



Inland Wetlands and Watercourses Agency

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MINUTES

Thursday, October 10, 2019, 7:30 PM
Canoe Brook Senior Center
11 Cherry Hill Road, Branford, CT

1. CALL TO ORDER-

Chairman Bassermann called the meeting to order at 7:30 p.m.
He noted all the Commissioners present are seated. .

2. ROLL CALL

Present: Peter Bassermann, Eric Rose, Jim Goggin, Chris Traugh , Suzanne Botta ,
Richard Greenalch,
Absent: Rick Ross, Sandra Kraus
Staff: David McCarthy (Inland Wetlands Enforcement Officer), M.Martin-Clerk

3. APPROVAL OF MINUTES:

**Comm. Goggin made a motion to approve the minutes of the 9-12-19 Regular meeting.
Comm. Botta seconded the motion. Comm. Greenalch abstained.**

**Comm. Greenalch made a motion to approve the minutes of the 9-26-19 Special meeting.
Chairman Bassermann seconded the motion.**

4. APPLICATIONS FOR RECEIPT:

- IW# 19.09.03 | 99 Todds Hill | Subdivision-

Jim Pretti (Criscuolo Engineering) represented the applicant, explaining there is an existing house on the property now. This proposal is to create 16 single family building lots, including the existing house. He highlighted the few areas of wetlands on the property.. He then reviewed the map and the potential grading plan. He noted the fee hasn't been determined and noted that it is on the agenda for later in the meeting. The potential for open space could be approximately 24 acres. The Commissioners asked a few questions and J. Pretti said the lots will be developed as they are sold.

Comm. Botta noted that since the Commission is discussing significant activity for this project, a Public Hearing is needed. The Commission would also benefit from a peer review of the property as well.

Comm. Botta noted that the individual expertise of the Commission does not necessarily grant the Commission authority to supersede any information submitted by the applicant .If the applicant submits information from an expert the Commission does not have the expertise to counter that information and in order for the Commission to do their regulatory obligation, they need to have those experts weigh in.

J. Pretti asked if he could speak about the fee structure and the Commission agreed. He then talked about the fee structure on schedule A and the Commission gave their input and decided to continue the discussion when the item came up on the agenda.

- IW# 19.10.01 Summit Place – Multi –Story Building & Storm Water Retention Basin

John Gilmore (Milone & McBroom) represented the applicant and highlighted the existing conditions of the site with an aerial photo. The sit eis approximately 3.5 acres. He noted

the site has no wetlands on it but there are wetlands on the adjoining town property on a small portion and it's within the regulatory buffer area. He stated that there are no direct impacts on the site but next to it. He spoke about the stormwater system in detail and the Commission asked a few questions. Chairman Basserman said the Commission is concerned about the potential effects and they may need additional support for this application since the discharge is relevant.

The Commission received the application but took no action on it.

- IW# 19.10.02 779-803 East Main St. & 21 Sycamore Way-Laboratory Building

John Mancini (BL Companies) & Chris Gagnon (Project Manager) were present. They explained this parcel is part of a large tract of land (over 100 acres). It starts at Rt1 and bound on the South side by I-95, westerly by the end of Sycamore Way and Easterly by the town line. They gave a history of the site saying in 2008 his client purchased the lower 40 acres of the parcel and after that they started to develop the first lot. Then in 2011, he submitted the mapping for all the land and it was part of the application for the army lot (the first lot). Then they obtained the 400 ft. cul de sac road that the lot comes off of. At that time the property submitted an Inland Wetlands and a Planning & Zoning Application which were both approved. Since then, they have been trying to attract developers to this site and they concluded that there was 1600 ft frontage on the army lot and this is no opportunity for development on either side. They then studied the lower lot and saw that there was an extension of Sycamore Way that was approved and a right of way years ago. J. Mancini then said in order to access this site, there are only 2 places. One is at the end of East Industrial Drive which has a large wetland and the other place is the access drive which already has disturbance. In order to make the crossing it is difficult because of the wetlands location. He added that the project is also trying to contemplate a public street which he showed the Commission on the plan. He noted there is a local tenant interested in the lot. The crossing proposed is the only place with direct wetland impact. He then spoke of the rule stating that the maximum height for walls is 8 feet and because of this, grading will be necessary. He said their plan proposed to use an 8x10 box culvert and added that it is not a huge drainage area. He said the total area that would be disturbed will be 4,890 sq. feet.

