



## Inland Wetlands and Watercourses Agency

TOWN HALL \* PO BOX 150 \* 1019 MAIN ST. \* BRANFORD, CT 06405

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### MINUTES

Thursday, February 13, 2020, 7:00 PM

Joseph Trapasso Community House

46 Church Street, Branford, CT

#### 1. CALL TO ORDER:

**Chairman Peter Bassermann** called the Regular Meeting of Branford's Inland Wetlands & Watercourses Agency to order at 7:05 P.M.

#### 2. ROLL CALL:

**Commissioners Present:** Chair Peter Bassermann, Richard Greenalch, Chris Traugh, Suzanne Botta, Sandra Kraus

- Eric Rose arrived at 7:31

**Commissioners Absent:** Rick Ross, James Goggin

**Staff Present:** Inland Wetland Enforcement Officer Jaymie Frederick, and David McCarthy

#### 3. APPROVAL OF MINUTES:

- **Commissioner Greenalch** Motioned to approve the January 09<sup>th</sup> Regular Meeting Minutes, Comm. Traugh seconded, Motion carried (in favor - not in favor - abstained) (4-0-1).  
Comm. Kraus abstained
- **Commissioner Traugh** Motioned to approve the January 18<sup>th</sup> Special Meeting Minutes, Comm. Botta seconded, Motion carried, (3-0-2).  
Comm. Greenalch and Commissioner Kraus abstained
- **Commissioner Greenalch** Motioned to approve the January 30<sup>th</sup> Special Meeting Minutes, Comm. Botta seconded, Motion carried (4-0-1).  
Comm. Kraus abstained

#### 4. APPLICATIONS FOR RECEIPT:

**IW# 20.01.03 | 57 & 61 East Industrial Rd. | Construction of two new industrial buildings with associated appurtenances**

- **Jim Pretti, Criscuolo Engineering, project engineer** introduced the application, noted that it was already approved by this Commission in 2014. He informed the Commission that the Permit had lapsed with planning and zoning, all resubmitted materials are the same as what was originally approved.
- **The Commission and Jim Pretti** disused the application
- **Jim Pretti** asked for a fee waiver because the fee structure has changed and it's more than three times what was originally paid. He's requesting to pay what was originally charged in 2014.
- **EO Frederick:** the IW fees paid in 2014 were \$1,010, and today they'd be \$2,935: a difference of \$1,925. She recited provision 19.7 of the IW Regulations regarding the IW

Agency granting fee reductions and noted that if they had reapplied for a permit extension in time, there would have been no IW fees.

- **The Commission and staff discussed** the workload, associated fees, standard conditions and inspections, potential fee reductions, and Administrative Approval.
- **The Commission** Authorized EO Frederick to approve this application administratively.
- **Comm. Botta** made a Motion to approve the applicant's request for a fee reduction to a sum of \$1,010, she noted that none of the plans have changed, that a bulk of the work will be covered by the \$1,010 which was sufficient for the last application, Comm. Kraus seconded, Motion Carried, (5,0,0).

#### **IW# 20.02.01 | 41 Brainerd Road | Residential Lots (subdivision)**

- **Jim Galligan with Nafis and Young, representing Statewide Construction**, introduced the Application and reviewed the scope of the proposed work, as well as its soil and erosion controls. He informed the Commission that three of the proposed lots are in the 100-foot upland review.
- **EO Frederick**: the application is for four lots, three of which are in the upland review area, and the fourth has an inland wetland on site. She reminded the Commission that the application is for Subdivision approval only. Then, she noted that the groundwater might be too high for the infiltrators to function and that she requested calculations to demonstrate that they will work. Lastly, she informed the applicant that the Application requires authorization from another property owner.
- **The Commissions** discussed the application and the site.
- **The Commission** scheduled a Special Meeting (site walk) for Saturday, March 07, 2020, at 10:00 AM.
- **The Commission** requested that the applicant reflag the inland wetland prior to the site walk.

