

**TOWN OF CHAPLIN, CONNECTICUT  
INLAND WETLANDS AND WATERCOURSES COMMISSION**

**MINUTES OF A BUSINESS MEETING  
HELD ON NOVEMBER 16, 2016, 7:00 P.M.  
IN THE CHAPLIN TOWN HALL**

**Members Present:** Chairman Scott Matthies; Vice Chairman Michael Jenkins; Peter Stick, Peter Kegler

**Members Absent:** Paul Deveny, Michael O'Neill, Sharyn Rusch

**Alternates Seated:** Virginia Walton for vacancy

**Also present:** Todd Strickett, Applicant for IW-08-16; Joe Theroux, Inland Wetlands Agent; Elizabeth Marsden, Recording Clerk

**Call to order:** Chairman Scott Matthies called the meeting to order at 7:02 p.m.

**Minutes reviewed** for October 26, 2016 regular meeting. **Motion** to approve October 26 minutes (amended) by V. Walton, seconded by M. Jenkins, **motion** carried unanimously.

**Old Business:**

**a. Application IW-08-16; 48 Cross Road, Pool construction within upland review area.**

**Discussion:**

Applicant stated he met with Jay Gigliotti, Zoning Official, and does not anticipate any obstacles such as being required to move the pool. No changes to site plan. Applicant paid the fee to IWWC to complete his application. Chairman Matthies stated the Commission may act on the Application at tonight's meeting. J. Theroux distributed a copy of the site plan to the Commission.

Chairman Matthies said that the pool's location would not impact the wetlands (which are located on the opposite side of a stone wall). The grading on the site of the pool is away from wetlands. Applicant was asked where water would flow in the event of a pool leak or draining and he stated, as he had during the September IWWC meeting, that water would travel down the driveway and into a plunge pool, a pool that holds water so it can settle into the ground before any water flows into wetlands.

Chairman Matthies stated that he feels the pool's location is acceptable to protect wetlands, P. Kegler and M. Jenkins agreed. P. Stick asked if PZC will get involved and in the event the pool would need to be moved, what would then happen regarding IWWC? Chairman Matthies explained that if PZC decides the pool needs to be moved, the application would come before IWWC again.

**Motion** to approve Application IW-08-16 by P. Kegler, seconded by P. Stick, **motion** carried unanimously.

**J. Theroux will send an approval letter to Applicant.**

**New Business:** None

**Correspondence:**

1. *Habitat Magazine*, Fall 2016 Issue

2. Letter/notification from Mansfield resident at 131 Hickory Lane proposing to construct a detached garage – activity is 500 feet from Chaplin town line, requiring a notice to IWWC. There is a wetland area on the property but not in an area that impacts Chaplin. Therefore, it was the consensus of the Commission that there is no wetlands impact in Chaplin and thus, no concern or need to contact Mansfield.

**Administrative Report:**

1. 80 Marcy Road, nothing significantly new per J. Theroux, PZC gave them a deadline of November to clean up junk and unregistered vehicles. V. Walton asked what will happen next and J. Theroux explained PZC will pursue enforcement of zoning regulations, for example, fines.

Chairman Matthies said that since the IWWC doesn't have any reasons for a strong concern about wetlands on this property, perhaps allowing PZC to handle enforcement from this point on would be a sensible route. J. Theroux said he does want to look at the situation when the owners actually start moving more junk out of the area. Chairman Matthies agreed and said IWWC will continue to discuss it.

2. J. Theroux mentioned an article in *Habitat* re: legal aspects concerning Permitted Use as of Right. Some towns provide for the Wetlands Agent to make decisions on PUAOR for certain activities such as forestry. However, according to the legal expert and author of the article, Wetlands Agents should not make these determinations. Therefore, J. Theroux suggested the Commission members read the article and decide if he (as the Wetlands Agent) should continue to approve PUAOR timber applications.

**Adjournment:**

***Motion*** to adjourn by P. Kegler at 7:30 p.m., seconded by M. Jenkins, ***motion*** carried unanimously.

The next meeting will be held on **Wednesday, December 21**

Respectfully submitted,

Elizabeth Marsden  
Recording Clerk