.

#### E. Inland Wetlands Official Map Changes

Chris Greenlaw: Still working on that, still updating, an incredible amount of time, I will add and I will update you next month.

Commissioner Sadil moved to table the Inland Wetlands Official Map Changes. The motion was seconded by Commissioner Paskevich. The vote was unanimously in favor of the motion, with seven voting YES.

#### F. Agenda – Format and Outline

Chris Greenlaw: Collecting data on that, but at this time we just haven't allocated the time to take any part of that at this point.

Commissioner Clark: I don't quite understand. We are changing the agenda.

Chairman Block: There was a discussion if you recall at the last meeting based on a comment from the public that the one liner outline of our agenda was not descriptive enough, and there was a discussion last meeting about trying to create a adjunct back page which would contain some little brief description, an abstract of what that agenda item was, so the public upon reading the newspaper would be able to get a better idea of what.....

Commissioner Clark: Now I remember what you mean by that. This is going to be tabled?

Chairman Block: Yes.

Commissioner Clark: And where are we going with that? We will bring it up at another meeting?

Chairman Block: Yes. There was a question about the applicant filling in a block and then we can cut and paste it and use that as the back page of the agenda and, how would that fit into our in-house publishing facilities.

Commissioner Clark: So we will do an internal investigation as to how to make that happen?

Chris Greenlaw: Yes.

Commissioner Sadil: Can we do the same as the legislative changes, give a little more time, there's a lot of our plate, maybe just postpone that for.....

Chris Greenlaw: Mr. Chair, that's a terrific recommendation. This is so far down on my list right now, I have my hands full. I'm trying to, I have one person almost dedicated to the map changes, he's reading through historical applications to make sure they follow the process, I mean, it's difficult finding the information, we're trying to verify this map, and there are questions for the Town Attorney, it's, obviously, if I have a map ready to send out to you, and I can push it out electronically before the next meeting, but I don't want to jump back to that item, but we're spending a lot of time right now in house.

Commissioner Zelek: About how many maps are you.....

Chris Greenlaw: I don't have a number.

Commissioner Zelek: Do you feel this should be taken off the agenda until you are ready to put it back?

Chris Greenlaw: Yes.

Commissioner Zelek moved that Item E, Inland Wetland Official Map Changes be removed from our agenda until the Town Engineer is ready to report back on this topic. The motion was seconded by Commissioner Sadil. The vote was unanimously in favor of the motion, with seven voting YES.

Commissioner Igielski: Mr. Chairman, what is the outcome of agenda Item F. The motion was in respect to Item E.

Commissioner Sadil: I made a motion to table Item E until Mr. Greenlaw was ready to report with an update. Then we went to F, had a brief discussion, and we would delay that.....

Chairman Block: And we took that off the agenda too.

Commissioner Sadil: Yes.

Chairman Block: Isn't that what just happened?

Commissioner Zelek: The motion was made for Item E and read as Inland Wetlands Official Map Changes.

Commissioner Igielski: Mr. Sadil has a good point that agenda Item E, with his motion, that was made and seconded to carry over that item to the next meeting. So any further action on item E would have been out of order.

Chairman Block: John, are you saying that Item E had been resolved and we had gone on to F?

Commissioner Igielski: Yes.

Chairman Block: Okay, then the vote that we just had was on F.

Commissioner Igielski: No. Because the motion was made with respect to Inland Wetlands Official Map Changes which was Item E.

Chairman Block: So we hit E twice?

Commissioner Igielski: Yes, once officially, once unofficially.  
That's why I'm saying the motion is out of order because it was made after the item had been tabled.

Chairman Block: If there is no further discussion, can we have a motion on agenda Item F?

Commissioner Igielski moved Agenda Format and Outline be removed from the agenda until such time as the Town Engineer indicates that it is appropriate to add it back on. The motion was seconded by Commissioner Cassanta. The motion was unanimously in favor of the motion, with seven voting YES.

### G. Sub-Committees and Initiatives

Commissioner Krawiec: This is the Keep Newington Litter Free Initiative, just want the Commissioners to know that they will be seeing posters advertising the event on April 26<sup>th</sup> 9:00 in the municipal parking lot. There are also outreach for volunteers, letters will be going out to schools and town officials. The Mayor has confirmed that he will be on site that day to launch the initiative and we are asking this Commission for people who might be interested in being team-leaders that day. We're not sure what the turnout would be but we are hopeful that we'll have fifty, sixty people, we may have twelve, we're not sure. We are looking into the Keep America Beautiful Organization because our intention is to continue this.

