

THE INLAND WETLANDS COMMISSION OF THE TOWN OF AVON HELD A VIRTUAL SPECIAL MEETING ON TUESDAY, OCTOBER 20, 2020, AT 7:00 P.M., VIA GOTOMEETING, by Web: <https://global.gotomeeting.com/join/828372509>, or Dial: 1-877-309 2073, Access Code: 828-372-509#.

Present were Chair Clifford Thier, and Vice-chair Michael Beauchamp; and Commissioners Bob Breckinridge, Jed Usich, and Michael Feldman. Absent was Commissioner Martha Dean, and (Commission member vacancy). Also present was John McCahill, Planning and Community Development Specialist/Wetlands Agent.

Chairman Thier called the meeting to order at 7:00 p.m.

John McCahill stated procedures for commissioners and any public members present for conducting the virtual meeting. A roll call for commissioners was taken.

NEW APPLICATION:

APPL. #769 – Charles Castonguay, applicant; Susan Castonguay, owner: Request construction of a garden building and upper and lower terraced areas within the 100' upland review area. Location: 43 Sheffield Lane, Parcel 6000043.

Applicant Charles Castonguay and owner Susan Castonguay were both present for their application.

John McCahill stated that notices were provided and application materials were posted, on the Town of Avon Inland Wetlands Commission web page, in accordance with the Town regulations, State of CT statutes, and current COVID-19-related executive orders. He stated that the meeting would follow the agenda and only application that would be discussed at this meeting would be Appl. 769. He stated that the applicant and owner would have the opportunity to present the application and also any members of the public would have the opportunity to comment or ask questions regarding the application. He summarized the application materials and read aloud excerpts from the application as submitted. He stated that there exists a stone wall that was constructed prior to the construction of the house on the property, at the edge of the delineated wetlands. The 100' regulated area encompasses the rear of the property, directly behind their house. The proposed garden building will be 20'x 20', and it will be utilized to house garden items and equipment. They are proposing an upper terrace patio and lower terrace with a landscaped fire pit area. He referenced the distances and elevations of the proposed terrace levels and proposed garden building. A site walk map had been provided to the Commission; the map indicates stakes in the field regarding the regulated activities in relation to the wetlands. Registered Soil Scientist Scott Stevens's report, dated August 31, 2020, reconfirmed the delineation of the wetland soils. The wetlands were originally delineated in approximately year 2000 as part of the original approved subdivision. The wetlands are substantially the same with a difference of approximately five feet in some locations. The green colored area on the map represents the land owned by the Town of Avon. John McCahill referenced his memorandum, dated October 9, 2020.

Mr. Castonguay stated that the proposed garden building would be used to house garden materials and equipment, which were currently being stored in the existing garage. He stated that there was no intention to store vehicles in the proposed building, and that an architect had designed plans for the building. The elevation was designed, not for the purpose of driving a vehicle around, but to operate a lawn mower and store it in the building. Their focus was on the construction of the garden building, and the proposed structures to be built likely will be done in later stages. He stated that they bought the property in 2003, and that he and Ms. Castonguay were unaware that there were wetlands on the property. They first knew of the wetlands in 2006-2007, after first contacting John McCahill. Mr. Castonguay recently discovered that beyond the existing rock wall in the back yard, in addition to the wetlands and watercourse, a conservation area exists. He stated that 36% of the lot consists of conservation area. From the edge of the wetlands, the 100' regulated area encompasses nearly all of the backyard. Ms. Castonguay described their interest in and enjoyment of the wetlands and beauty of nature existing on the property. They never suspected wetlands on their lawn because the yard is very dry.

In response to Chair Thier's question regarding anyone else presenting or speaking, Ms. Castonguay stated that she was unaware professionals would be required at the meeting. Chair Thier stated that professionals who might speak on behalf of the applicant were not always required by the Commission.

In response to Commissioner Breckinridge's question about flooding, Mr. Castonguay stated that the grassy yard does not flood, however, beyond the existing stone wall there is a brook that floods, and rises and falls with rainfall. Mr. Castonguay confirmed that the existing stone wall acts as a natural barrier; with enough moisture, water could get to the side of the yard but has not in the time of home ownership at the site. Ms. Castonguay confirmed that the proposed activities for construction would occur in already disturbed land, the grass yard, which had been installed by the builder prior to the time of home purchase.

Vice-chair Beauchamp stated that he walked the property with the applicant that day. He stated that the existing stone wall is approximately four feet high and three-and-a-half feet wide and is a great barrier between the yard and the conservation area. He stated his comfort in that type of wetlands protection barrier. He could not foresee any issues with the proposed activities.

Commissioner Usich stated that there appeared not to be any excavation of significance involved with the project. There did not seem to be a feasible alternative that the Commission needed to consider. He did not have issues with the proposed activities.