#### **5. PUBLIC HEARINGS:**

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

- **Chairman Peter Bassermann** read an opening statement into the record that recapped the application's timeline and noted that the public hearing has been continued from January 30, 2020, to today.
- **Chairman Peter Bassermann** noted that there was a site walk, that the Branford Land Trust is an intervener, and that there are no additional extensions available for this Application.
- **Chris Gagnon – (BL Companies) Engineer on Record for this Project** noted that the most significant change to the plan-set is the proposed inland wetland restoration area verses the proposed mitigation area. He recapped the site's restoration plan, referred to page (RP-1) of the plan set that was resubmitted to the Commission last week.
- **Chris Gagnon** reminded the Commission that the proposed restoration plan requires permission from an abutting property owner, and handed the Commission a letter "that indicates permission." He noted that it was on file with the Agency.
- **The Commission and Chris Gagnon** discussed the new plan set, timeline, and the peer reviewer's comments. Chris Gagnon noted that the applicant agrees with the peer reviewer's comments 100% and that the applicant would be OK with them being Conditions of approval.

- **Chris Gagnon:** there was also a change due to comments from the Town's engineer's request for a 36-foot wide road. This change resulted in a minor design modification which resulted in a minor reduction to total inland wetland fill (43 sq. ft.).

**Commissioner Rose** arrived at 7:31

- **Chris Gagnon** reviewed Alternate-10 and compared the earthwork associated with the northern location of the building in comparison to the southerly location as depicted on the plan.
- **Comm. Rose:** When we suggested that you look at pushing the building north - as an alternative - it wasn't in the context of a second building. "Why isn't it reasonable and prudent for the building - as proposed - to be pushed north?"
- **Comm. Rose** noted that a future building does not seem relevant to this application and that it should not be driving this discussion.
- **Chris Gagnon** stated that the more north the building moves on the site, the footprint and its associated earthwork increases. There will be more impervious area because we will need to access it.
- **Comm. Kraus:** it sounds to me that a lot of your rationale, is predicated by the fact that a second building will be built.
- **The Commission and Chris** discussed the potential locations of the building on the application, the potential future building on the Alternative Plan, and the rationale of discussing the possibility of a future building.
- **Chris Gagnon:** I believe that if we're going to build one building, there are less impacts in the location we proposed vs. the northerly site.
- **Comm. Kraus:** So the only benefit to not building the building more northerly, is the ease of construction?
- **Chris Gagnon:** the major benefit, not the only benefit. He then noted that he does not want to operate in a vacuum and wants to Commission to be made aware of the potential for a future building.
- **Comm. Kraus:** and you don't want to move it halfway north, because that precludes you from ever putting in that second building, which might be the most optimal point for it."
- **Chris Gagnon:** "I would argue that leaving it where it is will have less impact than moving it north:" more earthwork, more tree clearing.
- **Chairman Bassermann** asked the applicant why the building can't be made to have a second story instead of a second building.
- **Al Secondino of Secondino & Son, Inc. (general contractual for the project)** stated that a two-story building would not function.
- **Comm Botta** asked about access through the north, if there was just the northerly building?
- **Chris Gagnon** stated that there would not be area access from the north.
- **Comm Botta:** why not?
- **Chris Gagnon:** more road, more tree clearing, more earthwork.
- **Eric Rose:** when I look at the constructability of this: if the building moved north to where the parking is on the north:
  - It's farther from resources
  - It's in a better position within the limit of disturbance
  - All the parking can move to the south and would be in one spot
  - Other things can be done to reduce impacts wetlands downgradient of the parking area.
- **Comm. Rose:** forget about building number two: "what do you say to that?"
- **Chris Gagnon:** referred to the knob that would need to be removed.
- **The Commission and Chris Gagnon** discussed shifting the building around on the site.

