

Town of Lebanon
INLAND WETLANDS COMMISSION

Regular Meeting

Lebanon Town Hall, Lower Level Conference Room
Monday, March 3, 2014 – 7:00 PM

MINUTES

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

Others Present: Philip Chester, Town Planner, Holli Pianka, Secretary

- I. The meeting was called to order at 7:00 p.m. by Chairman McCaw. Robert Slate made a motion, seconded by Jim Hallene, to take up Old Business prior to the Show Cause Hearing. Motion unanimously approved.
- II. Acceptance of Minutes:
 - a. Jim Hallene made a motion, seconded by John Drum, to approve the February 4, 2014 Regular Meeting Minutes as presented. Motion unanimously approved. Abstained: Robert Slate.
- III. Election of Officers
 - a. Robert Slate made a motion to elect James McCaw as Inland Wetlands Commission Chairman for the new term, seconded by John Drum. Motion approved unanimously.
 - b. Jim Hallene made a motion to elect Robert Slate as Inland Wetlands Commission Secretary for the new term, seconded by Jim Bender. Motion unanimously approved.
- V. Old Business:
 - a. **IW-14-3270:** York Road, Map 252, Lot 7, (near Goshen Hill) Darwin Gebbie, applicant. Stonewall reconstruction.

Wesley Wentworth, Wentworth Civil Engineers, was present on behalf of Darwin Gebbie, applicant.

Jim Bender made a motion to approve the application, seconded by Dennis Latchum. Motion unanimously approved.

- b. **IW-AR-13-3252:** 11 Leonard Bridge Road, Map 226, Lot 13, Lee & Trudi Zuidema, owners. Timber harvest/wetlands crossing.

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

- c. **IW-BUF-14-3267:** 38 Deepwood Drive, Map 103, Lot 90, Beth Sullivan, owner. Perimeter drain.

A site walk was scheduled at 6:00 p.m. on Tuesday, April 1, 2014.

John Drum recused himself for the show cause hearings and left the meeting room.

- IV. a. **SHOW CAUSE HEARING/NOTICE OF VIOLATION ~ Nicholas Gebbie, for property at 590 Tobacco Street, Assessors Map 224, Lots 2.011, 5 and 7-9.**

Nicholas Gebbie was not present for the show cause hearing. Mr. Chester stated that there was no certified return receipt card received and noted that the notice may have been sent to an incorrect address. Mr. Chester was unsuccessful at hand delivering a copy of the notice and there was no evidence that Nicholas Gebbie had received the certified mail notice. Mr. Chester will try to verify the correct address and resend notice for the April meeting.

- b. **SHOW CAUSE HEARING/NOTICE OF VIOLATION ~ Ronald & Barbara Drum, owners, 590 Tobacco Street, Assessors Map 224, Lots 2.011, 5 and 7-9.**

Robert Slate read the Show Cause Hearing/Notice of Violation sent on 2/21/14 to the property owners by Mr. Chester. Mr. Chester stated that on 2/18/14, he received three complaints (two phone calls and one in person) from Tobacco Street residents, of tree cutting on said property. He called the Drums and found they were out of town and left a message for them to call him. He received additional calls from neighbors on 2/20/14 of continued work on the property. He visited the site on 2/20/14 with the Town Engineer and observed equipment and cut logs on the side of the road and a gentleman in the immediate area. Mr. Chester left a verbal message with the man for Mr. Gebbie to call the office and then prepared a cease and desist notice to both Mr. Gebbie and the Drums. The Drums came in to the Land Use Office on 2/21/14 and were given a copy of the notice. On Monday, 2/24/14, Mr. Chester received a call from Nicholas Gebbie who stated that he understood a cease and desist order was issued to him for the work done. He was told that the Commission needed to make a ruling before additional work could take place and that he should attend tonight's meeting. Mr. Chester noted that Mr. Gebbie no longer had a forester's license.

Owners Ronald and Barbara Drum addressed the Commission stating that they had been away on vacation and were unaware that work had taken place in the wetlands. They had in the past hired him to do some work and tree removal but

instructed him to stay out of the wetlands. Barbara Drum stated that Mr. Gebbie told her that he would take care of getting any permits if necessary. They have since told him to remove all of his equipment and leave the property.

Members agreed that a site walk is necessary. With no further discussion, Chairman McCaw declared the show cause hearing closed at 7:25 p.m.

Carl Bender made a motion to let the cease and desist order stand as originally given and to schedule a commission site walk on March 25 at 6:00 p.m., seconded by Jim Hallene. Unanimously approved.

The Drums were instructed not to proceed with any further work until instructed by the Commission.

John Drum returned to the meeting table.

VI. New Business:

- a. **IW-14-3305:** Kingsley Road Bridge over the Ten Mile River, CTDOT Bridge No. 04620, Assessors Map 203. Town of Columbia, applicant. Bridge Rehabilitation.

Mr. Chester stated that the applicant would be at the April meeting. The application was accepted by the Commission and will be discussed in April.

VII. Town Planner's Update:

VIII. Discuss Proposed Revision of Wetlands Regulations:

Dean Gustafson provided the Commission with a draft copy of proposed regulations for their review and discussion at the April meeting.

IX. Correspondence:

- a. Notification of CT DEEP scheduled activity and CT Wildlife placed on file.

- X. John Drum made a motion to adjourn, which was seconded by Dennis Latchum. Motion approved unanimously and meeting adjourned at 8:15 p.m.

Respectfully Submitted,
Holli E. Pianka, Land Use Secretary
March 10, 2014

(Minutes are unapproved as of transcription date.)