



Inland Wetlands and Watercourses Agency

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SPECIAL MEETING MINUTES

Thursday, October 29th, 2020 at 7:00 P.M.

Inland Wetlands and Watercourses Commission
This meeting was held remotely, via ZOOM:

This meeting was held remotely in accordance with Executive Order 7B part 1 and all speakers were required to identify their name and title each time they spoke.

CALL TO ORDER

Chairman Peter Bassermann called the meeting to order at 7:03pm. He noted that the meeting is in accordance with Executive Order 7B.

ROLL CALL

Commissioners Present: Chairman Peter Bassermann, Clarice Begemann, Suzanne Botta, Eric Rose, and Steven Sullivan

Commissioners Absent: Richard Greenalch and Sandra Kraus

Staff Present: Jaymie Frederick – Inland Wetland Agent, Abby York – Inland Wetland Associate

1. JUST CAUSE HEARING:

- a. Cease and Correct Order CC#20.10.01 | 69 Chestnut Street | clearing and earth disturbance within the upland review area without a permit to conduct regulated activity
 - o **Mike Bennett** with Bennett and Smilas was present to speak on behalf of the property owner.
 - o **Chairman Bassermann** explained the jurisdiction of the Agency to issue a Cease and Correct order, per the Agency Regulations.
 - o **IW Agent Frederick** read the Cease and Correct Order and noted the progress of the wetland delineation and updated survey since the last meeting, held 10/22/2020.

Commissioner Steven Sullivan joined the Zoom meeting at 7:09pm.

- o **Chairman Bassermann** requested the site plan be shared on the screen and **Mike Bennett** walk the Commission through the circumstances.
- o **Mike Bennett** noted that **Robert Russo** (soil scientist) went to the site on Tuesday, October 27 to flag the wetland. That report is still pending. **Bennett** explained the history of the site, including how the wetland was maintained as lawn, historically. He mentioned that he wants to create a planting plan for the site with **Robert Russo**. Both the planting plan and the topographic map will be available for the Commission meeting on November 12th, according the **Bennett**. Discussion followed. **Bennett** assured the Commissioners that the plantings can be done as soon as possible to stabilize the area, pending recommendations of the soil scientist.

- **IW Agent Frederick** reminded the Commission that it would be reasonable to set up inspections of the site and if they wanted, the Commission could establish an inspection period, per the soil scientist's recommendations.
- Potential modifications to the Cease and Correct order were discussed, including requiring a planting plan and making the change to reflect that some of the activity took place within the wetland. **Chairman Bassermann** recommended using the same inspection schedule as required for applications. Further discussion followed.

Commissioner Botta made a motion that we affirm the Cease and Correct #20.10.01, 69 Chestnut Street and that the Cease and Correct be clarified to include the requirement that a mitigation plan for the upland review area as well as the inland wetland areas that have been impacted as noted on the map from October 28th, that with that plan include clarification about the timing of the plantings and the appropriateness of planning in the fall of this year rather than the spring of next year, that inspections of the plantings completed at the end – upon completion of the planting, toward the end of the first growing season, and toward the end of the growing season for a period of at least five years from the initial plantings, and that the reports must be submitted by a qualified ecologist or wetland specialist or a Duly Authorized Agent as approved by the Agency and must document an 85% or better survival rate of the plantings, and that is per our section 7.10 of our Town regulations, and that that plan is to be submitted for the November 12th meeting.

**Commissioner Rose seconded the motion. Discussion ensued.
Chairman Bassermann took a roll call vote.
The motion carried unanimously (Y-N-A : 5-0-0)**

2. ADMINISTRATIVE DISCUSSION:

- a. Regulation revision – assess next steps for fee revision review
 - **Chairman Bassermann** requested that a decision be made about how to proceed in reviewing the fee schedules.
 - **IW Agent Frederick** shared with the Commission the process of forming a committee within a Commission, including that the committee meetings would be open to the public and minutes would be taken.
 - The Commission discussed how the committee would work in these circumstances. **Comm. Rose** noted that working in a smaller group may allow for an in-person setting, which may be more effective than a Zoom meeting with the whole Commission. Questions were raised about whether or not this would be practical.
 - **Comm. Rose** suggested that the committee be established at this meeting, but that no committee meetings would be held until after the November 12th Commission meeting, in order to give other Commissioners an opportunity to join the committee and finalize the final roster for the committee at the November 12th, 2020 meeting.

Chairman Bassermann made a motion that on today, October 29, that the Inland Wetland Commission of Branford establish a subcommittee, whose sole purpose would be the review of the regulations regarding fees, that the Commissioners that have volunteered for that subcommittee, including Commissioner Bassermann and Commissioner Rose, would be members of that committee, that other committee members so interested would be identified and added at the next regularly scheduled meeting of the Commission, November 12, 2020, that no subcommittee meeting would be conducted until after the November 12 meeting.

Commissioner Botta seconded the motion.

Chairman Bassermann added that committee will provide a report on findings and proposed modifications to the Commission and the meetings of that subcommittee may include in person meetings if it is established that such in person meetings are appropriate.

Commissioner Botta accepted the amendments.

Chairman Bassermann took a roll call vote.

The motion carried unanimously (Y-N-A : 5-0-0).

ADJOURNMENT

Commissioner Botta made a motion to adjourn the meeting.

Commissioner Begemann seconded the motion.

The motion carried unanimously (Y-N-A : 5-0-0).

The meeting was adjourned at 8:00pm

No other business was conducted.

Respectfully submitted,

Abby York

Inland Wetlands Associate