In response to Commissioner Feldman's question regarding the specific details of the project, Ms. Castonguay explained the layout of the back exterior of the home and described the materials for the terraced area, including the use of bluestone. The fire pit on the lower terrace was proposed there in part so as not to be so intrusive to neighbors, and there needed to be terraces due to the downward slope of the land. She added that the terraces would be beautified with plantings. Mr. Castonguay added that the segmented section on the plan represented a proposed pergola. The steps of the terrace levels will likely be made of bluestone or granite. All

materials will complement the existing rear stone wall and those of the house. Commissioner Feldman had no further questions.

Commissioner Breckinridge inquired of John McCahill whether or not, with an application of this type, there should be a designated restriction of landscaping that might be located farther down toward the wetlands. He was particularly concerned with plants that could be invasive.

John McCahill stated that the applicant was specific regarding what the regulated activities would be on the plan. He was uncertain there would be a need for regulating the plantings. He did not believe the plantings, at this level of detail, would fall in the category of a regulated activity given the fact that the lawn area was already established.

Ms. Castonguay stated that the existing rock wall is a habitat populated by hundreds of snakes. She would not garden in that proximity or plant anything near the rock wall.

Chair Thier stated that all of his questions had been answered.

John McCahill stated that the Commission was in receipt of the record survey, which had been prepared by Arthur Neriani, dated October 19, 2020. The drawing that the architect had executed used the record survey as a base. The applicant had reached out to his soil scientist by email, dated October 8, 2020, and soil scientist Scott Stevens briefly stated that based on the location of the silt fence, there would not be any direct, significant impacts associated with the project.

Chair Thier stated that there were no further Commission questions. There was no response to his inquiry of the participating public if anyone wished to speak that evening.

Vice-chair Beauchamp motioned to approve Appl. 769, with conditions as written in John McCahill's memorandum, dated October 9, 2020. Commissioner Usich seconded the motion. The following members voted in favor: Chair Thier, Vice-chair Beauchamp, and Commissioners Breckinridge, Usich, and Feldman; with none opposed, the motion carried.

PENDING APPLICATIONS:

APPL. #768 – Blue Fox Run Golf Course, LLC, Lisa Wilson Foley, applicant; Blue Fox Run Golf Course, LLC, owner; Nod Road Properties, LLC, owner; and Corner Properties, LLC, owner: Requesting to amend the Town of Avon Inland Wetlands and Watercourses Map, per Section 15 of the Regulations, to update the map for the subject properties to depict accurate information based on detailed field mapping and soil evaluations. Locations: 65 Nod Road, Parcel 3290065; 117 Nod Road, Parcel 3290117; and 231 Nod Road, Parcel 3290231.
(Scheduled for a special meeting for a public hearing continuation on Thursday, November 5, 2020, at 7:00 p.m.; no discussion at this meeting.)

APPL. #767 – Michelle and Anthony Angeloni, applicants; Jason L. Addison, owner: Request: 1) partial elimination and redirecting of existing intermittent watercourse (eroded drainage swale); 2) construction activities within 100' regulated area; proposed activities include construction of single family residential house, driveway, septic system, detached garage, pool,

retaining wall, and related site grading. Location: 4 Vermillion Drive, Parcel 4420004. **(To be scheduled tentatively for a special meeting for a public hearing on November 16, 2020; no discussion at this meeting.)**

COMMUNICATIONS FROM THE PUBLIC:

There were no comments or questions from the public.

OTHER BUSINESS:

There was no other business.

STAFF COMMENTS:

John McCahill stated that an email would be sent to confirm the virtual special meeting for a public hearing with a tentative date of Monday, November 16, 2020, at 7:00 p.m., for Appl. 767. He reiterated that the regularly scheduled meeting for November 3, 2020, had been cancelled. A notice for a virtual special meeting for a public hearing continuation on Appl. 768, had been posted according to regulations for the date of Thursday, November 5, 2020, at 7:00 p.m.

APPROVAL OF MINUTES:

There were no minutes to approve at this time.

Vice-chair Beauchamp motioned to adjourn the meeting. Commissioner Usich seconded the motion. The following members voted in favor: Chair Thier, Vice-chair Beauchamp, and Commissioners Breckinridge, Usich, and Feldman; with none opposed, the motion carried.

NEXT REGULARLY SCHEDULED MEETING:

The next regularly scheduled meeting on Tuesday, November 3, 2020, is cancelled. A virtual special meeting for the public hearing continuation, for Appl. 768, has been scheduled for November 5, 2020, at 7:00 p.m.

There being no further business, the meeting adjourned at 7:37 p.m.

Susan Guimaraes, Clerk
Inland Wetlands Commission
Town of Avon Planning and Community Development