

Inland Wetlands Agency

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UNAPPROVED MINUTES

**Canoe Brook Senior Center, 11 Cherry Hill Road, Branford, CT
Thursday, October 12, 2017 7:30 PM**

Present: Peter Bassermann, Suzanne Botta, Jim Goggin, Richard Greenalch, Sandra Kraus, James Sette and Mark June-Wells

Absent: Eric Rose and Rick Ross.

Staff Present: Enforcement Officer Diana Ross & IW Assistant Jaymie Fredericks

Chairman Bassermann called the meeting to order at 7:38pm

All Commissioners present were seated.

APPROVAL OF MINUTES:

Comm. Greenalch motioned to approve the minutes of the September 14, 2017 meeting; Comm. Sette seconded. Motion passed (7-0-0).

OTHER BUSINESS:

IW#08.06.02 – 26 Cherry Hill Rd – Sterling Ridge residential development; permit extension request

Bernard Pellegrino, attorney representing the owner, stated he submitted a request for a five year extension. The developer has been amending the project and reducing the scope of work. They received approval for a master plan from Planning and Zoning for changes that the Inland Wetland Commission approved. They are still working through the permitting process.

EO Ross asked if they have discussed consistency with the zoning expiration date.

Atty. Pellegrino stated they have.

Chairman Bassermann asked about the changes.

Atty. Pellegrino stated that very minor changes were made to the outfall and most of the units approximate to the wetland were eliminated.

Chairman Bassermann asked given the timeframe that has already transpired would he be amenable to a shorter extension.

Atty. Pellegrino stated that he would be. He asked for the five because it was available.

Recommended three years as an alternative.

Commission discussed any shorter they would be back again asking for another extension.

Comm. Greenalch motioned that the Commission extend permit #08.06.02 for 26 Cherry Hill Rd for 3 years; Comm. Sette seconded. Motion passed (6-0-1); Comm. June-Wells abstained.

IW#08.09.05 – 8 Sawmill Rd – new single family home; permit extension request

Allen Jacobs, of Sunset Reality in Guilford, representing owners Phil and Ginny Borgia. The owners are looking for an extension. Ginny inherited the property in 1997, in 2008 hired engineer to do a plan for the site which was approved by the Commission in 2008. No activity is proposed in the wetlands. The property has been on the market; they are seeking an extension to give them an opportunity to market the property. The project is for a single family residence, currently there are no improvements on the property.

Comm. Botta referenced the extension they just granted for a permit from the same year and stated it seems appropriate to be fair and uniform and grant the extension.

Comm. Botta motioned that the Commission grant a three year extension to IW#08.09.05, 8 Sawmill Rd, single family home; Comm. Greenalch seconded. Motion passed (7-0-0).

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IW#16.07.03 – 115 South Montowese St – Parkside Village I redevelopment; revised plans

David Sacco, civil engineer for the project, stated they received a permit just over a year ago from the Commission. In response to feedback received they have revised the proposed development. Building is smaller, there are fewer parking spaces, less impervious area on the site and as a result the infiltration system is slightly smaller because the volume was not needed. There is no change in wetland impacts. The water will be collected and treated the same way and piped to the same discharge point. There is no change in the rate of runoff and no significant change in the volume that will be reaching the wetland. Rate of runoff is driven by other areas, so there really isn't a change in rate.

EO Ross questioned the runoff volume numbers for the new proposed conditions and how they compared with the numbers in the summary provided in the approved drainage report.

Atty. Tim Hollister, representing the Housing Authority and Beacon Communities, stated they are in front of the Planning and Zoning with the revised plan and the public hearing is next Thursday. If development is approved, Beacon Communities needs to apply by November 1st for funding.

D. Sacco responded to EO's question, stated the error was in last year's report in terms of what is reported for Parkside II. They were also showing last year that there was an increase. They are actually slightly lower on the 25 year and slightly increased for the 100 year. They are managing the runoff flows to Sliney fields.

Comm. Botta asked to look at the hydrographs.

D. Sacco presented the hydrographs which clarified the summary in last year's report had typos.

EO Ross asked if the Town Engineer has looked at this year's report and if she ok with it.

D. Sacco stated that she has looked at it and is ok with it.

Comm. Greenalch motioned that the Commission approve the revisions to the plans previously approved for 115 South Montowese St, Parkside Village redevelopment, IW#16.07.03, and that the record show the changes in the documentation given to the Commission on the flows which represented a couple of typo errors and that the new numbers have been changed to 26,601 and 35,660 which indicates that there is no real change in the flows; seconded by Comm. Sette.

Commission asked for errata sheet with the year added; Comm. Greenalch and Comm. Sette agreed to change. Motion passed unanimously (7-0-0).

BRIW#17.03.04 – 48-86 Tabor Dr – Solar City; revised plans

No one present, tabled to later in the meeting

PUBLIC HEARING (continued):

IW#17.07.05 – 250 & 244 North Main St – proposed retail development and driveway connection

John Schmitz, civil engineer, representing the applicant provided a brief overview of where the project stands. They have responded to the four comment letters from the peer reviewers. For the most part changes to the plan were landscaping. They added a WM-3 plan which adds native plantings on the slope to the north of the wetland to the right of the access drive. On WM-2 additional trees are proposed in the mitigation area and the slope to the north. Added in invasive species management plan (IM-1) showing areas where they would be removing invasive species. A large portion of the area is where the new wetlands are being created. A revised drainage report has been submitted in response to comments. The change involved an increase of the underground detention system to allow for extra storage.

