

**Town of Preston
Inland Wetlands and Watercourses Commission
Tuesday, May 18, 2021
Teleconference
7:30 pm.
Regular Meeting**

1. Call to Order

Chairman Moulson called the meeting to order at 7:30 pm.

Roll Call

Regular Members

John Moulson, Chairman
Gerald Grabarek – Vice Chairman
Paul Andruskiewicz - absent
Chuck Bartnicki
Doug Fox - absent
Jerry Morales – absent
Ian Stammel

Alternates

Zach Tarner - absent

Also Present

Len Johnson, IW Agent
Roberta Charpentier, Recorder

Roberta Charpentier stated *Per Lamont’s Executive Order 7b, Participants are reminded to state your name and title before speaking. Please help us make this conference call as useful as possible by keeping your phone on mute when not speaking. We are keeping the line open to all participants by default, but if background noise becomes a problem, we will mute all participants and ask participants to use “chat” to be selectively unmuted. Also note that we will be recording this meeting to comply with open meeting requirements.*

2. Approval of Minutes

April 20, 2021 Meeting Minutes

A motion was made by C. Bartnicki and seconded by I. Stammel to approve the April 20, 2021 Regular Meeting minutes as presented.

All in favor. Motion carries.

May 1, 2021 Site Walk Minutes

A motion was made by J. Grabarek and seconded by I. Stammel to approve the May 1, 2021 Site Walk minutes as presented.

J. Moulson abstained. All other members in favor. Motion carries.

3. Communications

- a) Inland Wetlands Application #2021-06**, Mark & Kylie Desjardins for property located at 12 Wheeler Farm Road; Agriculture, fruit trees near wetlands.
- b) ECCD Outlook**
- c) Wetlands Agent Report** dated April 16 – May 12, 2021.
- d) IWWC Application Status**

4. Old Business

- a) Inland Wetlands Application #2021-05**, Samuel & Katrina Kilpatrick, Applicants/Owners for property located at 25 Tanglewood Drive Extension; Single family home near wetlands.

A motion was made by J. Grabarek and seconded by I. Stammel to approve Application #2021-05, Samuel & Katrina Kilpatrick, applicants for property located at 25 Tanglewood Drive Extension with a standard bond of \$500.00. All in favor. Motion carries

5. New Business

Inland Wetlands Commission Application #2021-06, Mark & Kylie Desjardins for property located at 12 Wheeler Farm Road; Agriculture, fruit trees near wetlands.

Kylie Desjardins explained that they would like to plant 4 apple trees, 4 pear trees and 30 blueberry bushes.

J. Grabarek noted that he was on the site walk and there was a trench from the base of the property to the wetlands. The problem is when it rains the only place for the water to go is over that property. The problem originates from the catch basins on the road and the solution would be to make a swale which would drain the water coming from the Town road which is Wheeler Farm Road.

Chick Bartnicki agreed and thought the trench should be made into a California Swale. It would look good and it would drain the water from Wheeler Farm Road out through the wetlands to the discharge area.

Attorney McCoy asked for a point of order and stated that the agenda shows there is an application for the planting of fruit trees and it seems to have evolved into Section 7c which is the resolution of a site walk, and asked if those two things going to be heard together.

Chairman Moulson stated it should be because it's all the same issue.

Attorney McCoy stated that he would like to speak to the issue of the violation when it's appropriate but it is also appropriate for commission members to discuss whatever they need to discuss first.

Chairman Moulson said it sounds like the resolution is to smooth this out a bit and seed it and turn it into a swale to take the water off.

J. Grabarek stated that is correct.

Chairman Moulson asked Attorney McCoy to comment on the Application and the Cease and Desist Order.

Attorney McCoy stated that before the Commission can act on rehabilitation work they have to have an Application in front of them for a permit to do that work, which would include flagging the wetlands. In order to act on the fix Mr. Grabarek recommended, there has to be a permit to facilitate that.

**A motion was made by I. Stammel to table the approval of this application and a new application be filled out with #6 addressing the trench and swale.
Motion not seconded. Motion fails**

Chairman Moulson stated that the trench needs to be discussed as a solution to the Cease and Desist Order. Since we can't get anywhere with the permit. We need to come to a conclusion on the Cease and Desist.

J. Grabarek thought if they followed the plan he and Chuck Bartnicki suggested they would solve the Cease and Desist Order and the permit application would be valid. They explain exactly what they are going to do in #7 on the Application. Just because they didn't write it under #6 – all you have to do is switch #6 and #7. I don't see the purpose of making them come back and reapply again because they didn't list the trench in section 6 but describe it in detail under 7.

Chairman Moulson tabled this approval until next month and asked that a plan for the swale be presented to the IWWC.

6. Public Hearing

None

7. Violations & Orders

a) Letter dated May 13, 2021 to Mr. David Sasarak from Len Johnson, Wetlands Agent regarding Notice of Violation.

b) Letter dated May 14, 2021 to Mr. David Sasarak from Len Johnson, Wetlands Agent regarding Cease & Desist

L. Johnson sent a Notice of Violation but received a phone call and the matter has been resolved and no Cease and Desist was ever issued.

c) Resolution from Site Walk on May 1, 2021 for property located at 12 Wheeler Farm Road, Mr. & Mrs. Mark Desjardins regarding Notice of Violation and Cease & Desist. 8 Wetlands Agent Report a. Wetlands Agent Report dated April 16 – May 12, 2021.

8. Wetlands Agent Report

a. Wetlands Agent Report dated April 16 – March 12, 2021.

No comments

9. Other Matters – Public Comment

None

10. Legal Actions

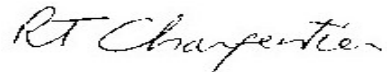
None

11. Adjournment

A motion was made by J. Grabarek and seconded by C. Bartnicki to adjourn the meeting at 8:15 pm.

All in favor. Motion carries.

Respectfully submitted,

A handwritten signature in cursive script that reads "RT Charpentier".

Roberta Charpentier
Preston Recording Secretary