



Inland Wetlands and Watercourses Agency
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Unapproved Minutes
Thursday, August 9, 2018 7:30 PM
Canoe Brook Senior Center
11 Cherry Hill Road, Branford, CT

RECEIVED
 2018 AUG 15 P 4: 10
 TOWN CLERK'S OFFICE
 BRANFORD, CONNECTICUT

Present: Peter Bassermann, Richard Greenalch, Jim Goggin, and Eric Rose.
 Absent: Suzanne Botta, James Sette, Sandra Kraus and Rick Ross.
 Staff Present: EO Diana Ross and IW Asst. Jaymie Frederick

Chairman Bassermann called the meeting to order at 7:31pm.
 All Commissioners present were seated.

APPROVAL OF MINUTES:

Comm. Greenalch motioned to approve the Site Walk minutes of June 14th [2018], Comm. Goggin seconded. Motion passed (3-0-1); Comm. Rose abstained due to absence.
 Comm. Greenalch motioned to approve the minutes of the Regular meeting on 14th [2018], Comm. Goggin seconded. Motion passed (3-0-1); Comm. Rose abstained due to absence.

APPLICATIONS FOR RECEIPT:

IW#18.08.01 – 52 Valley Brook Rd So – aboveground pool

Mark DiGioia, property owner, stated that they used to have an in ground pool, they have an above ground pool now. Stated part of the property that was apparently identified as wetland has been filled in, it was like that when he came before the Commission 23 years ago for the in ground pool.

EO Ross passed out some aerial photos; it appears to her that when the original pool went in there was some filling the occurred in the wetland. Indicated where the wetland location likely is now, maybe about 20ft away from the pool. This is an after the fact application (for the pool). It is no longer wetland; the Commission needs to discuss how they want to handle the map identifying wetlands in that area.

Comm. Rose stated the damage is done, could act to clean up the record moving forward so that the current encroachment doesn't increase further.

Mark DiGioia stated that yard has been like that since he bought the property.

Commission discussed the limited record and not knowing for sure when the disturbance occurred. Discussed possibility of getting a wetland delineation.

Comm. Goggin motioned that they approve the way it stands right now without doing a survey, without taking any action against him.

Comm. Rose stated that they are trying to back into having the file nice and neat when the file it is not. Nothing was done in 1995 when it could have been addressed. It is now in an upland area.

Chairman Bassermann stated he thinks there is value in getting a delineated wetland. He is ok with not removing what is already there but would like to have a delineated wetland so there is a matter of record going forward.

Commission determined a map with the current wetland location needs to be submitted as part of the application.

Comm. Goggin withdrew the motion.

Commission stated they need the existing wetlands flagged by a soil Scientist. Commission will accept a sketch by the Soil Scientist on the existing as built in place of a survey.

EO Ross stated the advantage for the owner is that it clarifies that the original IW map in the file is incorrect.

M. DiGioia stated that they can't use the pool because they can't get the electricity for the pool until the building permit is signed off on.

EO Ross asked the commission if he gets a Soil Scientist delineation and the pool is outside of the located wetland area if she can approve it administratively.

Commission affirmed that in that circumstance she can.

IW#18.08.02 – 191 Short Beach Rd – subdivision referral for 3 residential lots

Criscuolo Engineering J. Pretti, presented that the site is brush and brambles, there is historical filling on the site. The wetlands were delineated by David Lord. They are proposing a three lot open space subdivision. The Branford Land Trust owns property abutting the rear of the property where the open space is proposed. Overlooked the potential house layout. Two of the lots could potentially be built outside of the review area, the third lot as proposed would have minor disturbance in an area that has previously been disturbed. They are proposing grass swales to handle one inch runoff sized for the roof. They will be submitting for subdivision approval with zoning next.

Comm. Greenalch asked for clarification that each lot would need to come back for individual approval for the site plan if activity is proposed in the upland review area.

J. Pretti affirmed that would be the case.

Comm. Rose clarified this stage is to show that it is possible to build out the lots with minimal activity in the review area.

J. Pretti affirmed that is the case.

Chairman Bassermann asked about drainage.

Criscuolo Engineering J. Pretti stated it drains to the pond on the Land Trust property.

Comm. Rose asked why keep wetlands on any of the lots.