Commissioner Paskevich: Do you have areas that you are thinking of, designated areas that you, can you expand on that?

Commissioner Krawiec: The only designated area that we have right now is Cedar Mountain, the public land. At the last meeting there was some discussion about the watercourses designated for pickup. Any Commissioner that has any suggestions for areas that you want picked up, we're open to suggestions.  
What was brought up at the last meeting and that the Chairman is concerned about, you as Commissioners going to the Cedar Mountain site. It probably would be in our best interest for us to participate in litter pickup in sites that do not involve Cedar Mountain.

Commissioner Zelek: What is the concern with Commissioners going onto Cedar Mountain?

Commissioner Krawiec: It was discussed at the last meeting. Chairman, do you want to answer that?

Chairman Block: It has been brought to my attention that various elements of the town feel that it would be inadvertently or veridantly be perceived as coloring the town's position on the pending appeal, and since there are other town properties that are involved, that it would be safer for us not to be, showing our faces, which is to safeguard your ability to be involved if and when Cedar Mountain comes back before us, which it probably will.  
Are there any letters going out to any businesses?

Commissioner Krawiec: Many. Two hundred, two hundred businesses.

Chairman Block: So we don't have to do anything tonight?

Commissioner Paskevich: I have a question. The areas of pickup, are they going to be land and water?

Commissioner Krawiec: No, we would like to include some water courses because we're pushing conservation in the wetlands and that's why the advertising is done accordingly.

Commissioner Paskevich: So expanding on that, if there is a conservation easement property in Newington, is that public land?

Chairman Block: You would have to get the town's permission and the private property owner's to go onto it.

Commissioner Paskevich: So the private property owner is responsible for the Conservation easement.

Chairman Block: It's still his property.

Commissioner Paskevich: And if there is liter in the water? Is he responsible?

Chairman Block: If it is in the water that is within his property, yes. There have been many, many indications when the health department has issued orders for debris in brooks of any type to be removed.

Commissioner Clark: I have a specific question for Mr. Greenlaw. Of course now I see trash everywhere, it's really not fun to drive around, there is it, it was probably always there, but it's way too obvious. One place I found a lot of trash, but in an inaccessible place was the Stew Leonards, Sam's Club Plaza because the watercourses are all enclosed in the fences, and all of the trash is on the other side of the fence. Are those completely enclosed, is there access to get in there? I assume they own the entire plaza, including the watercourses. It just seems like a tough place to keep clean because of the fences erected I assume to keep the public from falling in.

Chairman Block: I can tell you that an order went sent out, several month ago, for those to be cleaned, and they were cleaned, but it's just a reoccurring problem.

Chris Greenlaw: Mr. Chairman, I believe I informed the Commission before and I believe that I reached out to the members and I believe that I sent out forms. The Health Department and Zoning are empowered through different ordinances but they are the first person to contact. For instance you are talking about Stew Leonards, Sam's, Gateway Plaza, it's all private property, and when we have problems like this, Zoning picks up under blight, my authority stops at the street line, drainage I can go on property to resolve problems, but as I mentioned to Commissioner Krawiec, and asked her to follow up with the Health Department. The Health Department has certain powers and authorities, all the way down to dust, offensive odors, liter, we always start with them. We can have them start first, because they know where they can go, what their purview is, and at least start a dialogue with the owners, whether it be Zoning or the Health Department. Certainly if we have someone who dumps, that's different, but if we are talking about liter, those are the two agencies that we start with first, and you probably know, under Zoning, a hot topic item, that they have included blight as well, and they can tell you specifically when you talk to these two individuals, there are derivatives, because of this, this can happen and they follow-up. That's who I, I get these calls, that's who I call.

Commissioner Paskevich: So the public land that is on Cedar Mountain, would that be part of enforcement of the blight ordinance?

Chairman Block: It depends on what....but we don't want anything in between our prior decision on Cedar Mountain and to have the ability to be presented as influencing our ability to make a proper decision.

Commissioner Zelek: Where is that advice coming from?