- **Chris Gagnon:** part of this being a prudent operation for the applicant is leaving the option open for building two.
- **Eric Rose:** this is a conundrum, we should look at both buildings and all the parking.
- **The Commission** discussed the application.
- **Chris Gagnon:** we need to site whichever building that's built first with the option for the second building.
- **Eric Rose:** the argument you're making binds this application to a second building that we don't know about. "If you can't look at this building by itself, then I have a problem." He noted that he did not think the earthwork issue to be substantive. If we can talk about this building by itself, we can get to the end. But if we're talking about a second building, we need to look at a plan with two buildings."
- **The Commission and Chris Gagnon** discussed the earthwork and drainage associated with the potential building locations.
- **Chris Gagnon:** it's in my opinion that the earthwork associated with the building in the north would be more.
- **Eric Rose:** asked the applicant if, per each potential location, if they had quantities of cubic yards of material to be removed, the number of trees to be cut, a total area cleared, or if it was just in Chris's opinion that one location has less impact than another. He stated that he believed the earthwork to be very similar if the building were to go into either location.
- **Chris Gagnon:** Us planning our development for a potential future building on the site with that in mind, I believe, is a pertinent and prudent approach to the process.
- **Chris Gagnon:** "What triggered this Public Hearing ... was the significant impact deals with the road." As far as I am concerned, locating the building in the northerly location would not reduce impacts to the wetlands.
- **Chairman Bassermann** read section 10.F. of the IW Regulations aloud – regarding future activities - "reasonably related to the proposed regulated activity... likely to impact on wetlands." That's one of our criteria, you're now in that area.
- **Chairman Bassermann:** in your most optimistic lens, when will building two be back to this Commission?
- **Lisa Waterman of Rethink Technologies (Laboratory):** not less than five years.
- **Chairman Bassermann:** is it your testimony that the building in its location as presented, has minimal impacts on the wetlands in the area.
- **Chris Gagnon:** that is my opinion, yes.
- **The Commission** discussed the northerly building location of Alternative 10's prudence, feasibility, as well as how it would be accessed.
- **Chris Gagnon:** in my opinion, the significant activity that has us here today, is no different whether the building is in the northerly location or the southerly location.
- **Comm. Botta:** it sounds like the building being constructed in the northerly location is not prudent based on your needs.
- **Chris Gagnon:** means and impacts.
- **Comm. Botta:** called on the Town's peer reviewer.
- **Bob Russo, CLA Engineers, Town's consultant refereed** the Commission to CLA's most recent letter dated February 06, 2020:
  - Additional impervious area as a result of the increased road size, and associated stormwater run-off.
  - The Applicant's permission enter a neighboring property to do work in the restoration area. He recommended that the Commission review it and conclude that it will allow the work to continue 5 years into the future.
  - CLA's comments could be approached as notes on the plans and conditions of approval.
- **Comm. Botta** asked the peer reviewer to comment on the discussion between Comm. Rose and Chris Gagnon regarding northerly and southerly building locations.

- **Comm. Rose** recapped his concerns regarding the site work associated with the two building locations.
- **Bob Russo** shared his comments:
  - You have before you an application for a single building and wetland crossing, you are not considering a second building.
  - I do not believe you should consider a second building in your debate of feasible and prudent alternatives.
  - You should only be considering what's on the application.
  - I don't see a difference between the two locations in terms of disturbance to the inland wetlands.
- **Comm. Rose** asked **Bob Russo** if the Commission has been shown a northerly building location as a feasible and prudent alternative.
- **Bob Russo** cited factors to consider for feasible and prudent alternatives and tiers for consideration:
  - Do the alternatives considered create less impacts within the inland wetlands?
  - Then, consider secondary/indirect impacts: things done in the upland that can have adverse effects on the wetland.
  - Does the alternative offer quantified disturbance measures that can be compared to the original submission?
  - Is it feasible (designable and constructible) and prudent (cost)?
- **Bob Russo:** It's in my opinion that the direct wetland impacts have been minimized with the extent that it's feasible and prudent. But, you're missing quantified data regarding work and impacts associated with the alternatives.
- **Chairman Bassermann:** any opinions on a more impervious for the parking area?
- **Bob Russo:** stormwater coming off the parking lot meets and exceeds the CT DEEP's 2004 Stormwater Manual, and based on our review, the water will be properly treated to the State's standards. I don't think adding an impervious parking area would necessarily be an improvement on the stormwater quality.
- **The Commission** discussed whether or not it has enough data to consider the building's alternative location and associated impacts.
- **Comm. Botta** asked if the permission to do work offsite is a permanent easement, or if there was a length of time associated with the easement.
- **Chris Gagnon:** as I understand it, its permission to perform the activities.
- **Comm. Kraus:** it just says to remove the phragmites.
- **Comm. Botta:** asked what would happen if that landowner sold the property?
- **The Commission** discussed the easement.
- **Chris Gagnon:** referenced what the Town's attorney stated as what would be necessary: permission to perform the activities.
- **The Commission and Chris Gagnon** discussed the easement/permission to perform the activities being legally bound (five years) to the property.
- **Chairman Bassermann:** the hearing needs to close tonight, the Commission has a maximum of 35 days to deliberate:
  - Is there more information that we need?
  - Should we only be considering one building?
- **The Commission** stated that it would deliberate at March's Regular Meeting
- **Bob Russo** noted that the oversized stormwater basin satisfies the first item in CLA's Comment letter: additional impervious area.
- **Kate Galambos:** What are the potential impacts to the inland wetlands downslope of the building?
- **Bob Russo** addressed Kate's question and noted that there are two types of potential impacts:
  - During construction impacts: potential erosion and sedimentation problems.

