

**TOWN OF SOUTH WINDSOR  
INLAND WETLANDS/CONSERVATION COMMISSION**

**Minutes**

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**September 16, 2015**

**MEMBERS PRESENT:** Elizabeth Warren, Barbara Kelly, Audrey Delnicki, Arthur Jennings, Adam Reed

**ALTERNATES PRESENT:** Jack Phillips sitting for Carol Heffler

**STAFF PRESENT:** Jeff Folger, Sr. Environmental Officer/Conservation Officer  
Donna Thompson, Recording Secretary

Chairperson Warren called the meeting to order at 7:00 pm

**PUBLIC PARTICIPATION:** none

**PERMIT EXTENSIONS:** none

**CORRESPONDENCE AND REPORTS:** none

**BONDS:** none

**MINUTES:** none

**CONSERVATION COMMISSION:** Do not have any projects outstanding at this time. There have been a number of requests from scouts that have been referred to the Superintendent of Parks.

**WETLAND OFFICER'S REPORT:** Due to the proximity of Plum Gulley Brook, Mr. Folger will be sending a warning letter to the owner of 90 Oakland Road regarding the large quantity of soil placed at the end of the driveway he is grading. No permit has been issued for this activity.

**PUBLIC HEARING:** none

**NEW BUSINESS:**

**Appl. #15-38W – CIL Realty Inc. – 30 West Rd – IWA/Conservation Commission** application for a residential dwelling on an existing sub-division lot. The site is located easterly of West Rd and northerly of Strong Rd. Rural Residential (RR) Zone.

Information was provided from a previous Town Attorney and the current Town Attorney regarding CGS Section 22a-19: Intervention Process.

Commissioner Phillips reviewed the steps necessary for acting on the receipt of the Notice of Intervention from Thomas M. Lovett, Jr. First, is to determine the party is an appropriate party to intervene and according to 22a-19, essentially anybody or any organization can intervene for any reason. From this standpoint, Mr. Lovett is an appropriate party to intervene. Determine whether the proposed intervenor has filed a verified pleading and we do have a verified pleading. Commissioner Phillips read the verified pleading. Determine whether the pleading alleges claims that are within the scope of the commission's jurisdiction and the points in the pleading do deal with wetlands and wetlands issues – therefore it is within the jurisdiction of this commission. The nature of the activities that are reasonably likely to cause unreasonable harm must be stated. The pleading does specify the activities and the harm. At this time the intervenor does not have to prove whether the allegations are true or not. That would be done during the hearing when their presentation is made. Commissioner Phillips stated that this Notice of Intervention does seem to meet all of the necessary statutory requirements in accordance with 22a-19. Therefore, based information submitted he recommends that the Notice of Intervention be received:

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**Motion to:** accept the Notice of Intervention received, as a proper, verified pleading to admit Thomas M. Lovett, Jr. as intervener on Appl #15-38W

Was made by: Commissioner Phillips

Seconded by: Commissioner Kelly

Chair Warren stated that the Town Attorney's recommendation is to accept this Notice of Intervention.

The motion: carried

Vote: unanimous

**Motion to:** continue Appl #15-38W until the meeting of October 21, 2015

Was made by: Commissioner Phillips

Seconded by: Commissioner Delnicki

The motion: carried

Vote: unanimous

The applicant has requested in writing that the presentations for this application be tabled until the October 21<sup>st</sup> meeting to give them time to respond to the intervener's allegations. The applicant has granted the Town a 65 day extension to take action on this application and has stated that they will not be in attendance at the meeting tonight unless expressly requested.

**ADJOURNMENT:**

**Motion to:** adjourn at 7:09 pm

Was made by: Commissioner Phillips

Second by: Commissioner Jennings

The motion carried and the vote was unanimous.

Respectfully submitted,

Donna Thompson  
Recording Secretary

**Approved: October 7, 2015**