

INLAND WETLANDS & WATERCOURSES COMMISSION

REGULAR MEETING

FEBRUARY 10, 2025 – 6:30PM (VIA ZOOM)

- 1 1. Call to Order. The meeting was called to order at 6:30pm.
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- 3 2. Roll Call & Seating of Alternates. Present: Vivian Garfein, Larry Burcroff, Sally Spillane, John
- 4 Landon, Russ Conklin (Alternate), John Harney (Alternate), Abby Conroy (Land Use Director,
- 5 Miles Todaro (Land Use tech Specialist) and Georgia Petry (Recording Secretary). Absent: Maria
- 6 Grace, Cary Ullman and Tracy Brown (Alternate). R. Conklin was seated as voting Alternate for
- 7 M. Grace and J. Harney was seated as voting Alternate for C. Ullman.
- 8
- 9 3. **Approval of Agenda. So Moved** by L. Burcroff, seconded by J. Landon and unanimously
- 10 **Approved.**
- 11
- 12 4. **Approval of Minutes of January 13, 2025. So Moved** by J. Landon, seconded by S. Spillane and
- 13 unanimously **Approved.**
- 14
- 15 5. **Approval of Minutes of January 16, 2025. So Moved** by S. Spillane, seconded by J. Harney and
- 16 unanimously **Approved.**
- 17
- 18 6. Public Comment – V. Garfein read the stated guidelines for Public Comment, as follows: Public
- 19 Comment is restricted to items that are neither on the agenda nor the subject of any pending
- 20 Inland Wetlands application or action and are limited to three minutes per person.
- 21 Carol Connolly wanted to ask questions about the withdrawn application from 280 Between the
- 22 Lakes Road. V. Garfein respectfully asked Ms. Connolly to hold onto her comments because the
- 23 applicant may come back with another application; there would then be another public hearing.
- 24 V. Garfein expressed that she did not want anything on the record that would prejudice the
- 25 actions of this Commission. Ms. Connolly commented that she had submitted 4 questions in an
- 26 email to A. Conroy and M. Todaro; A. Conroy responded that the email was received after the
- 27 application was withdrawn and can't be added to that file. A. Conroy suggested that if the
- 28 questions are submitted in writing to her, she may be able to answer them. S. Spillane
- 29 expressed that this is an item on the agenda; should not be discussed; and no action should be
- 30 taken that would cause members to recuse themselves, as this Commission can't afford
- 31 anymore recusals on this matter.
- 32
- 33 7. #2024-IW-046 / NOSTERO LLC (Pat Hackett) / 95 Preston Lane / Demolition and Reconstruction
- 34 of Single-Family Residence / Map 69 / Lot 32 / DOR: 1/13/2025

35 Updated plans had been received, according to A. Conroy. R. Conklin had comments from the
36 site visit and observed that the site is very steep; he asked about the treatment of the whole
37 slope and what vegetation would be grown and maintained. Pat Hackett answered that it would
38 be grass. S. Spillane commented that there is a good conservation mix and asked to see the
39 planting plan. L. Burcroff asked if the removal of the hemlock tree at the top of the driveway is
40 essential; Mr. Hackett answered that the reason is to try to keep the driveway fairly level and
41 described the details. S. Spillane described the plant list as a meager planting plan which needs
42 larger shrubs with bigger root systems. Mr. Hackett asked Brian Hanecak to explain the choices;
43 Mr. Hanecak described them as plantings that don't block the wall and the view. S. Spillane
44 commented that the stone wall is an issue on its own and suggested planting different plants in
45 different groups; Mr. Hanecak responded that the infiltration system is at the base of the hill so
46 there is not a lot of room to plant. V. Garfein suggested planting more for root systems and
47 then cutting them low for the view. R. Conklin asked about a meadow mix on the slope that
48 can't be mowed; Mr. Hanecak answered they can do something there. S. Spillane asked about
49 finding a native grass, not an invasive species. V. Garfein commented to A. Conroy that the
50 Commission would like to see a revised planting plan; S. Spillane agreed. A. Conroy noted that
51 the plan should specify other planting areas and other open-ended details. V. Garfein asked if
52 there could be a revised planting plan by the February 24th meeting; Mr. Hanecak answered yes.
53 A. Conroy asked if the applicant would grant an extension to February 24th; Mr. Hackett
54 answered yes, he would send an email. Mr. Hanecak asked if could send the planting plan to A.
55 Conroy and get comments ahead of the meeting; A. Conroy answered yes.

56
57 8. #2024-IW-040 / 280 BTLR LLC (Great Falls Construction) / 280 Between the Lakes Road / To
58 Relocate a Portion of Between the Lakes Road and Install Drainage Improvements / Map 67 / Lot
59 07-2 / DOR: 9/23/2024 / OH: 11/25/2024 / Application Withdrawn

60
61 9. Communications:

62 A. Permit Application for the Use of Pesticides in State Waters – A. Conroy pointed out that
63 these are just notifications which require no action from the IWWC, but might be something
64 for the Conservation Commission to consider. R. Conklin commented that it's really up to
65 the NDDDB to rule on the matter.

