



Inland Wetlands and Watercourses Agency
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APPROVED MINUTES

Thursday, November 9, 2017 7:30 PM
Canoe Brook Senior Center
11 Cherry Hill Road, Branford, CT

Present: Peter Bassermann, Jim Goggin, Richard Greenalch & James Sette
Absent: Suzanne Botta, Sandra Kraus, Eric Rose, Rick Ross & Mark June-Wells
IW Staff: IW Enforcement Officer Diana Ross & IW Assistant Jaymie Frederick
Chairman Bassermann called the meeting to order at 7:30pm. All Commissioners present were seated.

APPROVAL OF MINUTES:

- Comm. Goggin motioned to approve the [October 12] regular minutes, Comm. Greenalch seconded. Motion passed unanimously (4-0-0).
- Comm. Greenalch motioned to approve the minutes of the October 26th special meeting, Comm. Sette seconded. Motion passed unanimously (4-0-0).
- Comm. Sette motioned to approve the November 1 minutes, Comm. Goggin seconded. Motion passed (3-0-1); Comm. Sette abstained due to absence.

ENFORCEMENT:

NOV – 19 Milo Dr – filling of wetland

EO Ross stated that the original pictures are from 2006 when some tree work needed to be done, there was a permit for a sunroom in 2008, at that time there was some tile out there. In 2006 there were some materials along the wetland that were removed by April 2007.

Commission reviewed site photos and aerials of the site from the file.

EO Ross stated that historically a wetland delineation has not been required. Pointed out elevation of the delineation on the eastern side of the wetland. Edge of the deck is roughly the edge of wetland.

Jane Chua, the property owner, stated that weeds kept growing so she started cleaning them up. Wants space to enjoy sunshine and fresh air. She could not get new trees to survive there.

Chairman Bassermann stated fabric was put down in the wetland. All of the black fabric and Styrofoam needs to be removed. After that the wetland Agent needs to see what that the site looks.

J. Chua stated that she has poison ivy, purple loosestrife, Japanese honeysuckle, Japanese barberry, Norway maples and English ivy.

EO Ross stated once the material has been removed she can help her figure out how to re-establish vegetation in the area. Wetlands are protected; you can't go in and change them. You can enhance it by removing the invasive species.

Chairman Bassermann asked how long until the materials will be removed.

EO Ross stated it would be good to start and at least get it out from around the plants.

J. Chua stated that she has already started.

EO Ross stated removing the plastic is the most important.

Chairman Bassermann stated the spring will probably be worse, doesn't want to wait.

J. Chua stated right now she is trying to remove all of the Styrofoam. She will probably be able to start removing the plastic in April.

Comm. Sette asked if she can hire someone to pull it out.

J. Chua stated that the plastic is 10ftx100ft, with the leaves it will be hard to remove right now.

Comm. Goggin stated that he thinks the only way to remove it will be to hire someone.

Commission asked for a progress report from the EO for the next meeting, want to at least see an improvement before winter.

PUBLIC HEARING (continued):

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

John Schmitz, of BL Companies, stated that they are still responding to comments. They have addressed drainage/storm water comments. They are responding to staff comments that were received Friday. Looking to address comments and get that in next week.

Chairman Bassermann stated that the public hearing time runs out the third week in December.

J. Schmitz inquired as to the possibility of a special meeting November 30th.

Chairman Bassermann stated that he thinks if they can get it submitted next week and there are no substantial issues then it can wait until the December regular meeting.

Applicant consents to continue the public hearing to the December meeting.

EO Ross stated that there were conference calls to address questions that Engineer Wheway had. Staff passed out latest peer reviews and staff comments submitted to the applicant on Friday.

APPLICATIONS FOR RECIEPT:

IW#17.11.01 – 529 Leetes Island Rd – remove 36 trees from south edge of lawn to allow more sunlight

TABLED

IW#17.11.02 – 288 Pine Orchard Rd – driveway and garage expansion, walkway and associated grading

Mark Young, land surveyor with Waldo Associates, representing the property owner. The owners need more space in the garage and want better access around the back of the house. The proposal is to add one bay onto the garage, add an upper level walkway around the back of the garage for access to the patio and enlarge the driveway a bit. Considered a retaining wall but it would have to be 8ft high and didn't seem appropriate for the site. Proposing silt fence for erosion control. They don't think that there is any impact to wetland. Closest fill is about 40ft from the wetland. All activity is adjacent to existing construction. The grading will be a similar slope to what is there now. It will be a similar landscape condition.

EO Ross asked if the Commission wants a plan for the plantings to make sure native plants are used.

Commission affirmed that they would and that they would like some photos of the slope area.

M. Young stated he thinks the install will be professionally done, doesn't know that they will have a landscape architect draw up a plan. Expect they will try to save some of the existing plants.

EO Ross stated that plantings should all be native to Connecticut if possible, no invasive plants. The Commission should get a planting plan.

OTHER BUSINESS:

2018 Meeting Schedule

Meeting schedule for 2018 follows the current schedule, second Thursday of the month. It will be emailed for everyone to review.

Commission went into recess at 8:15 PM, returned at 8:19 PM.

APPLICATIONS FOR RECIEPT (cont.):

IW#17.11.01 – 529 Leetes Island Rd – remove 36 trees from south edge of lawn to allow more sunlight

Carl Weis (owner) stated trees continue to grow and block sunlight. They would like to cut 36 trees in wetland to get more light in the yard. The area used to be a pond in the late 50s that silted in and trees grew up. They would leave stumps.

Chairman Bassermann stated when the trees go he is inviting the invasive to come in.