Criscuolo Engineering J. Pretti stated excluding wetland area makes the lots smaller and could affect market value. They are proposing more open space than necessary and thought this was reasonable.

Bill Horne, member of the Branford Land Trust, stated the open space does abut Land Trust property. The Land Trust will have to go through the official process before they can say anything one way or the other, but indicated they are familiar with the property and have had conversations with the owner in the past.

J. Pretti mentioned the developer originally wanted to try to get four lots, thinks this is a much more reasonable application.

Commission continued to the next meeting.

ENFORCEMENT:

NOV – 19 Milo Dr – update on site status

EO Ross stated the vegetation in most of the area where the landscape fabric and pots have been removed is coming in really well. There is still some fabric along the edge of the patio area.

Commission reaffirmed from the last meeting that she can leave only one strip of fabric.

OTHER BUSINESS:

IW#17.07.05 – 250 North Main St – request for 50% surety bond per regulation §13.1

EO Ross stated that the regulations allow 50% of a bond over \$10,000 to be submitted as a surety. The bond is \$103,000; half would be a check and half would be a surety. Town Council has reviewed the surety documentation and is okay with it.

Dan Baughman, with the contractor, stated the cash bond has been received and deposited.

Comm. Greenalch motioned that the Commission accept the 50% surety bond as proposed, Comm. Goggin seconded. Motion passed unanimously (4-0-0).

Regulations – update on staff compiled notes

Chairman Bassermann introduced that EO has informed him there are areas of the regulations that could use the Agency's attention.

Staff passed out the notes collected over time since the last revision.

EO Ross stated the fees are cumbersome, may be a more complicated then they need to be.

Comm. Rose asked what is driving this.

EO Ross stated one thing is the de-minimus fee (\$25) was removed so the minimum fee is now \$75.

IW Asst. Frederick indicated 10% of applications in the permitting software during the timeframe this fee existed were processed this way.

EO Ross stated it is used for above ground pools and sheds and other minimal projects.

Chairman Bassermann stated last time the regulation review consisted of three Commissioners.

EO Ross stated that was correct and then the whole Commission made the decision on it.

Chairman Bassermann asked if that is the approach to take again.

EO Ross suggested Commissioners look at the document and see what their thoughts are at the next meeting.

Chairman Bassermann requested the document get sent out to all Commissioners with the idea that the Commission will look at it next meeting. Would like to get the language worked out next month and then maybe set up a group to review the fees in more depth.

ADMINISTRATIVE APPROVALS ISSUED:

IW#18.06.01 – 417-421 Leetes Island Rd – new garage addition for “Stony Creek Auto Service”

EO Ross stated this was reviewed by the Commission at the last meeting, no changes.

IW#18.06.02 – 20 Red Rock Rd – install shed (12’x20’), invasive species removal/ management and new plantings

EO Ross stated this was reviewed by the Commission at the last meeting.

IW#18.06.03 – 5 Hannah Dr – retaining wall with drainage, minor associated grading activity

EO Ross stated this was reviewed by the Commission at the last meeting.

IW#18.06.04 – 35 Beechwood Rd – sunroom extension (new size 19x23)

EO Ross stated this was reviewed by the Commission at the last meeting.

IW#18.06.05 – 5 Meadow Wood Rd – septic system replacement

EO Ross stated she approved this based on past practice so that the repair is not held up.

IW#18.07.01 – 350 Clark Ave – hot tub on concrete pad and above ground pool located on paved surface

EO Ross stated this was an after the fact approval.

CORRESPONDENCE & ANNOUNCEMENTS:

Notification of State Project 14-185: Bridge #00196, I-95 bridge over Route 1 (East Main St)

It is a state project so the Commission doesn't have jurisdiction but can comment. Passed out plans for Commissioners can review. No comments were generated.

Spring/Summer CACIWC Habitat Newsletter

Handed out

Connecticut Invasive Plant Working Group (CIPWG) Symposium; October 4th, 2018

Passed out flyer, located in Storrs, CT

ADJOURNMENT: Comm. Greenalch motioned to adjourn the meeting at 8:29pm, Comm. Goggin seconded. Motion passed unanimously (4-0-0).

Respectfully Submitted,



Jaymie Frederick, Inland Wetland Assistant