



# Inland Wetlands and Watercourses Agency

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## REGULAR MEETING MINUTES

Inland Wetlands and Watercourses Commission

Thursday, June 10<sup>th</sup>, 2021 at 7:00 PM

Joseph Trapasso Community House – 46 Church Street, Branford, CT

### CALL TO ORDER:

**Chairman Bassermann** called the meeting to order at 7:03pm.

### ROLL CALL:

**Commissioners Present:** Chairman Peter Bassermann, Clarice Begemann, Richard Greenalch, Sandra Kraus, and Eric Rose

**Commissioners Absent:** Suzanne Botta

**Staff Present:** Jaymie Frederick – IW Agent and Abby York – IW Associate

### 1) MINUTES FOR APPROVAL:

a) May 13<sup>th</sup>, 2021 meeting Minutes

**Comm. Greenalch made a motion to approve the May 13<sup>th</sup> meeting minutes.**

**Comm. Kraus seconded the motion.**

**The motion carried. (Y-N-A : 4-0-1) Comm. Begemann abstained.**

Staff said the office received a request from IW#19.11.01 – 1151 West Main Street to amend the bond amount. Staff asked the Commission if they would like to add the item to the agenda.

**Chairman Bassermann made a motion to amend the agenda to add a request received June 10<sup>th</sup> for IW#19.11.01 1151 West Main Street.**

**Comm. Rose seconded the motion.**

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

### 2) APPLICATIONS FOR RECEIPT:

a) IW#21.05.03 | 12 Parish Farm Road (99 Todds Hill Road - Lot 1) | single family house

○ Staff noted the application is a part of the 99 Todds Hill Road subdivision and the individual lot doesn't have wetlands. **Jim Pretti** (Engineer, Criscuolo Engineering) said the location of the house is consistent in what was proposed for the subdivision.

**Pretti** noted the location of the 100' upland review area in reference to the site.

○ The Commissioners determined that this would be okay for an agent approval.

b) IW#21.05.04 | 16 Parish Farm Road (99 Todds Hill Road - Lot 5) | single family house

○ **Jim Pretti** (Engineer, Criscuolo Engineering) again noted where the wetland is in relation to the proposed activity. Commissioners asked what the slope is like on the site and **Pretti** noted the slope gradually goes down away from the roads.

○ The Commissioners confirmed this application could be an agent approval.

- c) IW#21.05.05 | 20 Parish Farm Road (99 Todds Hill Road - Lot 6) | single family house
- **Jim Pretti** (Engineer, Criscuolo Engineering) stated the lot doesn't have wetlands on it. **Pretti** noted the changes made to lot 6 regarding construction access and how the plan to combine footing drains for three lots and outlet to the same rip-rap area. Commissioners questioned the maintenance for the outfall. **Pretti** said the only maintenance would be to cut back the weeds, and that any of the owners from the three properties could maintain the outfall. **Pretti** stated there will be an easement created so that any of the owners can access the area for maintenance.
  - Commissioners questioned if there is an issue of notifying the neighboring property owner. Staff stated a condition of approval could be added.
  - Staff noted the site has historically been maintained as lawn, and asked Commissioners if the homeowners continue to maintain these areas as lawn even though they're outside of the limit of disturbance, how they would like staff to address it. Commissioners asked if there is a precedent set for the Commission to make a change. Commissioners said they should also discuss the extent to which they are allowed to use chemicals.
  - Staff noted there are some lots on this subdivision that have sold and staff is seeing how individual homeowners maintain their property so it is important for the Commission to ensure that as they move forward in permitting these lots, they are okay with the end result. The Commissioners stated they believe the approval for this site should be consistent with the other approved permits for this subdivision. There was a general consensus among the Commissioners to allow the homeowners to maintain the lots as the site was maintained prior to the subdivision approval.
  - Staff reiterated the change in the joint footing drains and said the disturbance is less for the proposed plan. There was a general consensus among the Commissioners for this to be an agent approval.
- d) IW#21.06.01 | 54 & 60 North Main Street | construction of a new, automated car wash
- **Jim Pretti** (Engineer, Criscuolo Engineering) noted the location of this application, across from the fire department. **Pretti** noted the existing building and the existing retaining wall on the site, as well as some locations of debris. **Pretti** stated that test pits were dug and they mostly found trap rock.
  - **Pretti** stated the proposed plan is to reinstall the retaining wall and leave room to put some seed down to allow for a buffer. **Pretti** then noted they are proposing some site clean-up as well as some water quality improvements.
  - **Pretti** noted that **Nick Magnotta** (applicant) and **Joe Porto** (attorney) were present at the meeting and they would be willing to schedule a site walk for the Commissioners to see the property.
  - Commissioners questioned how the water would be treated. **Pretti** noted that the water goes through a grease trap and then goes through a sanitary sewer. Commissioners then questioned if there is an opportunity for the customer to wash out their car themselves. **Nick Magnotta** stated this would not be a self-service car wash and that the only chemicals at the car wash would be contained to the building itself. Commissioners asked if the building will be set up to catch all of the water that leaves the building. **Pretti** noted no water will leave the building.
  - Commissioners noted they had been on the site previously for a Cease and Correct order, and asked if they feel it would be necessary to revisit the site. Staff noted it may be beneficial for the Commission to see the limits of disturbance for the proposed stormwater drainage system adjacent to the wetland.

