

March 23, 2017

**Call to Order:** The monthly meeting of the Sterling Inland Wetland and Watercourses Commission (IW&WC) was called to order at 7:00 p.m. by Chairman Roger Gibson. Other members present- Richard McGarry, Alternate James Hawkins, Jr., and Alternate Dori Cote.

Members absent- Jen Mossner, Robert McLevy, Maggie Camplin, Brad Herman, and Kimberly Gunn.

Alternate D. Cote was seated for J. Mossner and Alternate J. Hawkins was seated for K. Gunn.

Staff present-Russell Gray, Joseph Theroux, and Joyce Gustavson.

Also present-Earl Roberts.

**Audience of Citizens:** No comment.

**Additions to Agenda:** None.

**Approval of Minutes:** R. McGarry made a motion, seconded by J. Hawkins to approve the monthly meeting minutes of 2/23/2017 with the correction to Approval of Minutes...“J. Mossner” made a motion, seconded by “M. Camplin” instead of “R. McGarry”, seconded by “D. Cote”. All voted in favor of the motion.

**Correspondence:** Winter 2017 Habitat newsletter and the *Connecticut Wildlife Magazine*.

**Unfinished Business:**

**a. Application by Earl & Grace Roberts to Enlarge Access Road into Wetland and Dredge 3 Ponds for Fire Control, Irrigation, Reclamation Soil, Dust Control and Nature for Property Located at 609 Sterling Road:**

R. Gibson stated that four (4) Commission members attended the site walk on 3/21/2017. J. Theroux stated he was unable to attend the site walk and stated that the Commission still has the original plan that was marked up by the applicant. E. Roberts is waiting to hear back from Killingly Engineering. Regarding the ponds, E. Roberts asked if he could be the engineer, as he is self-taught and has the knowledge to design a pond for human stuff and nature, instead of a certified engineer. The recommendation by R. Gibson is that in a regulated activity, such as this one, a certified plan needs to be drawn up and the application guidelines outlined by this Commission should be followed. The applicant is advised to work with J. Theroux. J. Theroux stated that the meeting minutes of 2/23/2017 noted that the Commission does not have an engineered plan outlining how the site will be reclaimed, actual location on where the road will go, elevations, drawings, and erosion control, all things that the Commission needs to make an educated decision. Also, Army Corps of Engineers will need to review the site because the proposed activity consists of more than 5,000 square feet of wetland disturbance and they will need to see an engineer stamp. If the Commission allows you to submit site plans, they would be biased because they require other applicants to have certified plans. R. Gibson stated that it is in the applicant’s best interest and the Commission’s, without a set of plans and being in the second month, to deny the application without prejudice and return the check until we have a full application which meets the guidelines of the Inland Wetland & Watercourses regulations and application procedures.

R. McGarry made a motion, seconded by D. Cote to deny application #IW17-01 without prejudice and return the application fee (\$210). All voted in favor of the motion. Discussion followed. J. Theroux recommends the Commission state the reason for denial, such as, sufficient information not available to make a good decision, lack of engineered plan.

R. McGarry made a motion, seconded by D. Cote to rescind the motion to deny application #IW17-01 without prejudice and return the application fee (\$210). All voted in favor of the motion.

R. McGarry made a motion, seconded by D. Cote to deny application #IW17-01 by Earl & Grace Roberts for property located at 609 Sterling Road, Sterling, CT (Map 03830/022/0102) without prejudice as sufficient information was not available to comply with the Sterling Inland Wetland & Watercourses application guidelines. All voted in favor of the motion. The application fee (\$210) will be returned to the applicant.

**New Business:**

**a. Timber Harvest Notification by John Trowbridge for Caroline Harrison – Snake Meadow Hill Road & Gibson Hill Road:** J. Theroux stated that as he previously explained, the

Commission will begin ruling on Permitted Uses as of Right; in this case, Notification of Timber Harvest. John Trowbridge of Trowbridge Forest Products has submitted a Timber Harvest Notification for Caroline Harrison for property located at the corner of Snake Meadow Hill Road and Gibson Hill Road to harvest 130,000 board feet, Assessor Map 06826/013/0005 (copy on file). The proposed Timber Harvest Notification shows a wetland crossing utilizing portable bridge sections and log corduroy to support the weight of the machine. When all the timber has been harvested, the portable bridge will be removed, ruts leveled, and the area will be seeded and mulched leaving designated seed trees for regeneration. No anticipated start date. A determination needs to be made determining if this notification falls under a Permitted Uses as of Right. J. Theroux also stated that he would do weekly inspections once the work begins and there is no fee for Permitted Uses as of Right. Technically it is not allowed to place conditions on Permitted Uses as of Right, so Best Management Practices are used. The Commission is making a jurisdictional ruling on the Timber Harvest Notification. R. McGarry made a motion, seconded by J. Hawkins that this Timber Harvest Notification, by John Trowbridge of Trowbridge Forest Products for Caroline Harrison for property located at Snake Meadow Hill Road and Gibson Hill Road pertaining to Section 4 of the Sterling Inland Wetlands and Watercourses Regulations, conforms to Permitted Uses as of Right, based on the wetland agent's recommendations. All voted in favor of the motion.

**Agents Reports:**

1. Violations: No current violations.
2. Other Issues: J. Theroux distributed notary statutory sections of the General Statutes of Connecticut from a continuing education workshop that he attended particular to wetlands, expert testimony guidelines on what an expert is and what he/she is not, and recent Appellate Court Case updates.
- 3) Richard LaFleche, 0 Sterling Road (Route 14): No new information, the site is currently shut down.

**Any Other Business to Come Before the Commission:** R. McGarry suggested changing the meeting time from 7:00 p.m. to 6:00 or 6:30 p.m. R. Gibson stated that we can discuss this at the next scheduled meeting.

**Adjournment:** R. McGarry made a motion, seconded by D. Cote to adjourn at 7:55 p.m. All voted in favor of the motion.

Attest: \_\_\_\_\_  
Joyce Gustavson, Recording Secretary

Attest: \_\_\_\_\_  
Richard McGarry, Secretary