- I. If the erosion protections on the plan are properly installed and maintained, it's his opinion that there won't be construction impacts to the wetlands.
- Post-construction impacts: the effects of removing vegetation or changing drainage patterns on the slope.
  - I. If the tree protection plan is properly installed and maintained, it's his opinion that there won't be post-construction impacts to the wetlands.
- **Bill Horne (Branford Land Trust) - intervenor** - noted that it's not just the filling of the small stream that would have had required a public hearing.
- **Chris Gagnon** noted that the temporary dewatering plan misinterpreted an easement line, was proposed outside the easement area, but it can be constructed within the easement area: a modification to (EC-4).
- **EO – Frederick** noted that a silt fence near the traffic circle still exists outside the easement area and needs to be pulled back a little: this can be a condition of approval.
- **Chairman Bassermann** Closed the public hearing, noted that the Commission will deliberate during March's Regular Meeting.
- **EO – Frederick** asked the Commission what staff could do to support the deliberations.
- **Chairman Bassermann**: boilerplate conditions, a summary of proposed conditions of approval, items/changes addressed tonight, comments from the peer review, comments from the applicant.
- **Comm Botta** asked staff to look very closely at the feasible and prudent alternatives and be able to provide/clarity insights.

**The Commission** recessed from 8:51- 8:58

#### **IW# 19.11.01 | 1151 West main St | Bank & Grocery Store**

- **Chairman Bassermann** opened the public hearing and read an opening statement into the record that recapped the application's timeline, noted that there was a site walk on January 18, 2020, and that the public hearing has been continued from January 09, 2020, to today.
- **Attorney John Knuff** – reviewed the application, introduced the applicant's team, recapped the application's developments since it was received by the Agency, and went over the site's history while refereeing the Commission to pages EX-1, LL-1 of the latest plan-set.
- **Matt Davidson - Davidson Environmental LLC - The Applicant's Environmental Consultant** referred the Commission to EX-1 of the latest plan-set, and recapped the sites natural resources. He noted that the site's soils are aquents (disturbed soils).
- **Matt Davidson** informed the Commission of the direct inland wetland impacts of the proposed development and reviewed the functions and values of the wetlands using the 13 functions and values of the Army Corps Highway Methodology.
- **Matt Davidson** reviewed effectiveness and opportunity regarding the onsite wetlands:
  - Wetland 2 is the highest functioning wetland on the site.
  - The higher up wetlands are lacking the ability to receive pollutants.
  - We're looking to replicate water quality functions on wetland 2, and enhancing its water quality functions. We're proposing over 2:1 mitigation.
  - The proposed fill is just under 10k sq. ft., proposed creation of just over 20k sq. ft.
  - There will also be remediation (trees and shrubs) along the buffer area, that plan is coming.
- **Matt Davidson** spoke about the inland wetland mitigation plan, how it's evolved from comments from the peer reviewer, and stated that he believes it to be better than what was originally proposed. He then informed the Commission on how the wetland creation area would be phased and implemented.

