

**TOWN OF HADDAM  
INLAND WETLANDS COMMISSION  
TOWN HALL  
21 FIELD PARK DRIVE, HADDAM, CT 06438  
REGULAR MEETING  
MONDAY, 21 MARCH 2022  
UNAPPROVED MINUTES  
*Subject to Approval by the Commission***

**ATTENDANCE**

X	Paul Best, Secretary
X	Curt Chadwick
X	Jeremy DeCarli
X	Dan Iwanicki, Vice Chairman
X	Joe Stephens
A	Mark Stephens, Chairman
A	Thomas Worthley
A	David Costa, Alternate
X	Gail Reynolds, Alternate (7:03 p.m.) – Seated
X	Leon Mularski, Zoning and Wetlands Enforcement Officer
X	Bunny Hall Batzner, Recording Clerk

**1. Call to Order & Attendance/Seating of Alternates**

Mr. Iwanicki, Vice Chairman, called the meeting to order at 7:01 p.m. All regular members were seated. Upon her arrival, Mrs. Reynolds, alternate, was also seated.

**2. Additions/Corrections to the Agenda**

There were no additions/corrections to the agenda.

**3. Public Comment**

There was no one from the public present.

**4. Old Business**

**Email from Nicholas Zito (State of CT) Regarding Inland Wetlands Agency Regulating Forest Practices and Annual Reporting**

The Commission agreed to allow Item #5 - New Business to be discussed prior to this matter.

Mr. Iwanicki reported that Mr. M. Stephens, Chairman, had sent an email dated 12 March 2022, outlining two remaining items – 1) Section 6, Notice of Conversion of Forest Land and 2) Definitions – Buffers.

Mr. Iwanicki reported that under Section 6, Notice of Conversion of Forest Land the state mandates that the Commission is supposed to notify them. Mr. Iwanicki stated he had emailed Mr. Zito to ask if the Commission needs to do the paperwork based on how the regulation is now written.

Mr. Iwanicki stated Section 6 should reflect the following: *“A form, supplied by the Commissioner of Energy and Environmental Protection, shall be completed annually by the Commission, WEO, or Town Planner and shall include (or as amended) the following: (1) All applications approved, denied, or had enforcement notices or orders taken upon; (2) The map, block, and lot number(s) of the tract, as recorded by the assessor’s office; (3) The number of acres of forest land to be*

*converted to other uses, and; (4) The month and year when the removal of forest vegetation from the tract is anticipated to begin."*

This language will allow the Commission to meet all of the statutory requirements that the state is requiring. Mr. Zito has indicated this will be fine and the forestry regulations should be updated to reflect this change.

Mr. Iwanicki stated the definition of buffers was passed back and forth and the following language was approved. *" 'Buffers' means an area in which no activity shall occur that serves as a protective barrier that absorbs surface runoff, reduce overland flow and prevents soil compaction. If, however, there is cause and a demonstrated need to conduct an activity when concern for public safety is raised where trees have been severely weakened and/or impacted by insect, disease, draught, or invasive vegetative species or as allowed by these regulations shall have prior approval from the Commission."*

Mr. Iwanicki stated due to the number of revisions it has been a bit confusing, but believes once these two changes have been put in place it should be fine and sent off to the state. Mrs. Reynolds asked if Mr. Zito had approved the buffer language. Mr. Iwanicki stated yes, and he was the one who pointed it (buffer language) out and agreed to the annual report form.

Mr. J. Stephens asked if the Commission needs to submit a report annually for deforestation or all activities. Mr. Iwanicki stated for forest regulations. A brief discussion followed as to how the Commission had been reporting in the past. Mr. Mularski to see what's been done in the past and report back to the Commission.

Mr. Chadwick asked if the Commission is done working on this document. Mr. Iwanicki stated yes, they are just waiting for the DEEP Commissioner to give his approval. Mr. Iwanicki also stated Haddam is one of twelve towns in the state that have forestry regulations and the primary motive was to keep control in the town. It was noted that the town will not review state forest activities as the state is exempt.

**The forestry regulations are to be a standing agenda item until final approval received.**

## **5. New Business**

**Seeking a Variance to Construct an In-Ground Swimming Pool within the Wetland Review Area. The Proposed Pool Falls Entirely within the 100 Foot Buffer. Applicant: Brent Veiga. Property: 13 Summersweet Drive, Map 41 – Lot 15-45.**

Brent Veiga, owner/applicant and Samantha Veiga, owner, were present.

Mr. Iwanicki asked Mr. Mularski if he had reviewed the matter. Mr. Mularski stated he did look at where they will actually need to place the pool due to site limitations.

