

Town of North Canaan
Inland Wetlands Commission
January 25, 2024

Present: Chairman Matt Freund, Barry Brown, Brian Allyn Jr., Eric Whiting, Mike O'Connor

Chairman Freund called the meeting to order at 7:02pm

Mr. Whiting made a motion to approve the minutes from the last meeting. Mr. Allyn seconded the motion. Motion approved.

River Woods Subdivision: George Johannesen of Allied Engineering presented before the commission a map showing a 20-lot subdivision with conservation easement along the river and showing the wetlands. Per Mr. Johannesen there will be no impact in the wetlands. The properties will be 200-300 feet away from the 100-foot setback. Mr. Johannesen presented the commission with an application, a check payment, a wetland soil report, and a list of abutters. Mr. O'Connor went on record to state that in reply to comments at the last meeting the State of CT's definition of an upland review area is the same as this commission's definition of the setback. Therefore, the setback areas are legally an upland review area. Mr. O'Connor wants to ensure that there will be no disturbance that is going to impact the setback or wetlands area for this project. Mr. Johannesen assured the commission there will be no impact. **Mr. Brown made a motion to accept the application with the acknowledgement that there will be no impact or disturbance of the setback area. Mr. Whiting seconded the motion. Motion carried. Mr. O'Connor abstained from the vote.**

14 Graceway driveway: Jack Scott owner came before the commission at the request of Chairman Freund after he received a call from the zoning enforcement officer that they were asphaltting an already existing gravel driveway, and it was within the upland review area. When the chairman arrived at the site they were almost finished with the final coat. Chairman explained it should have been a permitted activity because it was so close to the wetland area and within the 100 ft setback. Going from gravel to asphalt changes the impervious surface. Because they were so close to finishing Chairman Freund gave them permission to finish the job. He requested Mr. Scott come before the commission to explain the issues and review the situation with the rest of the members. There was a discussion about possibly doing soil testing. Chairman Freund does not think it is necessary as it is already done. They maintained the existing pitch of the driveway and the exact same footprint. There is still filtration there. The commission would like a permit done so that it is on file that indicates a possible encroachment on the upland review area. Zoning Enforcement Officer explained that a zoning permit would have been needed as it is an expansion and improvement. **Mr. O'Connor made a motion to accept the application to have the chairman sign off for a possible intrusion into the upland review area. Mr. Allyn seconded the motion. Motion carried.** The application will be done with the ZEO, and he will have Chairman Freund sign off on it.

Freund's storage tank: Chairman Freund relinquished the chairman role to Vice Chairman Mike O'Connor. Mr. Freund showed the area on the map where the NRCS company did test pits of soil and explained the wetlands areas. He read the letter from NRCS to commission members. NRCS stated that it is well drained soil not wetlands soil and suggested putting up a silt fence during construction. It is 251 feet from the wetland setback. NRCS team consisted of a soil scientist, civil engineers, state archeologists and soil conservationists and they were at the scene for over 5 hours. The commission discussed the situation and determined that as nothing will be done in the 100-foot upland review area Mr. Freund does not need to submit an application. Vice Chair O'Connor gave the chairmanship back to Mr. Freund for the duration of the meeting.

Chairman Freund received the yearly data collected from Specialty Minerals. They are doing what they said they would do, and the waterway is cleaned 3-4 times a year.

Chairman Freund received a notification of timber harvest at 141 Canaan Valley Road. There was a discussion of whether the State of CT requires a permit for this. The notification states that no equipment will be used within the wetlands buffer. After reviewing the map and location of the property it was determined that the property being harvested is outside the wetlands area.

Chairman Freund received a call from a concerned resident about tree cuttings on 3 lots on Old Turnpike North. There is no construction being done at this time. Neighbor was concerned about the elevations. The commission is in agreement that this is not a wetlands issue. This subdivision was done a while ago and it is a permitted activity to cut down the trees.

Mr. O'Connor made a motion to adjourn the meeting. Mr. Allyn seconded the motion. Motion carried.

Meeting adjourned at 7:40pm

Respectfully submitted,

Ayrslea A Odell

Recording Secretary