- **Sam Haddock - BL Companies** noted that his work included a phase 1, 2, 3 of the environmental site assessment (soil contamination) and the creation of a preliminary remedial action plan. He spoke to past land use (car dealerships with four underground storage tanks).
- **Sam Haddock:** the site meets the definition of an establishment as defined by the CT Transfer Act. Then he noted the four areas of concern regarding past land use:
  - Auto service area
  - Autobody shop
  - Underground storage area
  - Filling
- **Sam Haddock** referred the Commission to EX8-1 of the remedial action plan, reviewed the regulated compounds (contaminants) and the plan to remove and/or render some inaccessible.
- **John Schmitz - BL Companies - Application's Project Engineer** walked the Commission through pages LL-1 and EX-1 of the site plan. He spoke to the site's stormwater flow per the existing conditions, as well as conditions with the proposed development. Their stormwater mitigation plan reduces the peak rate of runoff and infiltrates the first inch of rain onsite. Then, he walked the Commission through the phases of construction, erosion controls, and noted that the inland wetland mitigation would be constructed first.
- **Robert Wheway - Codespoti - Part of the Town's Consultant Team** introduced the third party review team.
- **Otto Theall – Soil & Wetland Science, LLC - Part of the Town's Consultant Team** noted that he investigated the inland wetland delineations and shared that, in his opinion, they were done correctly.
- **Mathew Popp – Third Party Review Team** noted that he created two reports: January 02, 2020, and February 11, 2020. He shared that his 30-40 comments within his first review have been incorporated into the applicant's latest plan set (Jan 23, pg.LL-1). He then reviewed some of the comments in his reports, and the applicant's response to his comments.
- **The Commission and Mathew Popp** discussed his comments and Matt Popp stressed monitorization of the wetland creation area. He noted that he was pretty happy with the latest's plan set and its incorporation of his comments.
- **Jeffery Gordon – Codespoti - Part of the Town's Consultant Team** commented on the plan's soil and erosion controls and noted that they were thoughtful. He commented on the sequence of construction and noted that:
  - Alt-1 - should not have been submitted as it's inconsiderable.
  - Alt-2 - possibility of relocating the pad building further to the east and raise concerns about visibility. He noted that visibility is not a metric of his analysis.
  - New Alternative has less impact on the wetlands than the originals.
- **Robert Wheway** commented on the application's stormwater management plan. He noted that he has not completed his review because he's pending funding. He offered the Commission comments from the presentation he heard tonight.
  - He is concerned about the location of stormwater management directly under contaminated soil areas: RA2 and RA3.
  - He is concerned with making contaminated soil inaccessible above stormwater management. He thinks the soils might have to be removed from around the stormwater gallery system.
- **EO Frederick** informed the Commission that because of additional revised materials that the peer reviewer was not aware of when it submitted its RFP it's requesting an additional \$1,200 to complete the secondary review. Also, there was a meeting with the Applicant,

Staff, and peer review team, and they're requesting \$750 for their travel expenses, bringing the grand total to \$1,975.

- **Comm. Botta** made a Motion to allocate another \$2000 to the peer reviewer, Comm. Greenalch seconded, Motion carried (6-0-0)
- **EO Frederick** noted that the application proposed 3 years of monitorization, and that this Agency's regulations (Sec. 7.10) require 5 years of monitorization
- **Nancy Mancini** handed a letter to the Commission and read it into the record:
  - Is there a proper stormwater management plan to protect wetlands?
  - Will there be any natural buffers left in place to protect downstream resources?
  - Will there be proper catchment detention basins to capture stormwater runoff?
  - Can the impervious surface be minimized to reduce runoff?
  - Will there be a deep slope created into the wetlands behind the development?
  - Could other low-impact development practices be implemented?
- **Dan Fitzgerald - Co-chair of the Environment Commission and the Community Forrest Commission** noted a couple of concerns regarding stormwater drainage. He strongly urged the applicant to exclusively plant natives and noted that this development is within an entrance to the Town.
- **Meg Kilgore referenced** the 250 North Main St. retail development, asking if this site will become another gravel pit.
- **Hillary Mendillo** noted her concerns for the coyotes in the area and asked if it can be investigated whether or not they den on the site.
- **Peter Henschel** noted his concerns about the stormwater retention system coming from a contaminated area and that he looks forward to seeing an adequate solution to handling the contaminants. He also asked if there would be any net increase to total stormwater runoff.
- **Jeff Dow** stated that there were a lot of development proposals that came up in the past that would have been more impactful. He spoke in support of this application.
- **Dave Cioffi** shared his thoughts and concerns:
  - Will the water going off-site be better post-development than it is now?
  - What's wrong with the wetland for it to be remediated? Under a 100-year storm event, it never relieves, it perks out underground.
  - He stated that he did not think some pavement under the ground was a major issue.
  - He stated that he did not believe wetland number-3 to be low functioning, because it's very deep and can hold a lot of water.
  - He handed the Commission a document regarding wetland they're calling a watercourse, and noted that it would take a 100-year storm for it to spill out.
  - He stated that he values this wetland because a lot of its watershed is cement.
  - He asked about thermal pollution, and if it's being considered?
  - He asked why he was not shown the Mill Creek on the site walk.
  - He referred the Commission to the drainage summary (pg. 12): credit for sweeping. He shared his concerns for the applicant claiming those credits because years out the Agency may no longer be enforcing sweeping.
  - He stated that the water from watercourse-1, which the developer stated was low functioning, looked very clear to him on the site walk.
  - He stated that underground storage is better used in the upper parts of a watershed. In the lower parts of the watershed, storage is better used in the floodplain.
  - He stated that without the bank, the area north (visible from the road) of the ledge is perfectly good for an Aldi.
  - He stated that the water in the infiltration gallery does not clean out the fine pollutants.
  - He shared his overall concerns for the application and its impacts on this watershed because it's flashy.



