

Town of East Haven
Inland Wetland and Watercourse Commission
Minutes
November 13, 2013

Chairman Richard Poulton called the meeting to order at 7:05 PM.

Richard Poulton, Gerry Jaffe, and Eric Warmoth were in attendance. Also present was Town Attorney Joseph Zullo and Town Engineer Kevin White.

1. A motion was made by Eric Warmoth and seconded by Gerry Jaffe to approve the minutes from June 12, 2013
2. There was no old business.
3. There was no new business
4. Enforcement: 13-02 3 Monte Circle

Mr. Cacace, homeowner was present. Chairman Poulton had a detailed listing of dates of communications and/or scheduled meeting with the homeowners. No work had been done on the property over the summer. The Town Attorney notified the homeowner on Oct 21, 2013 that fines would accrue due to no action on the Notice of Violation. Mr. Poulton told the homeowner that he must file an appeal for the fines to the Commission and the Town Attorney. The homeowner stated that work had been done, but soil stabilizing couldn't happen until the spring. Mr. White stated that the activity had been in the wetland area and that there were ways to get it done. The soil needed to be stabilized. On a motion made by Mr. Warmoth and seconded by Mr. Jaffe, the Notice of Violation will remain open until an appeal notice is received.

13-03 95 Warner Rd

No one from 95 Warner Rd was present. Attorney will issue a Notice of Violation under state statute 14.4A, fines starting today. A motion was made by Mr. Jaffe and seconded by Mr. Warmoth for the cease and desist order to remain in effect with the NOV

13-04 103 Warner Rd

Mark Vivieros, homeowner, was present. This is a continuing problem with sedimentation and erosion control. Mr. White stated that this issues was not a one time fix, it was ongoing during construction. The homeowner stated that the

problem did not stem from his property, rather it comes from the neighbor.. Mr. Vivieros had copies of a report that he had performed by a local land surveyor which determined that the problem does not come from 103 Warner Rd. He also stated that he had not done any excavation on his property since last year. He asked the commission to see that the dirt is coming from the neighbor. Mr. White stated that new silt fence and hay bales would help rectify the situation. Homeowner reiterated his point that it was coming from neighbor. . A motion to vacate the cease and desist order and issue a Notice of Violation was made by Mr. Jaffe and seconded by Mr. Warmoth, until such time Mr. White felt the work was done satisfactorily.. The homeowner again, reiterated his point that the problem was with the neighbor, not him.

5. 05-10 Elliot Street

Mr. Poulton stated that this issue had been rectified.

6. Communications:

Mr. Puotlon had communication with DEEP regarding the commission/ Town Engineer not sending in quarterly reports. He stated that this problem predated Mr. White and that he had taken care of all the information. All reports are now up to date.

7. Comments from members- None

8. Motion to adjourn was made by Mr. Warmouth and seconded by Mr. Jaffe at 7:32PM

Respectfully submitted,

Kristen Vineyard, Clerk