The Commission discussed this briefly. Comm. Botta encouraged the applicant to consider the spirit of prudent and feasible alternatives. J. Mancini then mentioned a few other alternatives that they may consider.

Comm. Botta made a motion that based on the inclusion of almost five thousand sq. feet of wetland disturbance and fill that Application 19.10.02 go to a Public Hearing. Comm. Greenalch seconded the motion.

The Commission agreed that they will require a third party review with engineering support for this application.

- IW# 19.10.03 292 & 300 Leetes Island Road-Resubdivision into Four Single Family Residential Lots

J. Pretti (Criscuolo Engineering) represented the applicant and explained this is an application for a Resubdivision. The owner owns both parcels and proposes a lot line revision. It was a previous subdivision. The property owner would like to split the parcel into 3 lots and have one driveway with a hammerhead turnaround. The open space will be approximately 4 acres. J. Pretti then reviewed the maps.

The Commission agreed to do a site walk to review this and that a Public Hearing is not necessary.

- IW# 19.10.04 339 West Main Street- Processed Stone Parking Area

J. Pretti (Criscuolo Engineering) represented the applicant. He explained this application is for Branfon Honda. This property is an open lot now. Branfon Honda needs more storage space for their inventory .He noted there is an existing approval for this site for a small building and additional parking and part of that approval included a second detention basin, planting and sidewalks. This application proposes to extend the existing access way and create a gravel parking area. He then reviewed the drainage improvements that are proposed.

Chairman Bassermann said no site walk is needed for this application and this item will be discussed at the next meeting.

5. APPLICATIONS FOR REVIEW:

- BR# 19.07.06 | 45-81 Short Rocks Rd. | Watercourse Restoration

The applicant was not present but David McCarthy (IW Dept) said he stopped by the office and reported that he is in the process of retaining an engineer. David then reviewed the application briefly for the Commission and said the Commission had previously requested data from an engineer.

- IW# 19.09.02 16 Lomartra Lane- New Single Family Home

Michael DiGioia (DonMar Development) was present .Chairman Bassermann noted this lot was previously discussed at the last meeting. He said the Commission was concerned about the large mound of soil that is still there. M. Di Gioia said he has pulled out 26 cubic yards of material and have about a day and a half worth of mass excavation. He noted there are two lots left to topsoil and hydro seed with regard to the slope. He said lots 9 and 10 are complete as well as lot 13 and he is halfway thru lots 11 and 12.EO McCarthy asked him about the status of topsoil and seeding around the stormwater retention basin and M. Di Gioia reported that hasn't been completed yet although lots 15 and 6 are complete and work has been started on the pond.

The Commission discussed this briefly.

Comm. Rose made a motion to enable agent approval of this lot when the other disturbances that they have long awaited a resolution of are completed (the slope and hydro seeding of the other graded lots).

Comm. Botta seconded the motion.

6. ENFORCEMENT :

- CC #19.01.01 | 76-80 Pent Rd. | Clearing Along a Watercourse & Wetland

EO (IW Dept.) said he received an email today from the homeowner stating he was unable to attend the meeting and also stated the he received results from the soil scientist which he attached. EO McCarthy distributed that information to the Commission.

Chairman Bassermann said since this information was just received, this item will be Tabled until the next meeting.

