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**TOWN OF EAST HAVEN
INLAND WETLANDS AND WATERCOURSES COMMISSION**

**MINUTES OF REGULAR MEETING
HELD WEDNESDAY, SEPTEMBER 13, 2023
AT EAST HAVEN SENIOR CENTER, 91 TAYLOR AVENUE**

The regular meeting was called to order.

I. ROLL CALL AND PLEDGE OF ALLEGIANCE

The following members were present:

Richard Raffone, Chair

Wendy Bellmore, Vice Chair

Kerry Martens

Michael Sparago

John Aceto, Alternate

Kristy Porter was excused.

Others in attendance:

Jonathan Bodwell, Town Engineer

Jennifer Coppola, Assistant Town Attorney

II. REVIEW AND ACTION ON PRIOR MEETING MINUTES

This matter was passed until the end of the meeting.

III. NEW APPLICATION

1. **Application No. 2024-002 for 179 & 197 Borrelli Road.** Assessor's Map 610, Block 7241, Lot 002 & 003. Owner: Vineyard Sky Farms Corp., Applicant: Vineyard Sky Farms Corp. The application proposes to fill two wetland areas. The project is proposed within regulated wetlands areas and includes filling.

Representing the applicant was Frankie Jenkins. Mr. Jenkins noted his lack of familiarity with the meeting process and said he would answer any questions the Commission had about the project.

Mr. Raffone sought direction from Attorney Coppola. Attorney Coppola advised the Commission that pursuant to its Regulations, it needs to first determine whether the proposed project may have significant impact on the regulated areas within the Commission's jurisdiction and a public hearing should be held.

Mr. Raffone asked questions of Mr. Jenkins. He was unable to answer and referred the Commission to Rodney Galton, who was not present. Mr. Bodwell recommended that if the Commission had questions or if it wanted something in particular presented at the public hearing or before the public hearing, the Commission could make that request(s).

Ms. Bellmore asked Mr. Jenkins who he worked for. He responded Eco Synergy.

Attorney Coppola responded to questions from the Commission regarding the scheduling of a site walk and also explained the notification process for a site walk and a public hearing.

The Commission discussed whether to have a public hearing and a site walk prior to the public hearing, and its desire to have the soil scientist present at the public hearing.

Mr. Jenkins indicated he had authority to schedule the site walk.

Mr. Bodwell commented on the limitations of the site walk.

The scheduling of a site walk was discussed and Saturday, October 7, 2023 at 9:00 AM was selected.

In response to a question received from Mr. Raffone, Attorney Coppola offered guidance on the needed motions. Mr. Sparago asked a question regarding receipt of an application and Attorney Coppola responded.

Mr. Bodwell addressed the Commission regarding the status and content of the application.

Ms. Bellmore made a motion to schedule a public hearing for the application at the next regular meeting on Wednesday, October 11, 2023 because the proposed activity is going to have a significant impact on a regulated area and Mr. Martens seconded the motion.

Mr. Sparago expressed that he believes the application is incomplete; that proposing to clean up the site by filling the wetlands makes no sense; there are no alternatives diagrammed; there is no clear purpose and the Commission cannot evaluate if it is legitimate; storm drains and outlets can be impacted/there could be a back-up or flooding at the road; a lot of questions are not addressed by the application; and overall, the requirements of the Regulations are not being met. The applicant did not issue a complete response to Mr. Bodwell's correspondence. Ms. Bellmore further commented.

Attorney Coppola responded to the Commissioners' expressed concerns and recommended that the Commission request the information it desires be submitted by a set deadline.

A vote was taken on Ms. Bellmore's motion as made and seconded and the motion passed unanimously (4-0). [New alternate Mr. Aceto did not vote as he had not yet had an opportunity to review the application.]

Mr. Sparago made a motion that the outstanding items referenced in Mr. Bodwell's July 26th email to Mr. Galton be addressed prior to the public hearing, specifically items regarding Section 7.5e and 7.5f., storm drains and outlets, and impacts on clean-outs and maintenance fees. Ms. Bellmore seconded the motion.

Mr. Raffone asked that the motion include that the soil scientist be present at the public hearing.

Attorney Coppola also recommended a deadline be set for submission of the items. A date was discussed.

Mr. Sparago added to his motion that the additional information be submitted to Mr. Bodwell by Monday, October 2, 2023 and that the soil scientist be present at the public hearing. Ms. Bellmore seconded the motion as amended. The motion as amended passed unanimously (4-0).

Return to Agenda Item II. regarding the outstanding minutes.

A motion was made to approve the January 11, 2023 minutes was made by Ms. Bellmore and seconded by Mr. Martens. All were in favor (3-0).

A motion was made to approve the July 12, 2023 minutes was made by Mr. Sparago and seconded by Mr. Martens. All were in favor (4-0).

A motion was made to approve the August 9, 2023 minutes was made by Mr. Sparago and seconded by Ms. Bellmore. All were in favor (4-0).

IV. ADJOURNMENT

A Motion was made to adjourn the meeting. All were in favor (5-0). The meeting adjourned at 7:47 PM.