

Minutes
Thursday, December 12, 2019, 7:30 PM
Canoe Brook Senior Center
11 Cherry Hill Road, Branford, CT

1. CALL TO ORDER:

Chairman Basserman called the meeting to order at 7:31 p.m.

2. ROLL CALL:

Present: Chairman Peter Basserman, Chris Traugh, Sandra Kraus, Suzanne Botta, Richard Greenalch, Eric Rose, James Goggin and Rick Ross.

Also present was David McCarthy, Enforcement Officer.

It was noted that the meetings scheduled for 2020 will be held at the Community House and the time has been changed to 7:00 p.m.

3. APPROVAL OF MINUTES:

November 4, 2019 Regular Meeting Minutes. Motion made by Commissioner Greenalch to approve the minutes of the November 4, 2019 meeting. Seconded by Commission Goggin. Commissioner Traugh noted that there needed to be a correction on page two the third sentence under Administrative Approvals needed to be revised remove the word avid. Commissioner Ross abstained. Motion passed.

December 5 Special Meeting Minutes (RFQ Review and Houskeeping). Motion made by Commissioner Goggin to approve the minutes of the December 5 Special Meeting. Seconded by Commissioner Greenalch. Vote unanimous.

December 7 Special Meeting Minutes (Site Walk). Motion made by Commissioner Greenalch to approve the minutes of the December 7 Special Meeting. Seconded by Commissioner Ross. Commissioners Kraus and Goggin abstained. Motion passed.

Chairman Basserman stated that before public hearing he would like to add an Application for Review IW# 19.10.02 – 779-803 East Main Street. The commissioners agreed

4. ADMINISTRATIVE APPROVALS:

IW# 19.11.03 56 Johnson Point Road – Residential Addition

David McCarthy confirmed that this was executed.

Application for Review added to the agenda

IW# 19.10.02 779-803 East Main Street

D. McCarthy stated that this application is incomplete. It is missing four pieces of information. He stated that all substantive Information needed to be submitted 5 days prior to the public hearing date for consideration. Chairman Basserman read section 8.6 of the regulations.

Chris Gagnon of BL Companies representing the applicant addressed the commission. Chris Gagnon stated that at the time of submission (October 10) the application was complete. The Peer Review comments came back last week. Coordination of providing information concerning the Peer Review is nearly impossible due to the time frame. David McCarthy stated that the Commission can only review and discuss items received within the proper submission timeline. Chris Gagnon stated that there are many items in the application that can be discussed. Chairman Basserman stated that we should start with what we have and suggested a 5 minute recess to look at what has been submitted within the applicable time line that can be discussed. The meeting recessed at 7:55 p.m.

The meeting reconvened at 8:04 p.m. Chairman Basserman asked how many attendees would like to speak on this application. There were 5 responses, Chairman Basserman stated that public comment would start with a minute limit each.

Suzanne Botta suggested that the Commissioner members CV's are part of the record. D. McCarthy will send copies to the applicant. Chairman Basserman stated that discussion will be limited to the items received in the applicable timeframe.

Application IW# 19.11.03 went from discussion into public hearing.

Chris Gagnon presented the overall project. This plan is for the construction of a road using the existing town ROW and extension of Sycamore Way and constructing of a 20,000 sq. ft. laboratory building and parking area. The obstacle they have in developing the property is a complex wetlands system on the property. Proposal includes extending the town road within the ROW across the wetlands. He stated that the wetland impact is limited to the construction of the road. There is existing storm water management system on the property. A headwall already exists. The proposed project would have result in 4,695 square feet total wetland fill. He also presented other alternatives such as building the road through the Army Reserve cul-de-sac or off of East Industrial Road. These alternatives would result in greater wetland impact. He stated that the initial proposal is the best proposal with the least amount of impact on the wetlands.

Bob Russo of CLA Engineers, Peer Reviewer, submitted a letter dated December 2 concerning the proposed project. He addressed the Commission and provided a brief overview of comments provided in the letter.