- **Chairman Bassermann** stated that he hopes the applicant takes the comments from the public into consideration for the application.
- **Chairman Bassermann** noted that he is inclined to continuing the Public Hearing
- **Comm Botta** asked the applicant to be mindful of prudent and feasible alternatives: to clarify how what they're proposing meets that criteria.
- **Chairman Bassermann** noted that the Commission will be continued to the IWC's next Regular Meeting, March 12, 2020, at the Joseph Trapasso Community House at 7:00 PM.

## 6. OTHER BUSINESS:

### IW#13.06.03 | 47 Gould Lane Sub Division | Sediment & Erosion Control

- **EO Frederick** recapped the concerns and conditions of the site, as well as her site visit.
- **EO McCarthy** recapped his site visit.
- **EO Frederick and the Commission** discussed the floc logs. EO Frederick noted that the Commission has not commented on the BLT's concerns regarding the floc logs, and suggested that they do so. She noted that the developer is trying to work on solutions, but receiving a lot of mixed responses and little guidance as to how to improve the situation.
- **James Perito – Attorney for BLT** – stated that the BLT has been taking measurements of the stormwater coming out of the level spreader: it had a TSS concentration of 170 mg/l from a small storm. He stated that, if there is work that is being proposed on BLT property to tackle this, it like to see a plan and have its professionals review them. The BLT would like to see more stabilization and is open to ideas.
- **Michael DiGioia - DonMar Development:** there is no allowable, nor unallowable amount for turbidity in stormwater discharge from a construction site. The level of 5 NTUs is for drinking water. He stated that you're allowed baseline +5 NTUs. He noted that the DEEP was on-site and stated that the site is under great conditions. He said he is waiting for the ground to freeze to excavate the material from the pond.
- **Michael DiGioia** stated that he has plugged the low flow orifice four times, and it's being continually removed. He is not sure who or why it's happening.
- **Comm. Rose:** what did DEEP ask you to do?
- **Michael DiGioia:** excavate 15 feet back from the flared end of the catch basin on Gould Lane, install fitter fabric and riprap. Milone and MacBroom is currently developing a plan that would come to the Commission in the form of an application.
- **Michael and Comm. Rose** discussed the catch basin and stormwater flow on, and off-site.
- **The Commission, Michael, and Staff** discussed the topic, as well as potential solutions for filtration as well as distribution.
- **Comm Bassermann:** is the plan to have a consolidated position between the Land Trust and the Developer, and present that to the commission? Do we have a timeframe?
- **Michael DiGioia:** I would hope so. We were hoping to come to an agreement with the BLT so we can have a plan for next month. He informed the Commission that this is a recommendation from DEEP with no time frame.
- **James Perito:** we're open to looking at a plan under that timeframe.
- **EO Frederick** recapped the concerns and stressed that everyone needs to be on the same page as things progress toward a solution.
- **EO Frederick** shared her concerns about removing all erosion controls downgradient of the level spreader. "I don't know what the answer is, but I think it's worth considering whether or not there is something that could be done to help disburse that water the way that it's intended to."
- **EO Frederick** "I think this is the most immediate thing that can be addressed that might have an impact..."

