

**TOWN OF HADDAM
INLAND WETLANDS COMMISSION
TOWN HALL
21 FIELD PARK DRIVE, HADDAM, CT
MONDAY, 9 MAY 2016
PUBLIC MEETING
UNAPPROVED MINUTES
*Subject to Approval by the Commission***

ATTENDANCE

X	Paul Best, Secretary
X	Curt Chadwick
A	Jeremy DeCarli
A	Dan Iwanicki, Vice Chairman
X	Joe Stephens
A	Mark Stephens, Chairman
A	Tom Worthley
X	Dave Costa, Alternate - Seated
X	Gail Reynolds, Alternate (7:02 p.m.)
X	Jim Puska, Wetlands Enforcement Officer
X	Bunny Hall Batzner, Recording Clerk

1. Call to Order & Attendance/Seating of Alternates

Mr. Best, secretary, called the meeting to order at 7:00 p.m. and all regular members as well as alternate member, Mr. Costa, were seated.

2. Additions/Corrections to the Agenda

None.

3. Public Comment

None.

4. Old Business

None.

5. New Business

Lindsay Carroll and Aaron Golub, Applicant and Owner. Property Address: 1752 Saybrook Road, Haddam, Located at Assessor's Map 65, Assessor's Lot 019-2. Proposed Activity: Creation of Four Garden Plots next to Clark's Creek, to Include: Installation of Vegetative Drain Ways, Creation of a Driveway to Allow Access to Right-of-Way, Installation of Drainage Pipes Under Proposed Access Driveway and Installation of Geofabric Under Stone for the Proposed Access Driveway, and Tree Removal to Increase Sunlight.

Aaron Golub, owner/applicant, was present.

Mr. Puska reported that the applicants purchased the parcel with the intent to have a small scale organic farm (plants, chickens, goats) and that he received an email regarding the cutting of brush/trees and the installation of a floating dock on the property. Mr. Puska explained that the applicants have a tidal channel behind their house and that the dock is the responsibility of DEEP. Mr. Puska reported that an onsite meeting was held with Mr. Golub's wife, Lindsay Carroll, the DEEP representative, and himself to determine a boundary area of responsibility for DEEP and the Commission. Mr. Puska explained that everything that is on the application is south of the tidal channel beyond the high tide mark and is the town's responsibility; and that Mr. Golub will address all matters pertaining to the floating dock (removed at this time) with the DEEP.

Mr. Puska reported that he elected not to issue a Cease and Desist Order to Ms. Carroll and Mr. Golub due to their cooperation in the matter. Mr. Puska stated that they were under the impression that a right to farm might have been where they wanted to go, but were a bit clouded on the definition (didn't read far enough into the regulations; still need to come before the Commission).

Mr. J. Stephens asked if the applicant would be precluded from submitting an application, if they were of the understanding that this would be a by right to farm. Mr. Puska stated no, as there would be an activity, in this case already done - digging of drainage channels to dry area for plantings; cutting of trees/brush, within the wetlands that would require a permit.

Mr. Golub stated that his wife owns the business, Clark's Creek Farm, LLC, and they have all the appropriate state paperwork for the business. Mr. Golub explained that they have sectioned off four plots, 20 feet by 80 feet, and drainage ditches were dug to drop the water table down (attempting to do a little manipulation to make the area more suitable for the plants). Mr. Golub noted that some drainage from the road comes into the area.

Mr. Golub stated that he's been in contact with Rob Bradway, head of the railroad, to discuss the property. Mr. Golub also stated that Mr. Bradway has indicated that there is an old right-of-way (haven't confirmed) to the Haddam Wharf, that would permit access to the property they (Carroll/Golub) own on the other side of the tracks. Mr. Golub stated that the area is rather wet and he'd like to install corrugated pipes to allow the water to flow and install a small driveway to gain access to the garden plots. Using the drawings, Mr. Golub pointed out the proposed the driveway, the railroad tracks, a walkway (existing bridge installed by previous owners), the three sections that make up his property, and the location of the right-of-way. Mr. Best asked Mr. Puska to point out on the drawings exactly which areas are of concern to the Commission. Mr. Golub stated that Mr. Bradway indicated that he had no problem with the bridge, but did ask that he be included in the process. Mr. Best warned Mr. Golub that there are a number of right-of-ways and unmaintained and abandoned roads that are very difficult to research.

Mr. Golub stated that he will not do any work without the Commission's o.k. Using the maps, Mr. Golub stated that in a couple of years he would like to install a greenhouse, but due to the wetness in the area, he would like to place some stone down to get access. Mr. Puska stated the work being proposed will not be done on a particular area of the parcel (pointed out on map). Using photos, Mr. Puska showed the Commission the area and the work that has already taken place. Mr. Puska noted that the DEEP boundary will be the tidal inlet and that's where DEEP will be casting off their responsibilities.

