

LYME CONSERVATION COMMISSION  
INLAND WETLANDS and WATERCOURSE AGENCY  
December 14, 2016, 7:00 p.m.

The Lyme Inland Wetlands Agency held a regular meeting on Wednesday December 14, 2016 at 7:00 p.m., Lyme Town Hall, 480 Hamburg Road, Lyme, CT.

**MEMBERS PRESENT** Paul Armond Chairman, Roger Dill Acting Chairman, Beverly Crowther, Pat Crowley, Ben Kegley, Sue Hessel-alternate seated for Tom Reynolds, Priscilla Hammond, Bernie Gigliotti ZEO, and Patsy Turner Secretary.

Absent Members: S. Kurlansky (alternate), T. Reynolds

Site walk: 12/16; B. Kegley and R. Dill.

**Seat Alternate Member**

Sue Hessel seated for absent regular member Tom Reynolds.

**Public Hearing**

**Luanne Dehar, 12 Old Hamburg Road, Tax Map 27 Lot 28; application for construction of a new dwelling and septic system and demolition of a condemned building within a regulated area.**

Armond: Public Hearing postponed until January.

**REGULAR MEETING**

**Luanne Dehar, 12 Old Hamburg Road, Tax Map 27 Lot 28; application for construction of a new dwelling and septic system and demolition of a condemned building within a regulated area.**

Armond: Postponed until January.

**Kiernan G. and Laura L. Mooney, 10 Ely Ferry Road, Tax Map 25 Lot 8; an after-the-fact application for use of herbicides to control algae and invasive plants in the pond on their property.**

Armond was recused from this portion of the meeting.

Present at the meeting were George and Laura Mooney.

G. Mooney: The pond described in the document has been overtaken by algae and weeds. It was unknown that a permit was required to spray algaecides and herbicides in the pond to control the growth. The State guidelines for uses of sprays were reviewed. The list of invasives is located in the document before the commission. The farm pond was very low at the time of the spraying; the water was three to four feet below the outflow area, the chemicals were contained in the pond. Water from Ely Ferry Road collects on our property. The DEEP was contacted as to how to apply the algaecides and herbicides; Cutrine-plus Copper Ethanolamine and Weedtrine-D. Lower concentrations were used than what was recommended by the State. What has been done was done without approval; the treatment didn't work, so we need to know how to move forward with the invasive filled pond. The water entering the property needs to be diverted and the Town has been contacted; photographs of the area are part of the application.

Dill: The pond is a dug farm pond and from memory the problem with algae started was when the previous owner introduced ducks to the pond.

G. Mooney: There are no waterfowl in the pond currently. The water overflows into the wetlands when the pond water gets high.

Dill: The spraying has occurred. A professional could be helpful in the process of moving forward.

Gigliotti: There is another issue with a pond on Joshuatown Road and a professional named Rob Townsen has been hired from Aqua Scape of CT (a packet from the company was given to the applicants).

L. Mooney: The goal is to keep the pond in a natural habitat for the wildlife.

Kegley: The State did not suggest that there was approval required from the Wetlands Commission to apply algaecides and herbicides?

G. Mooney: The State was contacted for best use of chemicals in the pond.

Crowther: Will the plant materials that the chemicals have bonded to flow into the wetlands when the pond overflows?

G. Mooney: If the chemicals are active and have killed weeds they will sink to the bottom of the pond and will be metabolized.

Gigliotti: The application should be tabled to allow time for the applicants to contact professionals.

Hessel: This application is an after-the-fact document, should a new application come before the commission?

Hammond: The commission will see more information on this pond when a new application is filed.

Crowley: When algaecides and herbicides are applied the direction should be followed correctly as to amounts and how to apply to the volume of water for the chemicals to be affective.

Armond re-entered the meeting as Chairman at 7:23 p.m.

#### OLD BUSINESS

#### **Richard Snarski, discussion of a plan to eradicate phragmites from Ely Meadow.**

Present at the meeting were Richard Snarski.

Armond: Snarski and I have spoken on the phone and he is here night with a request.

