

Town of Norfolk
Inland Wetlands Agency
Town Hall
Regular Meeting
October 3rd, 2022 @ 7:00 p.m.
Draft Minutes

Present: Hartley Mead-Chair, Clint Webb, Rich Kessin, Melissa Robinson

Also Present: IWO Michael Halloran

1. **Call to Order**-7:03 pm
2. **Roll Call**
3. **Agenda Review**
4. **Approval of Minutes**-A motion to approve minutes of the September 12th, 2022 regular meeting was made by Clint Webb, seconded by Hartley Mead and approved unanimously.
5. **Public Comment**- Gloria Gourley from Bruey Road wondered if there was any additional information about the product that was sprayed on Bruey Road. Mr. Mead said that that issue would be discussed later in the evening.
6. **Old Business**-
 - A. **Discussion of #22-012 Nash Pradhan for 280 Westside Rd. Cleaning of pond**

Mr. Pradhan had been told by Michael Halloran that he needed more information and it has been 63 days since this was requested. Michael has reached out to Mr. Pradhan and has not received an answer. Mr. Pradhan has 65 days to reply and now the only option is to deny the application, said Michael Halloran. Clint Webb said that they can deny without prejudice so that Mr. Pradhan could apply again if he wanted.

A motion for denial without prejudice for lack of information was made by Clint Webb, seconded by Melissa Robinson and approved unanimously.
 - B. **Discussion of #22-016 John Cox of 185 Ashpohtag Rd. ruling on logging operation**

Michael Halloran refreshed the Agency on this issue. Michael stated that John Cox was originally going to go through an abutting property and needed a permit but then changed it to only going over the hill and coming out on the Torrant property on Bald Mountain Road. with no need for crossing wetlands. Michael let him know that the agency still needed a map to show that there were no wetlands.

Mr. Cox's 65 days to apply are now up. Hartley said that it is a different application since he is going over different land.

Clint Webb made a motion to deny this application without prejudice so that he can reapply with a new map and new information, seconded by Melissa Robinson and approved unanimously.

7. New Business- Discussion of #22-016 Town of Norfolk work at area of 399 Winchester Road, replacement of cross culvert pipes and cleaning of area in pond around new pipe.

Troy LaMere, Norfolk Superintendent of Streets, filled out an Inland Wetlands application and sent a map showing that he is replacing a culvert at area around 399 Winchester Road. Michael Halloran sent him an email asking about the scope of the work and Mr. LaMere never responded. Mr. LaMere said he was asked by the property owner to dig the entire pond out. The Agency was in agreement they could approve the maintenance, but the digging of a private pond would require much more information and a hearing and that this was not part of the Town project. Michael will send an email to Mr. LaMere confirming that the only work done is the work submitted in the application.

A motion to approve town working in the area of 399 Winchester Road for the removal of 2 cross culverts and install 1 new cross culvert and remove silt and add rip rap alongside the culvert entering the pond, was made by Melissa Robinson, seconded by Rich Kessin and approved unanimously.

8. WEO Report-

A. Michael received an email from Susannah Wood stating that she wanted to put a beaver deceiver in her pond. Michael told her to send an email stating that it was agricultural in use and since it was flooding her hayfields and they are not digging, she does not need a wetlands permit.

B. Discussion of spraying town property on Bruey Road. Hartley Mead wrote a letter that Michael Halloran sent to Bart Wenrich, 71 Bruey Road, asking what was sprayed on town property. Melissa Robinson read it into the record (Attached). Michael Halloran sent Mr. Wenrich a letter asking for the name of the product that had been sprayed and had not received a reply.

Gloria Gourley, neighbor on Bruey Road, explained that her first phone call was to Matt Riiska stating that Bruey is a friendly road and wants to keep it that way and she just wanted to know what was sprayed. She is concerned about the wildlife, particularly since Mr. Wenrich won't say what was sprayed.

Peter Crippen, another neighbor on Bruey Road, said he is concerned because his well is in the area of one of the cross culverts on Bruey Road, and could be affected from the spraying.

Rich Kessin thinks it is probably Round Up but he does not know.

Gloria Gourley said that she has a sample of soil she saved.

It was decided that Michael Halloran will issue a notice of violation and have Mike Zizka, consulting land use attorney, review it.

Michael Halloran says that Matt Riiska should write a letter to Mr. Wenrich since it is concerning town property.

Hartley Mead will send a letter to the conservation commission. Mr. Mead will also send a letter to Matt Riiska.

C. Hartley Mead wanted to mention a problem on Mountain Road, which was the water company damaging a culvert when water lines were replaced. The town's solution was to put a pipe in another pipe which Hartley stated was not a good solution. This caused further damage to the existing culvert pipe. The finish result was the new pipe is hanging out about 5 feet and looks terrible.

D. Hartley Mead said that he thinks logging and forestry is becoming an issue. Michael Halloran said that foresters and loggers need to come to Wetlands and if they are crossing wetlands they need to show how they are crossing. Also, intermittent streams and forestry definitions should be tightened up in the Wetlands definitions.

Hartley Mead said that Agency members should go to surrounding towns and see what they are doing with forestry so that they are all on the same page.

Michael Halloran stated that permits should be completed for all forestry operations so that the Wetlands Agency reviews to confirm this is an agricultural use.

Halloran said that a logging operation is currently ongoing on Bald Mountain Road and he would email Star Childs, who appears to be overseeing this, to come in and get a Wetlands permit.

E. Michael Halloran touched upon a discussion at the recent Forestry workshop regarding wetlands jurisdiction under Connecticut Statutes 22a-36 to 22a-45 only. This pertains directly to the building of the new firehouse and Benesch, the engineering company, stating that they did not need to include 7,500 square feet of wetlands because the soil was not considered wetlands under Army Corp of Engineering definitions. Connecticut is a soils based wetlands state, therefore all wetlands soils are regulated.

9. **Adjournment**-Hartley Mead adjourned the meeting at 8:16 pm.

Respectfully submitted,
Marinell Crippen, Secretary