



**Inland Wetlands and Watercourses Agency**  
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## **UNAPPROVED MINUTES**

**Thursday, February 8, 2018 7:30 PM**  
**Canoe Brook Senior Center**  
**11 Cherry Hill Road, Branford, CT**

Present: Peter Bassermann, Jim Goggin, Richard Greenalch, James Sette, Sandra Kraus and John Kelly.

Absent: Suzanne Botta, Mark June-Wells, Eric Rose and Rick Ross.

Staff Present: IWEO Diana Ross & IW Asst. Jaymie Frederick

Chairman Bassermann called the meeting to order.

Welcomed new Commissioner, John Kelly.

All Commissioners present were seated.

RECEIVED  
2018 FEB 15 P 3:18  
TOWN CLERK'S OFFICE  
BRANFORD, CONNECTICUT

### **APPROVAL OF MINUTES:**

Comm. Greenalch motioned to approve the minutes of the January 11<sup>th</sup> [2018] regular meeting; Comm. Kraus seconded. Chairman Bassermann indicated typo on page 2 “add” should be used instead of “and”. Motion passed with correction (5-0-1). Comm. Kelly abstained as he was not a Commissioner at the time of the meeting.

### **OLD BUSINESS:**

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

Matt Davison of Davison Environmental was contacted to address Commission’s concerns relative to potential short and long term impacts and what could be done to minimize the impacts. Access was changed to be within the lawn area and some sort of matting will be used. He is comfortable that this methodology will not have that much impact on the wetland. Discussed that the proposal is to change the cover type of the wetland. Changing the cover type is not necessarily bad. The functions that this wetland serves would benefit from having dense emergent vegetation. After the trees are removed he proposes emergent vegetation to the west to filter the water. There will still be shade from the remaining trees. He has found plugs easy to install and they expand quickly. Proposes 300 plugs focused on the western end of the wetland and a year of monitoring to make sure that there isn’t a proliferation of invasive species and to assess survivorship.

Chairman Bassermann asked about the short term impacts of the tree removal.

M. Davison stated that installing plugs at the beginning of the season and allowing the stumps to sprout will allow the area to establish quickly.

Chairman Bassermann asked about invasives.

M. Davison said that he didn’t see any invasives there and doesn’t think any will be introduced.

Chairman Bassermann asked about the planting method.

M. Davis stated that the plantings can withstand a range of hydrology. The plugs need about 2 weeks before exposure to flooded conditions or else plugs might float up. Propose planting 200 plugs early where they know it won’t be a problem and wait for a drier period to establish plugs in areas that flood. Ultimately the plugs will handle the hydrology probably better than what is there.

Comm. Goggin asked if the contractor will be accessing the wetland itself.

M. Davis stated that the contractor's vehicle will not go in the wetland.

Chairman Bassermann asked when the plantings will first go in.

M. Davis stated as soon as the work is done and the ground is workable. He will go over where to plant and how to plant.

M. Davis thinks that this plan will enhance water quality functions of the wetland, pollutant and sedimentation attenuation.

EO Ross asked if monitoring more than one growing season may be necessary.

M. Davis stated he is confident if they are doing well at the end of one growing season they will be established. If they have not survived then he would submit recommended action items. He finds that emergent plantings are a lot easier to establish than shrubs.

Commission discussed the fee reduction request. Reviewed that the area affected is more than just the tree trunks. Reviewed the fee schedule and 19.7 of the regulations.

EO Ross reminded the Commission about their discussion with Town Council and being consistent.

Commission determined that they don't know on what basis to they could grant a fee reduction.

Comm. Goggin motioned IW#17.11.01, 529 Leetes Island Rd, approved to remove the 36 trees in accordance with the mitigation plan dated 2/1/2018 by Davison Environmental; Comm. Sette seconded. Commission discussed that includes monitoring for one growing season. Motion passed unanimously (6-0-0).

Comm. Goggin motioned to not grant the reduction; Comm. Sette seconded. Motion passed unanimously (6-0-0).

#### **APPLICATIONS FOR RECEIPT:**

##### **IW#18.02.01 – Juniper Point Association – management of invasive species**

David Roach, with All Habitat Services, appearing on behalf of the Juniper Point Association. The area is tidal, with freshwater intrusion, wetland system with phragmites and invasive species. There was some restoration work done by DEEP mosquito management group. The association is looking to accelerate restoration management. On the upland edge there are mixed woody invasive species covering just over 1/3 of an acre.

EO Ross stated that there are historical wetland delineations on the site. There is no actual identification of where the transition from inland to tidal wetland occurs, there are some guestimates indicated on the GIS map. There is likely activity within inland wetlands but that cannot accurately be determined without a wetland delineation which would likely prohibit the proposed restoration due to cost.

D. Roach stated that the proposal is habitat improvement/restoration. They would use chemical and mechanical control. They would start with mechanical control; mow the phragmites with low ground pressure equipment and cut out some of the woody invasives. They would then apply very selective herbicides dependent on species to the woody vegetation which would release native vegetation. Would like to control multi-flora rose, bittersweet vines and black locust. Phragmites will be applied by foot with emulsion technique.