EO McCarthy stated that a prior letter was sent to the homeowner stating that the flagging of the original silt fence be completed by 10-4-19. The homeowner contacted EO McCarthy saying he was out of state until 10-4 but he put a flag where the silt fence was. EO responded to the homeowner that the since there has been multiple projects on the site, the NOV (Notice of Violation) pertains to a particular area. He is not certain that the area has been flagged correctly.

Chairman Bassermann advised EO to go to the site and observe whether the flags are appropriately distributed and the Commission will review it again at the next meeting.

- NOV 76-80 Pent Rd. Clearing of Vegetation and Establishment of Lawn Beyond Permitted Area

Chairman Bassermann said this item is related to the previous one and it is Tabled to the next meeting.

- NOV 103 Sunset Hill Drive- Clearing & Filling of a Wetland

Leonard Juliano was present and explained the soil was never disturbed, it was just cleared of prickly bushes and poison ivy and wood chips were spread on the area. Also, there are quite a few sapling trees on the property near the road which he requested Eversource remove because they impede your vision and many accidents have occurred there. He also said he is not the property owner.

EO McCarthy then reviewed the history of the property stating it began with an anonymous phone call regarding the activity being conducted around a wetland and the potential of a vernal pool. EO McCarthy said he researched the possibility of a vernal pool but found no information. He then visited the site and observed a lot of clearing of the vegetation and saw the wood chips. He also said he had previously corresponded with Mr. Juliano on several occasions. Mr. Juliano disagreed saying it was Mr. Graybars that corresponded with him. The Commission asked some questions and attempted to get clarification.

The Commission directed EO to clarify who the property owner is and contact him to explain the situation.

Chairman Bassermann said this item is Tabled until the next meeting.

7. COMPLIANCE:

- IW #19.07.04 56 Stony Creek Road – School Building Rehabilitation

EO McCarthy gave the Commission some background on this property and said the plantings (blueberry bushes) in the intermittent watercourse is the compliance issue.

Amy Small was present and said she didn't realize the plantings had to be completed right away and noted she is not the property owner. She explained this is a wilderness school and the students spend a good deal of time outdoors, and, she is unsure at this point where to plant the bushes. The Commission then reviewed the planting plan. Amy Small requested more time to decide on the location of the plantings.

EO noted that a machine crossed the watercourse and caused damage and a plan is needed to restore that area. The Commission discussed this briefly.

The Commission advised A. Small to implement the planting plan that was approved prior or she can submit a new plan by the spring.

EO said he will meet with Leigh Small next week to discuss the soil disturbance.

The Commission took a short break and returned at 9:48 p.m.

8. OTHER BUSINESS:

- Subdivision Fee Schedule

EO discussed this briefly saying he has researched other towns and their fees.

The Commission discussed the current fee schedule and prior project fees. They also referred to the regulations. J. Pretti (Criscuolo Engineering) asked questions and decided to withdraw Application #IW.09.03 (Todds Hill). He will send an email stating this for the file.

The Commission then discussed the items needed for the RFP for application# 19.10.02 .

The Commission then said the Site Walk for 292 & 300 Leetes Island Road will be Tuesday, October 22 at 5 p.m.

- Staff Report

Chairman Bassermann said D. Ross has retired and so far there is no replacement for her. He noted there is no over time available for EO McCarthy. EO McCarthy said when he's out the work isn't getting done. He is concerned about neglecting the needs of applicants. He is trying to prioritize his work.

Comm. Botta suggested the Commission submit a letter to the First Selectman voicing their concerns.

Chairman Bassermann agreed to draft a letter.

CORRESPONDENCE & ANNOUNCEMENTS:

- CACIWC Conference

It is November 23, 2019 and funds are available if any of the Commissioners wish to attend.

- Notice to Municipality-Supply Ponds Dam Repair

EO McCarthy noted that work is still ongoing. DEEP Certification was received and no action is needed.

9. ADJOURNMENT

The meeting adjourned at 10:37 p.m.