



MEETING MINUTES
ELECTRONIC ZOOM MEETING
June 24, 2021

PRESENT: Nick Lee (Chair), Scott Fischer, Claudia Avallone, Penelope Koechl, Rick Stow

ALSO PRESENT: Mike Conklin, Director of Environmental Affairs; Kate Throckmorton, Environmental Land Solutions; Hermann & Candice Behrens, Property Owners; Kara Murphy, Tierney Zullo Flaherty & Murphy, P.C.; Casey Cordes, SNEW; Chris Smith, Property Owner

ABSENT: Theodora Pinou (notified of intended absence)

I. CALL TO ORDER

Mr. Lee called the meeting to order at 7:30 pm.

II. PUBLIC HEARINGS

A. WET#2654(S) BEHRENS – 220 Nod Hill Road – “corrective action” to address the unpermitted clearing of trees within a regulated area (cont.)

Ms. Throckmorton and the Behrens noted possible discrepancies with the Connwood Forestry Letter submitted by the Water Company to establish what should be replaced and planted.

Ms. Murphy responded by showing possible discrepancies based on photos of the area from a letter submitted by the owners last summer. She noted the water company is heavily regulated for this Class 1 watershed.

Mr. Cordes confirmed the understory needs to be addressed on the water company property. He stated a one-to-one replacement of smaller trees is far below what would be expected for the loss of the forest canopy.

Mr. Lee suggested the parties come to an agreement prior to the next meeting as the Hearing will need to close for statutory timing purposes. Commissioners agreed there is not enough information for them to render a decision at this time, and urged both parties to come to an agreement prior to the next hearing.

B. WET#2706(S) SMITH – 230 Ridgefield Road – “corrective action” to address clearing, trail work, and removal of a dam

Ms. Throckmorton reviewed her revised plans and addressed outstanding questions.

Mr. Lee suggested that shade trees be the typical size this Commission requires. A new survey should be provided with the revised wetland line and additional larger plantings noted for Staff approval.

Mr. Fischer MOVED to APPROVE WET#2706 with normal special Conditions and additional Special Conditions to require doubling the shade tree amount to 3 ft. – 5 ft. oaks, 3 ft. – 5 ft. maples, 5 ft. - 7 ft. nyssa, and 20 ft. shads on a plan for approval by staff, the survey shall be updated to reflect the new wetland line and submitted by October 15, 2021, and all mitigation plantings must be installed by October 15, 2021, SECONDED by Mr. Stow and CARRIED 5-0-0 with all in favor.

IV. APPLICATIONS READY TO BE REVIEWED - None

V. APPLICATIONS READY TO BE ACCEPTED - None

VI. APPROVED MINOR ACTIVITIES

A. WET#2713(M) ELIA – 174 Silver Spring Road – proposed addition and new deck within a regulated area

Mr. Conklin provided a brief review of the Minor Application approved by Staff.

VII. CORRESPONDENCE - None

VII. NEW BUSINESS - None

VIII. VIOLATIONS

A. PHILLIPS – 326 Thayer Pond Road – unpermitted clearing, filling, and grading being conducted within a regulated area (Cease & Desist Modified May 27, 2021 – Corrective Action Application Due June 23, 2021)

Mr. Conklin noted the owner hired LandTech and they have asked for an extension for the Corrective Action Application due date.

Mr. Stow MOVED to UPHOLD the Cease & Desist and EXTEND the Corrective Action Application due date to August 12, 2021, SECONDED by Ms. Avallone and CARRIED 5-0-0.

IX. APPROVAL OF MINUTES –

A. Meeting Minutes June 10, 2021

Ms. Avallone MOVED to APPROVE the Meeting Minutes of June 10, 2021, SECONDED by Mr. Fischer and CARRIED 3-0-2 with Mr. Lee and Mr. Stow abstained as they were not present.

B. Special Meeting Minutes June 21, 2021

Ms. Avallone MOVED to APPROVE the Special Meeting Minutes of June 21, 2021, SECONDED by Mr. Fischer and CARRIED 5-0-0 with all in favor.

X. PUBLIC COMMENT - None

XI. ADJOURN

Ms. Koechl MOVED to ADJOURN at 9:21pm, SECONDED by Ms. Avallone and CARRIED 5-0-0 with all in favor.

Respectfully Submitted,
Liz Larkin
Recording Secretary, Environmental Affairs