



TOWN OF OLD SAYBROOK
**Inland Wetlands & Watercourses
Commission**

www.oldsaybrookct.gov

*J. Colin Heffernan, Chairman
Charles A. Wehrly, III, Vice Chairman
Charles W. Savage*

*Richard J. Esty (Conservation)
Madeleine B. Fish (Zoning)
Paula S. Kay (Planning)
Vacancy (Economic Development)*

Alternate Members
*Elizabeth D. Steffen, Secretary
Janis L. Esty
Alyse Y. Oziolor*

MINUTES

SPECIAL MEETING

Thursday, February 18, 2020 at 6:00 P.M.
Town Hall, 1st Floor Conference Room
302 Main Street, Old Saybrook

I. CALL TO ORDER

The Vice Chairman called the special meeting to order at 6:01 p.m.

II. ROLL CALL

Members Present: C. Heffernan (arrived at 6:26, not seated), C. Wehrly, C. Savage, P. Kay, M. Fish, R. Esty, E. Steffen (seated for C. Heffernan), Alyse Oziolor (seated for J. Esty)

Members Absent: J. Esty

Staff Present: P. Hegge, Environmental Planner; L. Wacker, Recording Clerk

III. NEW BUSINESS

A. Workshop: Annual Inland Wetlands & Watercourses Legal Review with Attorney Michael Cronin

ACTION: Discuss new laws, procedures and ask general legal questions

Attorney Cronin stated that there have been no major changes to the statutory law for the past 10 years, so this is a review of the laws and procedures. He explained the basic obligation of the IWWC, which is to administer the laws. The IWWC is not a conservation commission. They must consider the property owners situation and come up with a fair resolution. Attorney Cronin explained the regulations regarding tidal wetlands which are under the jurisdiction of the DEEP. He went on to explain the Coastal Area Management Act which covers any waterways and associated wetlands affected by the tides, and everything within 1000' of those. Properties that include both tidal and inland wetlands must get a permit from both the DEEP and the IWWC. The jurisdiction of the IWWC is the inland wetlands and the land within 100' of the wetlands. Attorney Cronin reviewed the case law from the Preserve to illustrate that the IWWC must document the reasons for their decisions, and those reasons must be backed up by substantial evidence. Conflict of interest was discussed. No member can participate or vote on a matter that affects them personally or financially- they should leave the table or the room. They may represent themselves personally as a member of the audience. Alternates can ask questions but should not participate in the discussion of the vote. Attorney Cronin stated that he is available for any legal questions. The members thanked Attorney Cronin for his presentation.

IV. **ADJOURNMENT**

<p>MOTION to adjourn the meeting at 7: 20 p.m. to February 20th, 2020 at 7:00 p.m., Town Hall, 302 Main Street; MADE: by R. Esty; SECONDED: by E. Steffen; VOTING IN FAVOR: C. Wehrly, C. Savage, P. Kay, R. Esty, M. Fish, E. Steffen, A. Oziolor; OPPOSED: None; ABSTAINING: None; APPROVED: 7-0-0.</p>

Respectfully Submitted,

Lynette Wacker
Recording Clerk