Chairman Bassermann asked what the end game is.

D. Roach stated that there is a great aesthetic benefit but there is also a great ecological benefit along with it. It will provide more beneficial habitat for wildlife and aid in storm protection. Phragmites hinders storm function. It does appear that the tide comes up probably 250-300ft of the road edge. The transition occurs very quickly. There is a small drainage channel [in the northeast corner] that drains off to the west.

Chairman Bassermann asked for information as to how the herbicides are applied and how effective the herbicides are.

D. Roach overviewed that all applicators are licensed by DEEP. Overviewed the herbicides that will be used, what they will be used on and how they are applied. It has been their experience that these treatments are very effective.

Comm. Goggin asked what they will do if there isn't a native seedbank.

D. Roach stated that generally phragmites is extremely competitive and prevents other plants from proliferating. Treating the phragmites releases native seed sources from competition.

Luke Johnson, All Habitat services stated that DEEP did trenching a few years back and reduced phragmites significantly. About a third of the marsh (south) is *spartina*. Their goal is to get the phragmites out so that the *spartina* can continue to spread northwards.

D. Roach stated that they mulch the phragmites which acts as a stabilizer for the soil. It is not uncommon to have exposed peat soils in a tidal wetland. Normally within the first or second year they have a good idea of the recovery direction in terms of voluntary recovery.

EO Ross asked what kind of native plants are in the woody areas that will be remaining.

D. Roach stated there is sumac and a lot of willow that had been cut and is re-sprouting.

EO Ross stated that the willows should not be cut.

D. Roach stated that the area is dominated by invasives. He thinks that the willows were suppressed and may have been misidentified when previously trying to manage invasives. They have seen some cedar and birch but it is so dominated by multiflora rose and bittersweet. Thinks that removal will allow for voluntary recovery. If they find that they think it needs supplementation they will do that.

EO Ross stated ideally you want volunteers because those are the ones that you know will do well.

D. Roach stated that the woody restoration is generally slower than the phragmites transition because there is a succession process.

EO Ross asked about the extent of activity on the sloped bank.

All Habitats presented that they will removing invasives all the way up to the road.

EO Ross stated the extent is beyond what is on the map then.

D. Roach agreed. The idea is to take the landscaped edge and transition native habitat.

EO Ross asked if the plan is to at least do the three years.

L. Johnson stated they have the three year management start which switches over to an early detection/rapid response program. Juniper Point Association has committed to sticking with it to keep the area heading in that direction. The Association is aware that there are next steps that may include planting.

EO Ross stated that she has not assessed the fee yet because the actual location of the wetlands is not known.

Commission reviewed the fee and 19.7a.

Comm. Goggin asked what the likelihood that the association will continue to see this project as a thing to carry forward with.

All Habitats stated that they have been working on this since 2003 in different approaches; they have also already signed a contract for the first three years.

Chairman Bassermann asked if the Commission has had anything like this in the recent history.

EO Ross stated that the Commission has not. The Commission's jurisdiction is along the edge.

L. Johnson stated that it is about 0.67 acres of "adjacent" review area.

Commission discussed that they don't have jurisdiction over the tidal wetlands so they shouldn't assess the tidal areas.

Commission discussed what fees apply and that they would like to encourage the project as it is beneficial.

Comm. Krause motioned to waive the fee listed under section 19.5.3.c, remediation or enhancement activities, the reason for the waiver is that the activity applied for would clearly result in a substantial public benefit to the environment and the amount of the fee is clearly excessive in relation to the cost to the Town in reviewing and processing the application. The \$60 application fee (DEEP fee) would still apply. Motion seconded by Comm. Sette. Motion passed unanimously (6-0-0).

Commission set a site walk for March 1<sup>st</sup> at 4pm; will meet at parking lot on right around ¼ mile in.

**ENFORCEMENT:**

**NOV – 348 West Main St – not in compliance with site plan – Branhaven**

EO Ross stated that they expanded their parking a while back and she issued a NOV. They are now in the process of seeing if they can get a variance. Either they will restore it to what it was or they will come in with an application.

**NOV – 29 Pent Rd – filling within 100ft upland review area**

EO Ross stated that there is a watercourse behind the property and they filled up to the watercourse with stone. They were trying to enlarge their yard and didn't know any better. They have met with her and the ZEO and they are going to obtain an engineer to design a proper plan with an appropriate grade. They will need to come in with an application once they get their plan.

Chairman Bassermann asked for a list of current NOV's for the next meeting.

Staff will bring in a list for the next meeting that includes status of various violations.

Commission overviewed enforcement tools and fines.

EO Ross stated that based on historical legal advice, fines cannot be issued daily.

**ADMINISTRATIVE APPROVALS:** (none)

**CORRESPONDENCE & ANNOUNCEMENTS:**

CAWS Annual Meeting March 8, 2018 – staff will send out information again; let them know if you want to attend.

**ADJOURNMENT:** Comm. Goggin motioned to adjourn at 9:08 PM, Comm. Greenalch seconded. Motion passed unanimously (6-0-0).

Respectfully Submitted,



Jaymie Frederick, Inland Wetland Assistant