



## Inland Wetlands and Watercourses Agency

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### REGULAR MEETING MINUTES

Inland Wetlands and Watercourses Commission

Thursday, February 8, 2024 at 7:00 PM

Meeting was held remotely, via Zoom.

**CALL TO ORDER:** Meeting was called to order by Chairman P. Bassermann at 7:00 pm

**ROLL CALL:** Chairman P. Bassermann. Commissioners D. Gocłowski, C. Begemann, M. Ormrod, M. Papantones, S. Botta, and M. Funaro. Also Present: IW Staff J. Frederick and K. Blanchette

#### 1) **MINUTES FOR APPROVAL:**

- a) January 25<sup>th</sup>, 2024 Regular Meeting Minutes-Commissioner C. Begemann requests that it be added to the minutes that the concern was for the invasive tendencies of pachysandra and vinca. K. Blanchette will amend the minutes to reflect that. Commissioner M. Papantones made a motion to approve the minutes with the added information regarding the pachysandra and vinca. Commissioner S. Botta second. Motion carried unanimously.
- b) January 27<sup>th</sup>, 2024 Special Meeting Minutes-Commissioner S. Botta made a motion to approve the minutes. Commissioner M. Papantones seconded. Commissioner M. Ormrod abstained as he was not present at the site walk. Commissioner D. Gocłowski abstained as he was not seated during the motion due to technological issues. Motion carried 6-0-1

#### 2) **APPLICATIONS FOR REVIEW:**

- a) IW#24.01.02 | 38 Howard Ave | pervious patio and landscape retaining walls and shed-Town Council W. Aniskovich reviewed with the commission what constitutes a verified petition, which involves 3 factors: Petition can only verify facts and be sworn by oath that the facts are true and accurate; the petition must more than simply recite the statute, it must spell out the conditions in which the activities being proposed are causing impact; and the petition can only be accepted when the conditions above are met. Given those guidelines, Chairman P. Bassermann made a motion to approve the petition for L. Liscio, while the Petitions of Diaz-Romero/Noori and Coughlin are not currently accepted and should re-submit. Commissioner M. Papantones Seconds. Motion carried unanimously. (7-0-0)

#### **ENFORCEMENT:**

- a) Notice of Violation | 38 Howard Ave | retaining wall & associated activities-Continued to Feb. 22<sup>nd</sup>, 2024
  - i) Consider whether to issue cease and correct orders relative to Regulated Activity conducted without a permit at 34 Howard Ave and 38 Howard Ave (activity subject to notice of violation sent on April 24<sup>th</sup>, 2023) -IW Agent J. Frederick stated that the activities span both properties. A cease and correct order requires a remedy as opposed to a permit which only asks for

permission rather than mandate a corrective action. (ie if they receive a permit to remove the retaining wall, there is nothing mandating them to actually do the activities that the permit was issued for) After discussions, commission decided to revisit after public hearing opens on February 22.

- b) CC#22.12.01 | 21 Brainerd Road | Construction without permits and CC#23.09.01 | 21 Brainerd Road | Construction without permits-IW Agent J. Frederick and Town Council W. Aniskovich updated the commission on the site status and pending legal action against the property owner (for building code violations and bank foreclosure). Commission to revisit on April 25<sup>th</sup> when hopefully progress with the property owner has been made.

**2) APPLICATIONS FOR REVIEW CONTINUED:**

- a) IW#24.01.04 | 35 Buena Vista | Tear down existing home and rebuild new-Jim Pretti, PE reviewed the application for the applicant. The existing home had already been demolished and hauled away. The new residence to be built will be in approximately the same location as the old. The intermittent watercourse on the property is fed by a buried yard drain, which is proposed to be removed. Two Raingardens are proposed to manage roof stormwater and driveway overflow. IW Agent J. Frederick read a staff report prepared for the 2/8/2024 meeting with possible conditions of approval. By the time of the meeting, some of the proposed changes had already been made to the plan, which was presented by J. Pretti. Commissioner Botta made a motion to approve the application for 35 Buena Vista Road, with the proposed conditions outlined in the Staff Report dated 2/8/2024, with the exception of Items 2a and 2b, which had already been addressed in the revisions, item 2c should be added that daylight elevations for the pipe outlet be added, and 2d that a border should be added to the driveway to prevent migration of pea gravel. Commissioner Begemann seconds. Roll Call vote:  
M. Papantones-aye  
M. Ormrod-aye  
P. Bassermann-aye  
D. Gocłowski-aye  
C. Begemann-aye  
M. Funaro-aye  
S. Botta-aye  
Motion carried unanimously.

**3) ENFORCEMENT CONTINUED:**

- a) Notice of Violation | 142 Chestnut Street | removal of vegetation and earthwork without a permit to conduct regulated activities-IW Agent reviewed the current conditions and the history of the site. Commission members viewed photos from the site walk that was held on January 27. Main concerns are erosion into the watercourse from the regraded material, and the composition of the material that was spread around the site. Commission is requiring an impact assessment, wetland investigation which should address hydrology of the site, and additional erosion controls on either side of the watercourse. Property owner to submit those documents for the March 14<sup>th</sup> meeting which the property owner and soil scientist to attend.
- b) Notice of Violation & CC#22.06.01 | 20 Huntington Drive | regulated activities without a permit-Site status update-IW Agent J. Frederick stated that a survey was to have been completed for this meeting, however the property owner has been unable to

find someone to come out and do it. Agent J. Frederick indicated that she inspected the signs today, and there is one sign that needs to be relocated. IW Agent will work with property owner to complete the requirements.

4) **OTHER BUSINESS:**

- a) The Meadows of Branford-drainage concerns-IW Agent J. Frederick gave some history and overview of the issues present. Property management company hired an engineer to work out a plan for fixing the drainage issues. The commission was shown a plan which included clearing the watercourse of brush and debris and adding a retention basin at the roof drain outlet. Commission indicated that they need to come back with an application and then commission will review.
  
- b) IW#14.11.02 | 250 North Main St | phase 1 of commercial development-Request for release of \$1,000 bond-Per IW Agent all requirements for the property have been met and recommends the bond be released. Chairman P. Bassermann makes a motion to release the bond. Commissioner D. Goclowski seconds. Roll Call:
  - C. Begemann-aye
  - M. Funaro-aye
  - M. Papantones-aye
  - M. Ormrod-aye
  - S. Botta-abstains
  - D. Goclowski-aye
  - P. Bassermann-aye
  - Motion carries 6-0-1

5) **APPLICATIONS FOR RECEIPT:**

- a) IW#24.02.01 | 380 Shore Drive | 1 story art studio with support spaces and breakfast nook

6) **AGENT APPROVALS:** none

Chairman Bassermann Recused himself at 10 pm. Commissioner S. Botta took over as acting chair

7) **CORRESPONDENCE AND ANNOUNCEMENTS:**

- a) Aquatic Pesticide Permit Application-18 Wellesley Rd
- b) Eversource Tree Work Notification
- c) Aquatic Pesticide Permit Application-Plymouth Colony Pond
- d) Amtrak Vegetation Management 2024

**ADJOURNMENT:** Acting Chair S. Botta adjourned the meeting at 10:11 pm

Respectfully Submitted,

Katy Blanchette  
IW Associate