Mr. Veiga stated they are exploring the installation of an in-ground pool on the property. On the southern boundary, closest to their neighbor – Lot 44, is where the septic system and leaching field are located and would be on top of neighbor (trying to be respectful) and on the northern boundary there is an unbuildable lot (open space) - propose pool location on this side, but there is encroachment to the wetlands review area. Mr. Veiga stated currently the corner of their house is within the 100 foot wetland review area and the entire pool would be in the review area, but at no time would they encroach on the actual wetlands. Trying to keep a 15 foot buffer to the actual wetland line.

Mr. Best asked the location of Summersweet Drive. Mr. Veiga stated Summersweet Drive is off Gunger Hill Road.

Mr. Iwanicki asked when the house was built. Mr. Veiga stated December 2007. Concern was voiced over the house having been built within the review area and Commissioners not recalling an application having come before them at that time.

Mr. DeCarli asked if the Connecticut River Area Health District (CRAHD) had reviewed and approved the proposed location as it appears to be sitting on the reserve septic area. Mr. Veiga stated they still have to go through the process with the health district – retesting to see if reserve area can be relocated. Mr. DeCarli voiced concern over the Commission giving an approval for the proposed location, than CRAHD denies the location, and the need for the applicant to return to the Commission with an alternative location. Mr. Veiga stated if CRAHD does not allow them to remove the reserve septic area they will not be installing the pool.

Mr. Mularski noted the Veigas will be going before ZBA on Thursday, 31 March 2022. Mr. Mularski showed the Commission a map he developed showing the house, the proposed pool location, and the wetland review area (sent to all Commissioners via email). Using the map, Mr. Veiga pointed out the house, the green line - the start of the wetland area, the dash line – start of the 100 foot review area, the corner of the house, and proposed pool in the review area.

Mr. J. Stephens asked if Mr. Veiga had submitted a formal application or if he was just exploring his options. Mr. Veiga stated they did submit an application and they're trying to do everything in the right order.

Mr. Best asked the size of the pool. Mr. Veiga stated approximately 20 foot by 40 foot. Mrs. Reynolds asked if it would be a rectangle pool. Mr. Veiga stated it would be kidney shaped; and that they are working with Aqua Pool trying to finalize what can be done and where as there are strict requirements.

Mr. Best asked the size of the lot. Mr. Veiga stated the lot is 1.18 acres.

Mr. Iwanicki stated he was curious as to how it all was approved. Mrs. Reynolds stated it may have been an open space/conservation subdivision. Mr. Iwanicki asked Mr. Mularski if he had reviewed the subdivision. Mr. Mularski stating he had not gone back to look at the approval process. Mr. Iwanicki voiced concern over the house being built in the review area. Mr. Mularski stated the house may have been built when the setback was 50 feet rather than 100 feet. Mr. Veiga stated their septic map shows a 50 foot setback not a 100 foot setback. Mr. Mularski stated his zoning regulations still show a 50 foot setback.

Mr. Chadwick asked the grade of the property. Mr. Veiga stated it is steep – from the back corner of the house eight (8) feet with a steady decline down and flattens out in the review area.

Mr. Iwanicki asked if chlorine or salt water filtration would be used. Mr. Veiga stated salt water. Mr. Iwanicki asked Mr. Mularski if he had visited the site with Mr. Mularski responding no.

**MOTION:** Paul Best motioned to hold a site walk. Gail Reynolds second. Motion carried unanimously.

Mr. Chadwick asked if fill will be required. Mr. Veiga stated they spec'd out approximately 25-30 tons of sand. Again it was noted there are a lot of challenges.

Mr. Best felt a better map should be provided. Mr. Iwanicki stated he had planned to visit the site, but was unable to; and noted curiosity regarding the proximity

Mr. Veiga stated there are a number of challenges: 1) being within the review area, 2) variance to be within 5 feet of the northern property line (open space, an unbuildable lot, and no one will ever be there), 3) relocation of reserve septic system, 4) due to grading, will need to build signifi-

cant walls to keep pool at level grade (alternative to move a portion of the leaching field, remap the reserve septic area, and slide the pool a bit more parallel to the back of the house). Do not want to relocate the septic tank.

Mr. Iwanicki asked if the wetlands are flagged. Mr. Veiga stated there are stone monuments and can show the Commission. Mr. Iwanicki stated although the Commission can see the wetland area, the build of the actual pool will require some engineering and it's unclear whether the Commission can get a good feel for how the contractor will build it or lay it out. Mr. Veiga noted there are a couple of stakes as to where it roughly will go.

Mr. Veiga asked if they should still proceed with the variance hearing (ZBA). Mr. Mularski stated yes and perhaps CRAHD will have made a decision. Mr. DeCarli stated the Commission would prefer a variance approval before they grant approval.