Pam Roy addressed the Commission concerning a letter she sent signed by five other residents raising questions and concerns about the proposed project. She stated she supports bio tech but had concerns with the site

Kate Galambos addressed the Commission concerning the letter submitted and stated that she is concerned with the overall scope of the project and that this is possibly the first application of several.

Janet Riesman, abutting land owner, read a portion of a letter submitted dated December 12, 2019. She was unable to read the remaining letter due to the issue of addressing only those items received within the applicable time line. She will read the remaining portion of the letter at the next meeting.

Bill Horne, Branford Land Trust submitted two documents (exhibits 11 and 12). He stated that the Land Trust has significant concerns. This property contains unusual complex wetlands. He is most concerned with the wetland area behind the proposed building, with sediment flow and Phragmites.

Peter Raymond, Branford Land Trust addressed the Commission and stated that he had two main concerns: 1) Chestnut Branch disturbance and 2) the disturbance of the steep slope and the effect of sediment through the chain of wetlands. He stated that the Land Trust is filing as an Intervener on this application.

Chris Gagnon stated that the applicant clearly needs an extension in terms of coordination with CLA. He stated that they needed a site walk with CLA and there is value in having a meeting on January 9, 2020. Discussion took place concerning the site walk and whether or not it is open to the public. BL Co. will hold a site walk with CLA Engineers. The Commission also scheduled a site walk for January 4, 2020 at 10:00 a.m. Public Hearing 19.10.02 will be reconvened on January 9, 2020 at 7:00 p.m. at the Community House.

The Commission took a recess at 9:10 p.m. The meeting was reconvened at 9:15 p.m. Chairman Basserman clarified that the site walk is open to the public however, those attending need to obtain permission by the property owner.

5. PUBLIC HEARINGS:

IW# 19.10.01 – 21 Summit Place – Multi-story Building & Storm Water Retention Basin

Rick Ross recused himself

Nick Minigone represented the property owner. He stated that a petition was filed. The Land Trust has a letter that has not submitted the letter to the Commission yet. The applicant has addressed concerns raised in the letter from the Land Trust. He stated that phase II of the project was approved in 2016. John Gilmore of Milone MacBloom provided an overview of the project. He stated that there are no wetlands on the property. The town owned parcel to the east contains wetlands. The wetland upland review area is just along the east corner. They are proposing to construct a residential building, parking area and clubhouse. The wetlands are more than 100 feet off site. Soils on the site are quite poor. Several alternatives were briefly discussed. John Gilmore stated that alternative #4 is the most prudent and feasible proposal. It puts the proposed construction 175 ft. from the upland review area, and includes infiltration and storm water detention. After concerns raised in the letter by the Land Trust the applicant

elected to include an infiltration system into the project. Bill Horne, Branford Land Trust submitted a letter (exhibit 3). He stated that he was concerned with adverse impacts of storm water however, alternative #4 addressed those concerns. The letter submitted supports approving alternative design #4. He read the second paragraph of the letter. The Public Hearing was closed at 9:41 p.m.

Commissioner Greenalch stated that 95-98% of this is not even within IW jurisdiction. Motion made by Commissioner Greenalch to accept the application IW#19.10.01. Seconded by Commissioner Traugh. Commissioner Botta stated that boiler plate conditions are appropriate for this application. Commissioner Basserman stated that boiler plate maintenance plan conditions are added as part of the approval. Commissioner Ross recused himself. Motion approved.

6. APPLICATIONS FOR REVIEW:

BR# 19.11.02 – 45-81 Short Rocks Road – Watercourse Restoration

Ainsley Highman, Parks and Open Space addressed the Commission. This project is planned by the Parks and Open Space Authority for the Pine Gutter Brook Watercourse Restoration. They are proposing the installation of logs to catch sediment and raise areas along the banks of the streams. They would be using trees that have fallen in the wooded areas and moving them to the locations as needed. All work will be done by hand or non-motorized equipment. They would like to start the project in the spring and it should only take a day or two.

