

Town of Lebanon
INLAND WETLANDS COMMISSION
Regular Meeting

Lebanon Town Hall, Lower Level Conference Room
Monday, December 1, 2014 – 7:00 PM

MINUTES

Members Present: Chairman Jim McCaw, Secretary Robert Slate, Jim Hallene, Jim Bender, Carl Bender, Dean Gustafson, John Drum, David Martin, Dennis Latchum

Others Present: Philip Chester (Town Planner), Holli Pianka (Land Use Secretary)

- I. The meeting was called to order at 7:00 p.m. by Chairman McCaw. Dean Gustafson made a motion, seconded by Sec. Slate to add under Item IV, Old Business, Notice of Violation/Show Cause Hearing for Larry and Lynn Messier for discussion and action. Motion unanimously approved.

II. Acceptance of Minutes:

- a. Sec. Slate made a motion, seconded by John Drum, to approve the November 3, 2014 Regular Meeting Minutes as presented, shown with the following correction, Item II, minutes seconded by Hallene. Motion unanimously approved.

III. **NOTICE OF VIOLATION/SHOW CAUSE HEARING~Larry and Lynn Messier, for property at Assessors Map 242, Lot 16, Exeter Road.**

The notice of violation letter was read into the hearing record by Sec. Slate. The following exhibits were labeled and entered into the hearing record:

- A) Notice of violation letter dated and mailed USPS Certified #700818300018936 on 11/21/14.
- B) Photographs of site taken on 10/7/14.
- C) Photographs of site taken on 10/10/14.
- D) Copy of original 2007 wetlands permit for subdivision #IW-07-19.

The property owner was not present and there was no one in the audience to address the commission. Chairman McCaw closed the show cause hearing at 7:06 p.m.

IV. Old Business: Old business was discussed after new business.

V. New Business:

- a. **IW-AR-14-4203:** 888 Trumbull Highway, Assessors Map 235, Lot 78, Berkeley Nowosad, owner, Jason Nowosad, applicant. Clearing for pasture.

Jason Nowosad addressed the Commission. He is looking to clear land for pasturing sheep. Trees and brush will not be cleared from stonewalls to allow a buffer and shade along land abutting property owners. Some stumps would be taken out and removed from

the property to make planting pasture easier and applicant stated he will place erosion control along the easterly side.

Rob Slate made a motion seconded by John Drum for this application to be determined an as-of-right activity. Motion unanimously approved.

At this time, the commission took up Item (d) under new business.

- d. **IW-14-4204:** 21Hinckley Road, Assessors Map 261, Lot 63, Christopher Gebbie, owner. Clearing and garage construction.

Chris Gebbie addressed the Commission. He would like to proceed in removing the stumps from trees he cut down and seed the area. There is also one additional tree that needs to be removed that is growing into a power line. Other proposed work includes plantings along the seasonal stream such as evergreens, arborvitae and daylilies along the stonewall, rock removal from the stream, and brush and rock pile removal along the abutting property line. He noted that there are approximately 10 to 15 stumps to be removed -- five being in the wetlands and the rest in the buffer area.

Mr. Chester noted that activities approved in the original permit are still valid. Mr. Gebbie removed the shed/garage from the application and will apply at a later date when the location and size of the building are more definite.

This item will be placed on next month's agenda.

- b. **IW-AR-14-4143:** 596 Clubhouse Road, Assessors Map 253, Lot 20, Daniel Walsh, owner, Corinne Walsh, applicant. Clearing for pasture.

Daniel and Corinne Walsh were present. Mrs. Walsh stated that no other work would be conducted at the site with the exception of moving the stumps from the abutting property line and eventually removing the stumps from the property.

John Drum made a motion to approve the application, seconded by Jim Hallene. Motion unanimously approved.

- c. **IW-BUF-14-4156:** 407 Leonard Bridge Rd, Assessors Map 242, Lot 38, Michael Bawza, owner, A-Team Home Performance, applicant. New residential dwelling, driveway, septic construction.

John Drum made a motion to authorize Mr. Chester to sign approval of the buffer permit, seconded by David Martin. Motion unanimously approved.

IV. Old Business:

NOTICE OF VIOLATION ~Larry and Lynn Messier, for property at Assessors Map 242, Lot 16, Exeter Road.

Work has been completed within 100 feet of wetlands buffer without authorization for which Mr. Chester has issued a cease and desist notice. Mr. Messier has not attempted to contact the Commission.

Carl Bender made a motion, seconded by Dennis Latchum, to uphold the cease and desist order and the owner will be notified that he is required to provide a remediation plan prepared by a soil scientist within 30 days or the commission will consider legal action. Motion unanimously approved.

VI. Town Planner's Report:

- a. Buffer Permits:
IW-BUF-14-4195: 197 Waterman Road, Assessors Map 251, Lot 197, Mark Sellew, Prides Corner Farms, owner. Installation of irrigation pump house. **APPROVED.**
- b. As of Right Permits:
- c. Enforcements:
- d. Other

VII. Correspondence:

- VIII. Jim Bender made a motion to adjourn, which was seconded by David Martin. Motion approved unanimously and meeting adjourned at 8:30 p.m.

Respectfully Submitted,
Holli E. Pianka, Land Use Secretary
December 8, 2014

(Minutes are unapproved as of transcription date.)