66 i. Noble Horizons – R. Conklin had reviewed the listed pesticides; there was further
67 brief discussion.

68 ii. 463 Wells Hill Road – An application for a 3-year permit. J. Landon asked to see the
69 map, regarding the outflow. A. Conroy displayed the map and noted there was
70 nothing obvious.

71 B. CT Bar Association Seminar – A. Conroy described the very full day of the meeting; V.
72 Garfein commented that there are a lot of good seminars and to please attend. A. Conroy
73 recommends attending; it is not required for IWWC, but it is a remote, not in-person
74 meeting. Register with M. Todaro and there will be a book and materials.

77 10. Draft Wetlands Map Discussion

78 A Wetlands map is needed when the Regulations are adopted, according to A. Conroy. The
79 draft map is based on what the State has adopted as watercourses and waterbody layers
80 and includes soils; it is not site specific. The IWWC can ask for more delineations. R. Conklin
81 asked what they will do with the map; V. Garfein asked if it needed for the Regulations. A.
82 Conroy explained that it is the same adoption process; when there is a Public Hearing, she
83 recommends having 2 Motions – 1 for the Regulations and 1 for the map. J. Landon asked
84 what the plan is for capturing survey information from applications in GIS. A. Conroy
85 explained that there are 2 parts and recommended starting with this map for an initial
86 adoption point, then on an annual basis to pay for those delineations to be digitized. Some
87 delineations exist in Mylar form in the Town Clerk’s office and are sent to the GIS company
88 to digitize when they are doing property boundaries; it is piecemeal and recommends an
89 annual update. R. Conklin suggested keeping the current map and creating an overlay that
90 could be used by the Land Use office, without getting approvals each time. A. Conroy
91 pointed out that there are many changes each year so they have budgeted, based on years
92 past, how many changes they think they will need. V. Garfein and R. Conklin recommended
93 keeping the map and overlay separate; R. Conklin suggested trying out the wetlands layer
94 for a couple of years to see how it goes. A. Conroy mentioned the addition of vernal pools,
95 as the monitoring and discovery goes on. J. Landon asked about the inclusion of open
96 space; A. Conroy and Kayla Johnson have started that initiative and are discussing how
97 easements might be shown. V. Garfein noted that it is very important to flag conservation
98 easements. A. Conroy talked about the plan for the adoption of the Regulations and will
99 send the members the Statute Section 22a-42a (a) & (b), which she read and summarized
100 the Tentative Regulations Amendments Timeline. A. Conroy pointed out that this is a
101 Commission-initiated Regulation Amendment; there is no Statutory timeline, so she has
102 established a timeline, beginning with a discussion of what they want the draft to look like.
103 On March 24, 2025, the Commission could vote on sending draft for hearing. There is a
104 Notice requirement to DEEP of the Regulation Amendment, at least 35 days before such
105 hearing on the amendment. The Hearing date would be May 12, 2025; it must be referred
106 to DEEP prior to April 7, 2025. V. Garfein proposed that at the next meeting on February
107 24th, they should look at the Regulations again, have a final review on March 10th, and a
108 vote on March 24, 2025. A. Conroy will send out the Regulations, with the proposed
109 changes in red and a clean copy; S. Spillane asked that those and the timeline be sent in
110 separate emails. V. Garfein asked that all members attend the meetings in March and May.
111 A. Conroy mentioned that FAQ’s, used by Greenwich CT, will be integrated over time into
112 the IWWC website by M. Todaro. R. Conklin wants to have the list of things that can be
113 done without a permit; he thinks that will be the whole discussion. V. Garfein noted that
114 their Attorney does not want that list in the Regulations; the IWWC can look at it again and
115 finalize it. A. Conroy commented that it doesn’t have to be referred to DEEP, since it will not
116 be part of the Regulations; it doesn’t need to be finished by March 24th. A. Conroy
117 explained the Notice requirements for publishing in the newspaper twice before the Hearing
118 and suggested advertising it on the IWWC website also. V. Garfein talked about each of the

119 4 lakes having a separate line item in the Regulations and it will be up to the different lake
120 associations to come to the IWWC to request an Upland Review Area (URA) greater than 75
121 feet; they will be informed about the dates of the meetings. A. Conroy pointed out that the
122 goal is to get the Statutory changes fixed; later changes could be by petition. V. Garfein
123 mentioned that there will be further discussions.

124
125 **Adjournment. So Moved** by S. Spillane, seconded by J. Landon and unanimously **Approved.**
126 The meeting ended at 7:42pm.