Chairman Block: The Town Attorney. I believe that when he was here before us he told, if you would like to have him say it again, I'll be happy to have....

Commissioner Zelek: I referring specifically, did he, the Town Attorney, give you something for the Commission, some kind of a report that advises us not to go there.

Chairman Block: It was just in conversation regarding the proposal to have clean-up committees onto Cedar Mountain. He said it, he considers it quite important that this Commission keep a low profile in that regard because there is no specific concern at the moment, but he just does not want an issue to, for an opportunity for someone to limit our ability to respond to this lawsuit.

Commissioner Zelek: My concern is, if this is advice to the Commission, it should be given to us in a report. If we are getting it second hand, you know, it's going into someone's ear, spinning around, and coming out of some one else's mouth, so something could get lost in translation, so that is my only concern.

Chris Greenlaw: I believe Commissioner Krawiec mentioned that the Mayor was going to be there, April 26<sup>th</sup>, so if the Mayor is going to be there, I think you previously mentioned that you had waivers, so the Town is cognizant of this event, and it's been vetted out through the Manager's office and I'm sure if they have some sort of correspondence, if the Town Attorney wanted to weigh in, that would be the opportunity I would think. The question I would have is, if you are following the protocol at that time, I would assume that the Town Attorney is cognizant of the process. I know when events are planned, for instance, Market Square, they start with the Town Planner and they have a meeting and the Department heads get together to make sure the lights are going to be on, the electrical equipment and such things, so my question to you is, it sounds as if you are following the appropriate protocol, and I would just make sure that if there is correspondence with the Manager, I'm sure if he had a question as to the event planning area being Cedar Mountain that the Town Attorney.

Commissioner Krawiec: I will bring this up to Chairman Fox and ask him to verify with the Town Attorney if the Commissioners can participate in the Cedar Mountain clean-up.

Chairman Block: Let me just interject, if there are Commissioners who want to participate in the clean-up of Cedar Mountain could you let me know now, and I will contact the Town Attorney tomorrow and if he has any issues with it, I would suggest that he generate a memo which would be distributed by e-mail to the Commission member to advise you as to that position.

Commissioner Clark: We did bring up the point that we were originally thinking of Cedar Mountain, Mill Pond Park and Churchill Park, but were informed that the Town does such a good job at those parks that there may be very little to clean up there, and we also would make an effort at the municipal parking lot if it is in need of work. Clean up Cedar Mountain draws a lot of interest. I now think anyone in a leadership role has to be very careful, saying look, here is Ancient Highway, don't go over that. That may be the place to go.

Chairman Block: Again, in that regards when Deborah and I talked before as to where else we might apply, unfortunately we had a lot of snow cover. Now it's receded, so I would say the same thing, if anyone on the Commission, if in your travels see any place is public and has a need for liter control please make the subcommittee aware of it so they can evaluate it and see if it can be added as a site.

H. New Initiative - Vernal pools

I.

Commissioner Zelek: We have the proposal to table, unfortunately I've been short of time at work, and I have not had the opportunity to make (inaudible), so hopefully in the next few weeks, I will have something for the Commissioners.

The motion was seconded by Commissioner Paskevich. The vote was unanimously in favor of the motion, with seven voting YES.

J. Invasive plants

Commissioner Clark: Similarly, because of the snow cover, I cannot get any further into one area for the entire winter. Hopefully spring will come and so will the invasive plants.

Chairman Block: Chris has found something that is really quite excellent.

Commissioner Clark: I did actually have one more reference to give to you. There is a group called the Aton Forest and if you Google that, you will find that they have seminars that begin soon and I think there is one on invasive plant identification, and it was just a fun thing to go to. They have one on vernal pools also.

Chairman Block: Do you want to drop this from the agenda or table it until next month?

Commissioner Clark: I would leave it on, table it for tonight. Motion to table.

The motion was seconded by Commission Igielski. The vote was unanimously in favor of the motion, with seven voting YES.

**VIII. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**

Each speaker limited to two minutes

None

**IX. COMMUNICATIONS AND REPORTS**

Chris Greenlaw: Before you on the table are the handouts for invasive plants, and I dug into my archives and also received from DEEP some very helpful CD's as far as some training and some map reading and the function and value of wetlands and water courses, and there are four discs, and I spoke to the Chairman on this and we thought perhaps we could hand these out to the Commissioners, and feel free to take them home, please return them so the other Commissioners can utilize these as resources.