EO Ross stated that they did discuss possibly replacing some of the trees with shrubs or small trees.

Carl Weis stated that he is trying to avoid extra expense. In his experience the stumps will sprout back as bushes. He doesn't see the need for new trees.

EO Ross stated a lot of stumps, depending on the tree will re-sprout and be more shrub-like. She cannot handle this administratively as the trees are located in the wetland. There are some shrubs in the wetland area that could come up. She is not sure how to charge the fee on this, based on stump or canopy?, also hasn't charge schedule A.

Carl Weis stated that there is a section in the regulations for a fee reduction; asks that the Commission consider that.

Commission determined to wait to address the fee until after a site walk.

EO Ross stated the main concern is protecting the ground from the equipment driving around and dragging out trees.

Carl Weis stated the only thing driving around would be a bobcat. Plans to do work in the winter without mats.

Ross stated that he should see if they have mats in case they need them. The more they work with the treads and drag trees around the more the soil will get dug up.

Chairman Bassermann stated that could be a condition of approval.

Carl Weis stated all of the trees to be removed are marked.

Commission set a site walk for Wednesday the 15th at 3pm.

Chairman Bassermann stated the Commission needs to address this with a consistency that can be applied uniformly.

ENFORCEMENT:

CC#16.01.01/IW#08.12.01 – 40 Laurel Hill Rd – consider lifting order

Richard D'Antonio stated that they did find out that the wetland is further back. Consultant has not arrived yet.

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ADDED TO AGENDA:

Comm. Greenalch motioned to add discussion of the Plan of Conservation and Development,

Comm. Sette seconded. Motion passed unanimously.

Chairman Bassermann stated every 10 years the Town puts together a plan. They have representation from various departments contribute. They want to incorporate transportation, the green, environmental concerns, development concerns all together for an overreaching plan. He is representing Inland Wetlands in that group. There is a meeting on Nov. 29th at Walsh to layout for the public the process and review the activities involved in bringing together the plan. If any Commissioners have some ideas to contribute let him know.

EO Ross stated this is primarily the responsibility of zoning.

Commission went into recess at 8:37 PM, returned at 8:38 PM

ENFORCEMENT:

CC#16.01.01/IW#08.12.01 – 40 Laurel Hill Rd – consider lifting order (cont.)

D'Antonio stated that they have arranged the plunge pool, seeded and hayed and put up erosion controls. David Lord has inspected the site and is currently on his way from Clinton.

EO Ross stated that she hasn't seen the site.

Commission went into recess at 8:39 PM, returned at 8:58 PM

David Lord, professional soil scientist and environmental consultant passed out a report outlining his site visits. During the initial investigation defined the limits of the wetland. The wetland is about 46ft from the plunge pool area; shed about 58ft; the edge of the disturbance area to wetland about 34ft.

There is a good 30ft of vegetated area between the disturbance and the wetland area. Erosion controls have been properly installed ringing the edge of the disturbed area. Due to the discharge from the

storm drain he had them install a double silt fence to slow the water down. No wetland restoration is required because the wetland boundary is not within the area of disturbance. They have established a proposed conservation limit at a minimum of 50ft from the wetland. They thought it appropriate to adjust the conservation easement to reflect the wetland configuration. Excess material was removed and moved outside of the proposed conservation easement area. Signs are proposed at edge of property, at the angle point and then spaced 50ft to meet the rest of the conservation area.

EO Ross stated that this would be a revised plan that the Commission would need to approve.

Chairman Bassermann asked what the change in the wetland delineation is attributed to.

D. Lord stated that is difficult to answer, he doesn't know.

EO Ross stated looking at the soils report she wondered if they picked a flag up wrong.

D. Lord stated it is possible. Looking at the sketch of the previous wetland boundary looks further north. He can't provide a definite answer. He bases his work on his own soil borings.

Chairman Bassermann asked if there is anything in the January 2016 document that is outstanding.

D. Lord confirmed that trash and debris has been removed from site and pad has been re-worked to comply with plan and silt fence has been installed around area of disturbance.

EO Ross stated her main concern is that the restriction is filed and that the plants are installed.

Comm. Greenalch asked about bonds.

EO Ross stated that she has a bond for \$1600 for erosion controls and some plantings. She had requested \$300 more that has not been submitted, the plan is revised so she would like to look at that.

David Lord stated that the zoning bond has a line item for trees and shrubs.

EO Ross stated that is for their required planting, she would look at buffer plants and seed mix only.

D. Lord stated that they put a temporary cover, given time of year they used an annual rye. Once they get into the dormancy period they will do a dormant seeding with a conservation wildlife mix.

Com. Goggin motioned to lift the Cease and Correct [CC#16.01.01], Comm. Sette seconded.

Motion passed unanimously (4-0-0).

Chairman Bassermann stated regarding the plan that needs to be filed, the reseeding that is going to be done should be added, they need a revised planting plan.

D. Lord stated that he is proposing 12 shrubs along the inside of the conservation easement spaced 10-15ft, terminating where the existing tree line beings. Four species are identified in his report.

EO Ross stated that they need an actual survey plan that identifies the limit of the conservation restriction area for the Commission to approve so that they can file the restriction on the land records, also need the language. The order has been lifted, they can continue working but they still need to comply. She can determine the bond amount based on the plan.

CORRESPONDENCE & ANNOUNCEMENTS: none

ADJOURNMENT: Comm. Greenalch motioned to adjourn at 9:26 PM, Comm. Sette seconded. Motion passed unanimously (4-0-0).

Respectfully Submitted,



Jaymie Frederick, Inland Wetland Assistant