Mr. Golub stated that their intention had been to work only in the area in question as it is the only place suitable for the farming. Mr. Golub also stated that they did cut trees to obtain extra sunlight. Mr. Golub stated that they plan to have a farm stand, grow all organic produce, no unnatural pesticide or fertilizer will be put down on the soil, and compost has been donated to them. Mrs. Reynolds asked if raised beds would be used. Mr. Golub stated they will be raising the beds up in the four plots and have some walkways. Mr. Golub stated that he never intentional meant to do any of the work without the Commission's knowledge admitting that he misinterpreted the regulations.

Mr. Best advised Mr. Golub that the Commission is not responsible for farm stands and that he will need to contact Connecticut DOT. Mrs. Reynolds suggested Mr. Golub come up to the Higganum Farmers' Market.

Mr. Golub asked the Commission if they would allow them to plant their plants prior to approval. Mr. Golub presented a photo of the plants they have ready to go into the ground. Mr. Best stated in his opinion, the proposal appears to be a hobby farm. Mr. Golub stated this is their livelihood. Mrs. Reynolds stated the applicants can be very productive on a small amount of space. Mr. Golub asked for a little leniency in order to put the plants in the ground. Mr. Chadwick asked if a permit was needed to put the plants in the ground. Mr. Puska stated that he needs a permit for all the work as he's already cut the trenches, installed the pipe, cut the trees, etc. Mr. Chadwick stated he understands, but asked if no other improvements were made merely the planting of the plants, can it be done without a permit. Mr. Best stated in his opinion, if Mr. Golub is allowed to plant, it would be giving permission for all the work that has been done. Mr. Golub again stated his plea. Mrs. Reynolds stated that it shouldn't be conceived that the applicants can't be real farmers on their plot of land.

Mr. J. Stephens asked if the area is all wetland. Mr. Puska stated yes, everything is within 100 feet of the tidal channel. Mr. Puska also stated that Mr. Golub would like to remove trees close to the house. Mr. Puska asked Mr. Golub if he had plans to pull or grind the tree stumps. Mr. Golub stated no. Mr. Chadwick asked how many more trees need to be cut. Mr. Puska stated six to seven (all are tagged) and that he doesn't see a problem in removing them as there will be no disturbance to the ground (no pulling or grinding of stumps).

Discussion followed in regard to a date for the site walk. After a date was agreed upon, Mr. Golub asked if the Commission would make a decision after the site walk.

Mr. J. Stephens asked if the raised beds have already been built. Mr. Golub stated no. Mr. J. Stephens asked if that work would need to be done prior to the planting. Mr. Golub stated he just needs to add the soil. Mr. J. Stephens asked if landscape timbers will be installed. Mr. Golub stated no, the plots are 20 feet wide with the ditches in between the five foot wide beds with walkways in between. Mr. Puska asked if the plants could be planted in another area until the June meeting. Mr. Golub stated he would prefer not.

Mr. Puska stated that the Commission could request a special meeting after the site walk. Mr. Best stated the Commission could hold a special meeting, but felt the Commission was being "mouse trapped" as it's apparent the area is a wetland. Mr. Golub stated that wasn't his intention noting that when he read the regulations he saw farming by right and he misinterpreted the information. Mr. Golub apologized for doing the work prior to obtaining a permit and that it was not his intent to go against the rules.

A brief discussion followed in regard to the rules of a special meeting, the 15 day appeal period if approval granted, and which newspapers will contain the Notice of Decision.

SITE WALK: Friday, 13 May 2016, 7:00 p.m., 1752 Saybrook Road, Haddam.

SPECIAL MEETING: Friday, 13 May 2016, 8:00 p.m., Town Hall, 21 Field Park Drive, Haddam.

Mr. Puska stated that the Gateway Commission is aware of this proposal and has no issue with it. Mr. Puska also noted that Mr. M. Stephens has already viewed the site, but is unclear whether he'll be available for the special meeting.

Item continued until Friday, 13 May 2016.

6. Wetlands Enforcement Officer's Report

None.

7. Approval/Correction of the Minutes

MOTION: Paul Best moved to table the approval of the 11 April 2016 minutes until the next meeting. Curt Chadwick second. Motion carried unanimously.

8. Adjournment

MOTION: Paul Best moved to adjourn. Joe Stephens second. Motion carried unanimously.

The meeting was adjourned at 7:40 p.m.

Respectfully Submitted,

Bunny Hall Batzner

Bunny Hall Batzner
Recording Clerk

Special Meeting scheduled for **Friday, 13 May 2016.**

The next regular meeting is scheduled for **Monday, June 2016.**