

Town of East Haven, CT
Inland Wetland and Watercourse Commission Minutes
September 12, 2012

Chairman Ronald Andrade called the meeting to order at 7:08PM

1. Roll Call

Ronald Andrade, Ronald Ferraiolo, and Richard Poulton were in attendance. Also present were Town Engineer Kevin White and Town Attorney Al Zullo.

2. Approval of Minutes from July 13, 2012

A motion was made by Mr. Poulton and seconded by Mr. Ferraiolo. All were in favor, motion carries.

3. Enforcement

82-100 Barberry Rd. Mr. White gave an overview for Atty. Zullo. Attorney Zullo stated that Mr. White is allowed on the property as an agent for the commission. He suggested that he be escorted by a police officer. He will research the rights for enforcement on this particular case. Mr. White will have more information at the next meeting.

90 Hill Street- Mr. White went to the property and did not find any evidence of filling of wetlands. He told complainant to call if they saw any activity. Mr. Poulton made a motion to table until next meeting. Seconded by Mr. Andrade. Mr. Ferraiolo abstained. Motion carries.

4. Violation

Grannis Lakes- Mr. Zullo stated he has a conflict of interest and would not be discussing this item. Mr. White had a call about activity in and around the lake that was within the 50 ft buffer. The land in question is owned by the lake association. The president of the association stated he knew the work was going on and would contact their attorney. Mr. White will visit the site and tell the homeowner to stop all work and monitor for any ongoing activity. He will ask the homeowner to bring a plan for approval before the commission. Mr. White may need to issue a cease and desist order. He will also send the homeowner a letter if they don't come before the commission with a plan.

5. Correspondence

DEEP sent a letter requiring the commission to make three changes to their regulations. Mr. Poulton had copies of the new regulations. This does not require a public hearing because the state mandates these changes. Mr. Poulton

made a motion to change the commission's regulations, seconded by Mr. Ferraiolo. All were in favor, motion carries.

6. Legal Opinion

Attorney Zullo referred to his letter of March 29, 2012. An agent has to complete the state course to be duly authorized. He stated that communication between the agent and the board was important. According to the regulations of the commission, the engineer is the duly-authorized agent. There was discussion on Mr. White taking the classes. If a new engineer comes in that has not taken the classes, they can be authorized to make administrative decisions subject to review and approval of the board. Mr. Poulton made a motion of retroactively approve administrative actions made by James Staunton regarding 3 Stone Pillars, with conditions that any discovery of new wetlands must come before the commission. Seconded by Mr. Andrade. Mr. Ferraiolo was opposed. Motion carries.

7. Other business

The chairman made sure that the clerk has all contact information for Attorney Zullo. He also requested a list of all members contact information be prepared. The chairman suggested to Mr. White that the commission members have identification cards for visiting properties. There was discussion on purchasing a tape recorder for use at the meetings. There was discussion on when applicants need to file an application in order to get on a monthly agenda. It was suggested that the agenda be prepared and given to the clerk 1 week prior to the meeting so that members would have a chance to review beforehand.

Mr. Poulton made a motion to adjourn at 8:05 PM, seconded by Mr. Ferraiolo. All were in favor motion carries.

Respectfully submitted,

Kristen Vineyard
Clerk