- **Michael DiGioia:** that silt fence needs to come out, it's creating erosion because it's concentrating all the water in one area. He expressed his interest in removing the silt fence to allow the level spreader to work as designed.
- **Comm. Rose:** "When we know that we're discharging turbid water, taking away everything can't be the answer." He introduced the idea of installing multiple lines of erosion controls downgradient of the level spreader. He asked Michael to speak to his engineer for solutions and products to install.
- **Michael DiGioia:** I believe the silt fence is going to cause more harm than good.
- **Comm. Rose:** as it's installed, I hear you.

**Comm. Botta** excused herself at 11:02 PM.

## 7. OTHER BUSINESS (continued):

### IW# 19.03.03 | 30 School St. | Construction of Garage – Filling of Wetland

- **Peter Hentschel (property owner)** handed the Commission his alternative modality removal of removing the on-site phragmites mechanically, rather than the approved plan of using chemicals.
- **Peter Hentschel** walked the Commission through his new plan and his existing enhancement plan.
- **The Commission** discussed the manual removal of the phragmites and Peter's plan.
- **Comm. Greenalch** made a Motion to approve the application modification to allow for mechanical removal of the phragmites, per David Lord's Plan, Comm Traugh, seconded, motion carried (5-0-0).

### Recent water main replacement at 1025-91 West Main Street – as of right or regulated activity without a permit

- Not discussed

## 8. APPLICATIONS FOR REVIEW:

### IW#20.01.02 | 63 Gould Lane | Construction of New Single Family Home

- **Comm. Greenalch:** The sooner that whole development, I think a lot of the problems are going to go away.
- **The Commission** discussed the application, the condition of the site's vegetation, and the plan's soil and erosion and controls.
- **The Commissions** noted that the plan does not call for hay bales, and stated that it would make that a condition of approval.
- **EO McCarthy** noted that the plan depicts an antitracking pad about 20 feet in length. He asked if it could be made longer to reduce the chances of sediment running down Gould lane, into the catch basin, and then the wetland.
- **EO Frederick** noted that the plan calls for a minimum of 50 feet of antitracking pad.
- **Michael DiGioia:** I won't cut the curb. We have access from the rear to bring in and out the excavator.
- **The Commission** discussed the application, noting conditions for approval:
  - The Antitracking pad being installed to the 50-foot specification.
  - Don't cut the curb on Gould Lane.
  - The excavator exclusive entrance from the south (rear of the lot).
  - Wrapping the silt fence in the North West corner of the site to catch the grade.
  - Extend the silt fence and hay bales all the way up Gould Lane.

- **Comm. Kraus** made a Motion to authorize EO Fredricks to Approve the application Administratively, Comm Traugh seconded, Motion carried (5-0-0)

**9. OTHER BUSINESS (continued):**

**Inland Wetland Agent appointment clarification**

- **The Commission and EO Frederick** discussed Inland Wetland Agent with the authority to administer all administrative approvals, all notice of violations, all cease and correct orders

**10. ENFORCEMENT:**

**CC# 19.09.01 | 76-80 Pent Rd | Clearing Along a Watercourse & Wetland**

- Plan received – not discussed

**NOV | 76-80 Pent Rd | Clearing of Vegetation & Establishment of Lawn Beyond Permitted Area**

- Plan received – not discussed

**NOV | 103 Sunset Hill Drive | Clearing & Filling of a Wetland**

- Not discussed

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

- Not Discussed

**11. AGENT APPROVALS:**

**IW#20.01.01 | 16 Sybil Creek Place | Invasive Species Management Services**

- Not discussed

**12. CORRESPONDENCE & ANNOUNCEMENTS:**

**Letter from Kate Galambos RE 250 North Main and Gould Lane Projects dated 1.18.2020**

- Not discussed

**Notice of intent to modify DEEP permit for application of chemical controls to pond located at 18 Whiting Farm Rd**

- Not discussed

**CAWS annual meeting will be held on March 13<sup>th</sup>, 2020**

- Not discussed

**13. ADJOURNMENT:**

**Comm. Kraus** made a Motion to adjourn the Regular Meeting of the Inland Wetlands Commission at 11:28 P.M, Comm. Greenalch seconded, Motion Carried (5-0-0).

Respectfully submitted,

  
David E. McCarthy