

Regular Meeting Minutes
September 5, 2019

CITY OF NORWICH
INLAND WETLANDS, WATERCOURSES AND CONSERVATION COMMISSION
Lower-level Conference Room
23. Union Street, Norwich, Connecticut

A. **CALL TO ORDER:** Vice Chairman Douglas Lee called the meeting to order at 7:00 p.m.

B. **ROLL CALL and SEATING of ALTERNATES:**

Present: Richard Morell, Chairman
Douglas Lee, Vice Chairman
Peter Chalecki
David Poore
Michael Lahan, Alternate
Robert McCoy, Alternate

Absent: Brandon Hyde

Also Present: Dan Daniska, Assistant City Planner, Katherine Rose, Recording Secretary and Sandra Gaitan-Brown, Community Liaison – Office of Community Development (Acting as Translator).

C. **APPROVAL OF MEETING MINUTES:**

Douglas Lee put forth a motion to APPROVE the August 1, 2019 minute. Michael Lahan seconded. The motion passed unanimously.

D. **COMMUNICATIONS:** Dan Daniska reported that the third treatment the pond at 289 New London Turnpike was scheduled to occur on or around August 6th.

E. **PUBLIC HEARINGS:** None.

F. **OLD BUSINESS:** None.

H. **NEW BUSINESS:**

1. **IWWCC #19-15(JR) – 182 Plain Hill Road Application for a Jurisdictional Ruling related to a request for a two (2) lot subdivision of a parcel with an existing dwelling. Property and application of Little T LLC. Assessor’s Map 43, Block 1, Lot 2, Zone R-40**

Dan Daniska reported that this is an application for a non-jurisdictional ruling and that a soil scientist did flag wetlands in the area however the proposed septic system would be installed outside of the Upland Review Area so unless there is a change during construction there is nothing for the IWWCC to be concerned with.

Douglas Lee made a motion that the IWWCC does not have jurisdiction on Application IWWCC #19-15(JR): 182 Plain Hill Road due to the fact that no activity is proposed within the 100 ft. Upland Review Area of any surrounding wetlands. Michael Lahan seconded. The motion passed unanimously.

2. SHOW CAUSE HEARING: Unauthorized Land Disturbance in a Regulated Area – 92 North Street, Norwich, CT Assessor’s Map 86, Block 5, Lot 17, Zone MF

Dan Daniska stated the City received a complaint from a neighbor that a clearing disturbance had occurred behind the home at 92 North Street over the winter. However, the area was covered in snow at the time, so Deanna Rhoades and Dan Daniska returned to the property in August and observed a large amount of vegetation in the wetland area had been removed and dumped further into the regulated area on the property. Dan Daniska reported he sent out a cease and desist letter to the homeowner dated August 27th with a list of corrective actions: that the homeowner immediately install and maintain in good working order erosion and sediment controls in the form of silt fence at the limits of the disturbance; to coordinate with a soil scientist licensed by the State of Connecticut to develop a plan for replanting and restoration of the disturbed area as well as the removal of deposited cut vegetation from the regulated area; and to submit a City of Norwich IWWCC application with an associated site plan(s) depicting the unpermitted land disturbance activities that have occurred to date and for any/all restoration work to be performed on site no later than (30) days from the receipt of the letter.

Real Estate Agent Deborah Moya of 2 Central Ave, Norwich introduced herself and stated the homeowners brought the letter they received from the City to her office and stated in the homeowners’ defense they were not aware there were wetlands present on their property as they purchased the home in the winter so the area was frozen over and as it turned to spring they assumed the water was from melting snow as it dried up entirely soon after. Deborah Moya stated the residential disclosures that the homeowners received upon purchasing the home are marked as stating there are no wetlands on the property.

Sandra Gaitan-Brown of the City’s Community Development Office (serving as a translator) introduced herself and read a letter written by the homeowners Gregory and Yesenia Llactas of 92 North Street, Norwich stating when the home was purchased two years ago the wetland area was covered in snow and they were never made aware there were wetlands present. After a few months the homeowners thought the water present was a result of melted snow and that there was a lot of trash mixed into the vegetation so the homeowners were only attempting to clean up their property. The letter stated the homeowners are first time home buyers and apologize for the mistake but were genuinely unaware that they were breaking any regulations.

Gregory and Yesenia Llactas presented a copy of the residential disclosure they received upon purchasing the home that shows when the former property owner was asked if there were any wetlands present on the property they marked it as none.

Richard Morrell asked if area was examined and if the City delineated the wetland area. Dan Daniska responded that there is an embankment in the rear of the home where it is clear

where the remaining vegetation on the neighboring home stops. Michael Lahan asked what the size of the disturbed area is. Daniel Daniska responded the area is approximately about 20 feet wide.

Richard Morrell stated he would like for the IWWCC to consult the original site plans to determine what plantings had been present to save the homeowner the inconvenience of consulting a soil scientist and then have the homeowner install a silt fence until the new vegetation takes hold. Discussion ensued on if replanting seedlings were needed and if the vegetation would fill back in on its own. Sandra Gaitain-Brown stated on behalf of Gregory and Yesenia Llactas that they did not pull up the roots of the vegetation but simply trimmed the tops down.

Douglas Lee questioned if a permit was required for residential plantings in an Upland Review Area. Dan Daniska responded for this situation staff would be comfortable with the IWWCC discretion. Further discussion ensued on the size of the disturbed area and if the area would re-grow without planting seedlings. Douglas Lee questioned where the wetlands sit in relation to the location of the disturbance and stated it would be ideal to consult the original subdivision schedule in order to re-establish the plantings. Yesenia Llactas showed an image on her phone of the disturbed area to the IWWCC members. Michael Lahan stated he felt that the Assistant City Planner should get permission from the homeowner to go on the property in order to closely inspect the area to determine what is actually needed and perhaps wait until the spring to plant any seedlings. David Poore agreed that a soil scientist seems unnecessary and that a silt fence and seedlings would be a less expensive option for the homeowner.

Douglas Lee made a motion that staff work directly with the homeowners in reference to the original subdivision plot plan to accurately delineate the wetlands to set erosion controls perhaps in the way of a stake hay roll. David Poore seconded. The motion passed unanimously.

G. OTHER BUSINESS:

1. **Staff Report:** Dan Daniska reported there were two agent issued permits issued for Disturbance within the Upland Review Area:
 - IWWCC #19-12A - Installation of a new septic system and tank to replace an existing system within the 100 ft. Upland Review Area - 331 Canterbury Turnpike
 - IWWCC #19-13A - Paving of "Way B" along the east side of Unit A North, additional storm catch basins, block retaining wall with fencing on top, fencing, and the following residential amenities: Fire Pit, Grill Stations, Fenced Dog Run, and Paver Patios - 611 Norwich Ave #A North (aka 607 Norwich Avenue) and 426 Taftville-Occum Road

2. **Miscellaneous:** None.

- I. **ADJOURNMENT:** Michael made a motion to adjourn the meeting at 7:33. Doug seconded. The motion carried unanimously.

Respectfully submitted,
Katherine Rose, Recording Secretary