



Inland Wetlands and Watercourses Agency
TOWN HALL * PO BOX 150 * 1019 MAIN ST. * BRANFORD, CT 06405
203-315-0675 * FAX 203-889-3172 * inlandwetlands@branford-ct.gov



SPECIAL MEETING MINUTES

Inland Wetland and Watercourses Commission
Regulation Fee Review Committee

Thursday, April 29th, 2021 at 3:00 PM
This meeting was held remotely, via ZOOM.

CALL TO ORDER:

Chairman Peter Bassermann called the meeting to order at 3:05pm.

ROLL CALL:

Subcommittee Members Present: Chairman Peter Bassermann and Eric Rose
Staff Present: Jaymie Frederick – IW Agent and Abby York – IW Associate

1. APPROVAL OF MINUTES:

a. March 18, 2021 meeting minutes

Comm. Rose made a motion to approve the minutes from March 18th, 2021.

Chairman Bassermann seconded the motion

The motion carried. (Y-N-A : 2-0-0)

2. DISCUSSION:

a. Discuss possible fee revisions for recommendation to full Commission

- Commissioners discussed the scope of the subcommittee, asking if they should be looking to minimally update the fees, or if they should be taking a deeper look at them. Staff noted the topics they should focus on is reestablishing the “de minimus” fee and defining the area of disturbance. Staff stated it is up to the members of the subcommittee to determine what they want to do.
- Staff also shared some concerns about some of the options drafted for a menu fee structure, including how inspection fees would be implemented.
- Commissioners said the “de minimus” fee should be implemented for activities down gradient of the wetlands, small projects, and projects outside of the upland review area. “De minimus” could also be broken down into different ranges, as the activities could vary in impact. Commissioners asked if the regulations defined “de minimus”, and said if it were added back to the regulations, a better definition would need to be utilized.
- Commissioners mentioned that the “de minimus” fee could be the baseline for all projects and if it exceeds the set parameters, based off of the size of the activity and distance to the wetlands, then it would be assessed at the full application fee.
- Commissioners questioned what activities would be considered “de minimus” and if it would be best to have a set list of what the Commission would consider “de minimus”.
- Staff noted there is a sign-off form utilized for activities where a permit may not be necessary (i.e outside of the upland review area or low impact to the wetlands). Staff said when an application for exterior site work is submitted to the Building Department,

- our staff reviews the application and is able to reach out to the applicant with any concerns and determine if an Inland Wetlands application would be necessary.
- Commissioners stated that having a concise and finite definition for “de minimus” would allow for the least amount of time to be spent thinking about it. Commissioners asked staff if a finite definition would streamline what staff has to do in terms of signing off on a particular application. Staff stated that it doesn’t necessarily make it easier for staff, but it may allow for a clear cut and consistent process for assessing fees for various applications. Staff noted that more research can be done into how other towns define “de minimus” and other information they may provide.
 - Commissioners reiterated this should be implemented in order to focus resources on larger projects that may have a greater impact on wetlands. Discussion was had regarding the items that may and may not be included in the definition that is created. Commissioners asked under what circumstances staff would consider items to be “de minimus”, and if staff can determine a specific instance in which that would be true.
 - Commissioners and staff discussed applications where the wetlands aren’t marked on a survey. Commissioners stated that if staff needs to spend more time reviewing it, it shouldn’t be “de minimus”. Staff recommended the subcommittee determine if the fee means low impact to the wetlands or time spent by staff. Commissioners stated they believe minimal staff time should be a fundamental item that defines “de minimus”. Staff noted if site visits disqualify an application from being considered “de minimus”, there likely wouldn’t be any applications that would fall under that category.
 - Staff said it was their understanding the subcommittee was formed to reduce the fees and it may be worth bringing this discussion to the Commission for clarification.
 - Staff shared that an \$85 fee (\$25 + \$60 DEEP fee) is the same base fee for Zoning. Commissioners stated that being consistent across departments would be beneficial.
 - Staff noted they can create a definition, look at what other towns do, and bring it back to the subcommittee for their review. Commissioners stated that they hope to find a definition for “de minimus” that fits both minimal activity and staff resource time.
- b. Schedule next meeting
- Staff and commissioners discussed potential dates for the next subcommittee meeting. It was determined that the meeting would be scheduled for Thursday, May 20th at 3pm.

ADJOURNMENT:

Comm. Rose made a motion to adjourn the meeting.

Chairman Bassermann seconded the motion.

The motion carried unanimously. (Y-N-A : 2-0-0) The meeting was adjourned at 3:52pm.

NO OTHER BUSINESS WAS CONDUCTED.

Respectfully submitted,

**Abby York
Inland Wetlands Associate**