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**TOWN OF EAST HAVEN
INLAND WETLANDS AND WATERCOURSES COMMISSION**

**MINUTES OF REGULAR MEETING
HELD WEDNESDAY, AUGUST 9, 2023
AT EAST HAVEN SENIOR CENTER, 91 TAYLOR AVENUE**

The regular meeting was called to order at 7:11 PM.

I. ROLL CALL AND PLEDGE OF ALLEGIANCE

The following members were present:

Richard Raffone, Chair

Wendy Bellmore, Vice Chair

Kristy Porter

Kerry Martens

Michael Sparago

Others in attendance:

Jennifer Coppola, Assistant Town Attorney

II. REVIEW AND ACTION ON PRIOR MEETING MINUTES

1. Minutes from November 9, 2022 Regular Meeting.
2. Minutes from January 11, 2023 Regular Meeting.
3. Minutes from February 8, 2023 Regular Meeting.
4. Minutes from July 12, 2023 Regular Meeting.

This matter was passed.

III. PUBLIC HEARING

1. **Application No. 2024-001 for 179 & 197 Borrelli Road.** Assessor's Map 610, Block 7241, Lot 002 & 003. Owner: Vineyard Sky Farms Corp., Applicant: Vineyard Sky Farms Corp. The application proposes to fill two wetland areas. The project is proposed within regulated wetlands areas and includes filling.

The public hearing was not opened as the applicant was not present. Attorney Coppola read an email into the record that was received by Town Engineer Jonathan Bodwell from the applicant's representative Rodney Galton:

Hi Jonathan, I am just seeing these emails, they were in my spam folder. I will have to get the wetlands flags back up and the additional information you requested to you but I will not be in time for the meeting tomorrow. I assume the commission will continue the application to be ready for next month. Sorry for the inconvenience.

Attorney Coppola responded to questions from the Commission regarding publication of the public hearing and potential courses of action that the Commission could take on the application. She also explained the statutory timeframe.

Commission members commented on the status of the application.

IV. DELIBERATION SESSION

1. Discussion and possible vote on Application No. 2024-001.

Ms. Porter made a Motion to Deny the Application Without Prejudice because the applicant did not appear for the noticed public hearing and Mr. Martens seconded the Motion.

The Motion was discussed and the Commission voted unanimously (5-0) by roll call vote in favor of the Motion to Deny the Application Without Prejudice.

Return to Agenda Item III. regarding the outstanding minutes and the lack of a Commission Clerk was discussed.

Mr. Raffone asked if public comment could be taken. Attorney Coppola explained that public comment is not on the agenda so if a member of the public had a wetlands enforcement concern, they could discuss the matter with her following the meeting and she would alert the Wetlands Enforcement Officer, Town Engineer Jonathan Bodwell.

V. EXECUTIVE SESSION

Ms. Porter made a Motion to Go Into Executive Session to discuss the pending court action of 33 Foxon Hill Holdings, LLC v. East Haven Inland Wetlands and Watercourses Commission and invite Attorney Coppola. Mr. Sparago seconded the Motion. All were in favor (5-0). Mr. Raffone cleared the room and confirmed there would be no action by the Commission coming out of executive session.

The Commission went into executive session at 7:32 PM.

Ms. Porter made a Motion to Come Out of Executive Session and Mr. Sparago seconded the Motion. All were in favor (5-0). The Commission came out of executive session at 7:58 PM.

VI. ADJOURNMENT

Ms. Porter made a Motion to Adjourn the meeting. Mr. Sparago seconded the Motion. All were in favor (5-0). The meeting adjourned at 8:00 PM.