Snarski: Here tonight looking for a stronger letter of endorsement from the commission for the proposed project then what was written last month. Please refer to the areas being eradicated as Ely Meadows and Lords Cove.

Armond read the current letter into the record and stated the changes which could be made to make the letter stronger.

Armond made a motion to create an endorsement letter supporting the project for the eradication of the phragmites from Ely Meadows and Lords Cove.

Hammond moved the motion, seconded by Crowley, and passed unanimously.

#### NEW BUSINESS

#### **Discussion/review of tree cutting that potentially took place within a regulated area at the property of Joan Ambrose, 30-1 Brockway Ferry Road.**

Present at the meeting representing the property owner was Sally Tonks (housekeeper).

Kegley: The steep bank near Joshua Creek is free of brush and the tree guys were on the property grinding stumps.

Armond: There are aerial photographs on the realtor's website, taken mid-summer.

Tonks: There have been renters in the house.

Kegley: There were storm damaged trees and those stumps were ground and the fresh woodchips were blow across the bank.

Armond: The commissions concern is whether or not the bank is in danger of eroding.

Kegley: The property was visited in the rain, there does not seem to be the risk of erosion.

Dill: The bank should be left as is; before and after pictures would be helpful.

Tonks: There are some photographs which can be sent to Mr. Gigliotti. Rhododendrons have been cut down along the top of the bank and are starting to re-sprout. The house is for sale and the Rhododendrons were cut to create a beautiful view.

Crowther: Do the woodchips cover the entire bank?

Kegley: The bank is very steep and the chips are not real thick.

Armond: Fresh cut chips contain toxins that the trees have stored and when the chips are spread across the ground they release and kill whatever vegetation is beneath them.

Gigliotti: This information is before the commission because a cease and desist order was mailed to the property owner. Removing the woodchips at this point will probably do more harm than good.

Kegley: The bank must have been brush cut regularly because there is nothing big growing in the area.

Armond: This property can be reviewed again in May 2017 to see what will happen after the growing season.

Kegley: There is an access road along the bottom of the hill five feet from the high-water line; the five foot buffer should be left to regrow also.

Armond: A site walk will be scheduled for after the growing season and at that time the property will be assessed.

**Replacement of the dock at the property of Nicolas and Tracy McKee, 127 Blood Street.**

Gigliotti: The existing wooden dock is in disrepair and the owners would like to replace it with a aluminum dock; same place, size, and footprint. My approval was given, if they decide to make changes it will come before the commission.

**Review and Approval of the Lyme Conservation Commission/Inland Wetlands and Watercourse Agencies 2017 Meeting Schedule.**

Armond entertained a motion for approval of the 2017 meeting schedule, Hammond moved the motion, Dill seconded, and the 2017 meeting schedule was accepted.

**Newly purchased property, 155 Joshuatown Road, man-made pond**

Gigliotti: The man-made pond was dug within wetlands and is still surrounded by wetlands (lawn area), the pond did not hold water, so the new owners had a company place a liner in the pond without a permit. A cease and desist order was mailed and there has been an application filed. Aqua scape was hired by the property owners.

Armond: Placing a liner in a pond which is located in a high-water table area tends to not work.

Gigliotti: The work with the liner in the pond has been completed and commission members are welcome to drive by, it can be seen from the road. Large rocks have been placed around the edge of the liner. The commission will see the application next month.

**APPROVAL OF OUTSTANDING MINUTES**

Armond: The Audubon Society monies collected are intended to purchase other properties within the same watershed region.

Kegley: Last month the Lonnergren vote accrued too quickly.

Hammond: There should be documentation available to see where the monies from the Audubon Society are going.

Armond: Lonnergren will be paying the Army Corp of Engineer and then the money will be paid to the Connecticut Audubon Society. Homework can be done to find the documentation showing where and how monies are distributed.

A motion was made by Armond to approve the minutes of the November 2016, Hammond moved the motion and was seconded by Crowley (1 abstention-Hessel), the minutes were accepted.

**Adjournment**

The meeting was adjourned at 8:06 p.m.

Respectfully submitted,

Patsy Turner, Secretary