BL Companies Schmitz stated that they are happy to grant an extension and can submit a letter.

Commission accepted the offer to extend the hearing to the November meeting.

Chairman Bassermann asked about peer review involvement for the next meeting.

EO Ross stated that the funds only covered the initial review. Engineer Wheway said a follow up would be around \$1500 for the engineering component, she did not communicate with Matt Pop.

Doesn't know if the Commission wants a follow up from the wetland scientist.

Comm. Botta stated that she did not see the retaining wall comment addressed.

BL Companies Schmitz stated he did not recall that comment. They did recall an issue with erosion and added rock weirs.

Comm. Botta read comment from September minutes about wetlands being a three dimensional concept, the wall disturbs the emergent function of the wetland. Asked if that can be addressed.

BL Companies Schmitz stated the watercourse runs along the base of the wall. He can have the biologist review that.

EO Ross stated she thinks the idea is to not have the watercourse right next to the wall. The flow is away from the wall and there is soil in-between so you having emergent vegetation along the base of the wall.

Commission determined to have engineer at the next meeting but not the wetland scientist.

Chairman Bassermann asked if applicant is amenable to \$1500 estimate for the review.

BL Companies Schmitz stated he was.

Commission continued the public hearing to the November 9th meeting.

Chairman Bassermann stated that the credentials need to be part of the record. The applicant has a copy of the credentials. It is a part of the exhibit record; exhibit #25.

APPLICATIONS FOR RECIEPT: none

OTHER BUSINESS (cont.):

IW#08.12.01/CC#16.01.01 – 40 Laurel Hill Rd – new home; site status

John Torello, architect and planner, and Richard D'Antonio, contractor and owner, present.

J. Torello stated they have done an as built of the site. They thought they had an agreement with staff as to how to accomplish compliance with permits. IW Agent emailed indicating that the plan they thought they were going to take wouldn't be acceptable. There are some timing issues.

EO Ross stated that there was some site work that was done that wasn't approved. Stated they need to talk about any questions. There is a conservation area that was approved; language is essentially on the plan. She has issued a cease and correct order; site is still not in compliance. They need to bring the site into compliance, not change the plans to accommodate what is out there. There is a contract buyer that is looking to get in right away. Corrective action should be able to occur quickly. There is a bond for planting. Her biggest concern is that the outlet structure is not in the right location. Any soil that was put in wetland needs to be pulled out.

J. Torello expressed concern relative to the extent of the conservation easement. It is a very difficult site. There are two sewer easements and a driveway easement. The site drops off very quickly from the road. They would like to move the conservation easement further from the house so the property owner can enjoy his land. There is a shed that the buyer wants to utilize. They would like to have the Commission discuss where the conservation easement line should be.

Chairman Bassermann asked how the original conservation easement location was established.

EO Ross stated it was proposed. Thinks the concern is that there is a lot of activity [easements] in the conservation easement.

J. Torello stated they propose to put the conservation line at the current limit of disturbance.

Commission stated that they need to submit a plan that the Commission can review. Commission will continue to the next meeting.

EO Ross stated her main concern is that the outlet structure is located where it was approved. The Town Engineer has said that the easement is not to be changed.

Comm. Botta stated that if there is a time crunch the most expedite thing to do is comply with what was approved.

Commission discussed that they can add lifting of the cease and correct to their special meeting on Oct. 26th if EO Ross believes that everything is all set.

BRIW#17.03.04 – 48-86 Tabor Dr – Solar City; revised plans (revisited)

EO Ross passed out the revised plan. The only change is to location of electrical lines. Very minor change; she brought it to the Commission because it is on Town property.

Commission is ok with the change.

ENFORCEMENT:

CC#10.10.01 – 5 Sycamore Way – consider lifting order

EO Ross stated they did what the order required and then they had to clean up the drainage swale which has been completed.

Comm. Botta motioned that the commission lift CC#10.10.01, 5 Sycamore Way; Comm. Kraus seconded. Motion passed unanimously (7-0-0).

NOV – 19 Milo Dr – filling of wetland; schedule special meeting at the site

EO Ross stated that they tried to schedule a meeting previously but the owner was out of town. There was an enforcement a few years ago, the owner put tile in the wetland to walk on. Owner removed it but she has since added it again. The owner has a hard time attending a meeting so thought the Commission could have a special meeting at the site. It would be a special meeting with a site walk, not simply a site walk – agenda would reflect such.

Commission discussed trying for Wednesday October 25th at 4:30pm.

EO Ross will see if that time works for the property owner and get back to the Commission on the meeting time.

CORRESPONDENCE & ANNOUNCEMENTS:

Special meeting scheduled for Commission training on October 26th at 7:30 pm

Attorney Jim Perito will provide the training.

CACIWC Habitat Newsletter

Passed out to Commissioners

ADJOURNMENT: Comm. Greenalch motioned to adjourn the meeting at 9:04pm; Comm. Botta seconded. Motion passed unanimously (7-0-0).

Respectfully Submitted,



Jaymie Frederick, Inland Wetland Assistant