A. Application 2014-02AA 107 Golf Street

Chris Greenlaw: Golf Street is an existing house that needed a new (inaudible) and I met with the Chairman, not only on this one, but on all three of them of course, this is a unique

and good example for a couple of reasons. Golf Street, when the applicant originally came forth, the design professional was trying to tell him that although he was in the upland review, he said no wetlands impacted the property. We spent an extensive time for him to entertain a map amendment, and remember, a map amendment is their choice, but I told him that we had data from our own property from the golf course that we felt it would be a benefit for him to come forward and he wouldn't have this restrictive covenant. The individual felt as though he made a business decision and said he would like to (inaudible) the application. I spoke informally with one of the Commissioners this evening and one of the things that we had him do was because of this footprint and the upland review, with the Chairman, we worked with him and he gave us, he is proposing to give us twenty bushes, they happen to be blueberry for habitat, and some of the other things we have done, as far as the construction to the house, although we can recommend, we can recommend, this is very interesting, as far as zoning and engineering, though TPZ we can recommend if there is a drainage sensitive area to tie in the roof leaders, but under the auspice of Inland Wetlands in controlling water and having water leave the property, the manner by which it would have naturally, we were able to have him collect all of the roof leaders and run to just before the buffer area, just above the buffer area and then throughout level spreaders, he is going to disperse the water, so these are good things, these are in accordance with LID, some of the things that we are pushing for, now that we have them just about in the regs we have been requiring, whereas, the way we did business, two, five years ago, again, unless there was a major drainage issue, and people would come before TPZ, that was the only way I could get my foot in the door, but now through wetlands I wanted to show you that.

B. Application 2014-05AA, 62 Barnard Drive

This came to us through the Zoning Department. When they go out and do their inspections someone is talking about working at their house, this individual was only taking down three trees in the upland review area, and he could have escaped this if he didn't use any mechanized equipment. The person was very forthright, and I talked to him about the things that he had, we learned that he had an existing shed, and going forward we started discussing what was there, very forthright, and now that we had the opportunity to educate him, he understood, and what we did was we immortalized an existing shed that he had, gave him a permit for the trees, and we said if he did take out the stumps we would put in a provision for a silt fence, so many of these applications, we're not just punching his ticket as far as what he is doing, we're educating them, we're talking to them. We spent a lot of time, so at the end of the day, that was a fruitful agent approval.

C. Application 2014-06AA, Mill Pond Park

This application is directly across the street. The park department, I'm not sure if it's by means of a grant, I don't want to say grant, but we now that there is (inaudible) of the pond, and what they want to do, they want to do twofold, they want to do a couple of things. When they first came into us, they were proposing to put some exercise equipment outdoor exercise equipment and, for various muscles on the body there are stages, and first they were putting on the inside of the bituminous trail that goes around the pond, and we talked to them for obvious reasons, very steep there, someone could fall off, you are actually in the wetland areas, and we discussed with them, they would have to come before you perhaps and we looked at this in another light, we actually went out there, in the field, and we repositioned them. We repositioned them in that it works with some of the other amenities that they have in the park. They have a fire pit, they have a gazebo, the gazebo by the way is also coming down, it's closer to the pond, and we worked with them, and they had funding to put in a new pavilion, the pavilion, we go them to bring the pavilion farther away from the

pond, and put it up gradient on the other side of the path, make sure it works in concert with the other things that they have. So again, we have a permit for that, and everything there is in the upland review. The other item they have, you will see, they have a dock in the water, it will be taken out of the water, they will put new ballast, and they will put it back in the water in place, identical and that is the extent of their permit at this time. The exercise equipment I'm curious to see. What it will be is, and why I'm reporting to you, it's just not on poles, it's, there is a concrete base, so off the path there might be a little stone dust and a concrete base, they are supposed to be pretty heavy duty, so it's the first recreation equipment for adults, so I'm anticipating that it should be interesting, a compliment to some of the things that they have.

**X. ADJOURNMENT**

Commissioner Sadil moved to adjourn the meeting. The motion was seconded by Commissioner Cassanta. The meeting was adjourned at 9:05 p.m.

Respectfully submitted,



Norine Addis,

Temporary Recording Secretary