Mr. Mularski asked if an engineer has reviewed the proposal. Mr. Veiga stated not yet. Mr. DeCarli stated the Commission would like more detail pertaining to the walls (how high, how it's going to be built), how much fill, how the site/pool will be stabilized. Mr. Veiga stated if the reserve area is shifted it will require less fill and shorter walls. Mr. DeCarli stated the applicant needs to tell the Commission what's feasible and what's not.

Mr. J. Stephens asked if an above ground pool was an option. Mr. Veiga stated they are part of a Homeowners Association (HOA) and it's not allowed. Mr. Iwanicki asked if there were any other HOA restrictions. Mr. Veiga stated not related to pools.

Mr. Best asked the size of the development. Mr. Veiga stated 50-52 lots. A brief discussion followed in regard to who the developer was. Mr. Iwanicki asked if there are any other requirements the Commission should be aware of. Mr. Veiga stated not related to pools. Mr. Iwanicki stated there appears to be additional items that need to be addressed.

Mr. Iwanicki asked if a formal application had been file (voiced concern over time frame – 65 days from date of acceptance). Mr. Iwanicki asked the Veigas if they wanted the Commission to accept the application. Mr. Veiga stated they will not put anything in without approvals. Mr. DeCarli asked when ZBA meets. Mrs. Batzner stated Thursday, 31 March 2022.

Mr. Veiga asked if they need to file for the relocation of the reserve area before the variance hearing. Mr. Iwanicki stated he may have to submit a separate application. Using a map, Mr. Veiga showed the location of the current reserve area.

Mr. Iwanicki stated the application was accepted tonight.

**SITE WALK: Saturday, 2 April 2022, 10:00 a.m.**

## **6. Wetland Enforcement Officer's Report**

Mr. Mularski reported he has reviewed regulated forest practice documentation to bring himself up to speed.

## **7. Election of Officers**

Tabled until Monday, 18 April 2022.

## **8. Approval/Correction of Minutes**

**MOTION:** Gail Reynolds motioned to approve the 18 January 2022 minutes as submitted. Jeremy DeCarli second. Motion carried unanimously.

## 8a. Miscellaneous

Mr. Iwanicki stated he had hoped Mr. Warner would be present and asked Mr. Mularski how up-to-date he is on projects. Mr. Mularski stated not very much at this time.

**Haddam Neck Fair Grounds Restoration** – Mr. Iwanicki asked Mr. Mularski if he had an update on this matter. Mr. Mularski stated no.

**968 Killingworth Road, Feed Store** – Mr. Iwanicki asked Mr. Mularski if he knew why the silt fences are not back up. Mr. Mularski stated he had just been out there. Mr. Iwanicki stated he noticed there was survey work taking place on the site and a proposal is supposed to be presented to the Commission; however, in the Notice of Violation the owners are supposed to maintain those silt fences and need to get them back up. Mr. Mularski will go back to the site.

**Haddam Land Trust v. Town of Haddam** – Mr. Iwanicki asked for an update. Mr. Mularski had no update. Mrs. Reynolds provided a status report - the attorneys are working towards an agreement.

**81 Arkay Drive, Pool Permit** – Mr. Iwanicki asked for an update. Mr. Mularski had no update, but will review the file and provide an update at the April meeting.

**Turkey Hill across from Filley Road** – Mr. J. Stephens stated he believes this may be related to an approved application 10 or more years ago regarding the crossing of a wetland; and that there has been a lot of fill brought in and deposited at the mouth of the lot. Mr. J. Stephens stated he's aware they built a bridge/culvert to go over the brook and due to the activity, should the Commission be aware. There is no house on the property at this time, but activity has been taking place on the property.

Mr. Mularski reported he had had received a call about a week ago and looked at the site, but had been told not to go on the site. Mr. Mularski stated he made note that there were approximately 25 – 5 yard truckloads of dirt sitting outside of the wetlands.

Mr. Iwanicki asked Mr. Mularski to pull the file to get map and lot numbers and to see when/if a permit had been issued. Mr. Mularski stated he didn't see any present activity taking place and most of the piles of material had vegetation on them and haven't been moved around and/or placed there recently. Mr. J. Stephens stated the material has been deposited within the last couple of months noting he lives on the road.

Mr. Mularski to do further research and report back to the Commission.

## 9. Adjournment

**MOTION:** Gail Reynolds motioned to adjourn. Curt Chadwick second. Motion carried unanimously.

The meeting was adjourned at 7:50 p.m.

Respectfully Submitted,  
*Bunny Hall Batzner*  
Bunny Hall Batzner, Recording Clerk

**The next regular meeting is scheduled for Monday, 18 April 2022.**