Commissioner Botta made a motion to approve IW#19.11.02 45-81 Short Rocks Road. Discussion took place concerning possible conditions. Seconded by Commissioner Kraus. Vote unanimous.

IW# 19.10.05 – 99 Todds Hill Road – Subdivision

Jim Pretti, Criscuolo Engineering represented the applicant. The proposal is for 15 residential building lots and no new roads.

Commissioner Botta recommended that conditions are worked out ahead of time.

Jim Pretti stated that all but 4 lots touch wetlands lot #2, #3, #4 and #11.

Condition #1 – All lots but #2, #2, #4 and #11 need to be submitted to IWC. Motion made by Commissioner Greenalch to approve with the condition. Seconded by Commissioner Goggin. Commissioner Ross recused himself. Motion passed.

IW# 19.11.01 – 1151 West Main Street – Bank & Grocery Store

Public Hearing scheduled for January 9, 2020.

7. ENFORCEMENT:

CC# 19.09.01 – 76-80 Pent Road – Clearing Along a Watercourse & Wetland

NOV – 76-80 Pent Road – Clearing of Vegetation and Establishment of Lawn Beyond Permitted Area

The property owner were present.

D. McCarthy stated that there is a historical reference to a map from 2003 that shows a watercourse. Discussion took place concerning the activities that have taken place.

Commissioner Botta stated that past practice has been to rely on A2 surveys. The Commission stated that planting pan on either side of the watercourse is needed. The additional area needs to be left as Meadow. Commissioner Botta stated that it should be mowed after August 1 and then overseeded using New England Meadow Mix. The property owner stated that the area that the town deems is wet has never been wet. There are two soil reports. Commissioner

Botta suggested that the homeowner work with a soil scientist on a planting plan and a maintenance plan. All plantings need to be native, no invasives and 3ft on either side from the waterflow (from the outer banks). Bring forward a plan then we can look at the entire plan. The resident was advised to come back to the IWC in February.

NOV – 103 Sunset Hill Drive – Clearing of Trees & Vegetation within Upland Review Area

The property owner was present.

The NOV was issued on September 20, 2019. Mr. Grabarz stated he understood that work was done in the regulated area. He will work with the Enforcement Officer to resolve the issues.

20 Huntington Drive – Clearing of Trees & Vegetation within Upland Review Area

The property owner was present.

D. McCarthy stated he received notice from a neighbor about work taking place within the upland review area. Discussion took place concerning the pond on the neighbors property. The property owner stated he cut down 7 or so rotted or collapsing trees (they were left on site).

Commissioner Basserman stated that a planting plan was needed. The homeowner stated he will come back in February.

8. OTHER BUSINESS:

736 East Main Street (Nuzzo Properties LLC)

Matt Davidson representing the property owner addressed the Commission. He stated that there is a reference in the file to a map shows wetlands on the property. In 2011 there was a pond on the adjoining property that doesn't exist anymore. He stated that there are no longer inland wetlands on the Branford side of the property. D. McCarthy stated that we have maps that say there are wetlands on the property. Matt Davidson stated that there isn't a map only a

cut sheet that refers to wetlands. David McCarthy stated that they can't find a survey and there is no clear history. Discussion took place concerning the reliance on A2 Surveys and the GIS system when it comes to wetlands. Jim Pretti stated that the Nuzzo's have been working to expand the use of the property and the reference to wetlands on the GIS map created the need from them to come before the commission. They will need something to bring to Planning and Zoning. David McCarthy was instructed to send a letter to Planning and Zoning.

IW# 13.06.03 – 47 Gould Land Sub Division – Sediment & Erosion Control
This item was tabled until the next meeting in January.

9. ADJOURNMENT:

Motion made by Commissioner Kraus to adjourn the meeting at 11:00 p.m. Seconded by Commissioner Botta. Vote unanimous.

Respectfully submitted,

Trista Milici
Acting Clerk