- **Pretti** noted the overall proposed impervious coverage is about the same. Commissioners asked questions regarding how the water would flow on the site.
  - The Commissioners scheduled a site walk for Thursday, July 8<sup>th</sup> at 6:15pm.
- e) IW#21.06.02 | 173 Hotchkiss Grove Road | demolition of an existing, non-conforming house and the construction of a new house
- **Jim Pretti** (Engineer, Criscuolo Engineering) noted the wetlands are on the neighboring property, but they had them investigated. **Pretti** pointed out that the 100' upland review area covers a portion of the property. **Pretti** noted the footprint is roughly the same, with the exception of a small area of pavement being added.
  - Staff noted that the application came in yesterday and that it may be okay for agent approval. Staff then asked if there was any proposed stormwater management on the site plans. **Pretti** noted there isn't any proposed currently, as the coverage is remaining the same. **Pretti** said they could add some infiltrators.
  - There was a general consensus among the Commission for this application to be accepted as an agent approval with the addition of stormwater management in the area indicated by the project engineer.

### 3) PUBLIC HEARING, TO BE POSTPONED:

- a) IW#21.03.02 | 37 Burbank Drive | construction of a new, single family home
- Chairman Bassermann noted the public hearing has been postponed to the July 8<sup>th</sup> meeting which will be held in person at the Community House.

### 4) APPLICATIONS FOR REVIEW:

- a) IW#21.04.01 | 46-52 & 45-55 Alex Warfield Road | installation of freestanding bathroom building and associated utility work
- Staff noted a letter has been received to extend the discussion to the next meeting and revised plans will be submitted for review.

### 5) OTHER BUSINESS:

- a) IW#19. 11.01 | 1151 West Main Street | two pad commercial development
- Staff said it came to their attention how quickly work on the site has progressed. Staff said the first erosion and control report was received by the office. Staff noted work on Phase II started, even though work on Phase I has not been completed. Staff said there is a bond on file for Phase I, but not Phase II and per permit conditions, the bond shall be submitted before work on Phase II can continue.
  - Staff shared the request to adjust the bond amount for the project based on the work already completed. Staff's recommendation is that the Commission not grant it, since the area is not stable and plantings have not been completed. Staff said there is a meeting on site on Monday to further discuss the finalization of Phase II.
  - Commissioners confirmed the bond needs to be submitted before work continues. Commissioners requested clarification regarding the changes already made to the bond for this project. Staff noted the Commission allowed for the phased bonding and 50% of the bond was allowed as surety. Commissioners said given staff has already asked for work to stop until the bond is submitted, they believe staff's recommendation should be followed.
  - Staff stated they can look into past practice in regards to whether or not the Commission is able to return a portion of the bond for the plantings before the monitoring has been completed.

- **Vincent Giordano** (permit holder) said the erosion controls are installed and as seen in the storms over Memorial Day weekend, the site is stable. **Giordano** added that they will be on site through next winter and can fix issues that may come up.
- Staff asked if the Commission would be comfortable with Phase II continuing once the bond is submitted. Staff noted the only work left for Phase I is the plantings, and the permit holder has installed the erosion controls for Phase II, as requested. **Vincent Giordano** said topsoil will be placed tomorrow and planting will start on Monday and be completed on Tuesday. The Commission also confirmed the use of the silt sock is acceptable for Phase II, as it was for Phase I.
- Staff noted there was also a minor site plan modification in the elevation of the pads to reduce the amount of fill needed. Staff said there wouldn't be any change regarding the hydrology of the site.
- Commission was okay with an administrative review of the site plan changes and confirmed that as long as the bond is submitted tomorrow, the permit holder can continue with Phase II work.

#### 6) ENFORCEMENT:

- a) CC#19.09.01 & NOV#19.09.02 | 76-80 Pent Road | clearing of vegetation along a watercourse
  - Staff said they had a meeting with the homeowner yesterday for a planting update and shared photos of the plantings. Staff stated they told the homeowner they can cut back the phragmites on site. The Commission determined they would like staff to schedule an inspection for around September to check on the plantings.
- b) CC#21.03.01 | 143 Ivy Street aka 143 North Ivy Street | earth disturbance, drainage and vegetation removal within the upland review area
  - Staff noted a letter had been received from the management company that the work has been completed. A follow-up letter asked if the erosion controls can be removed. Staff stated that they believe that should be okay. Staff said that if the Commission was comfortable, they could lift the order with the condition that after the curb has been repaired, the disturbed area be seeded. The Commission said it would be best to wait until after the curb repair has been completed to lift the order.
- c) NOV#21.06.01 | 155 Cherry Hill Rd | placement of shed and maintenance of yard within a possible wetland area
  - Staff noted this was part of the 99 Todds Hill Road subdivision and the homeowner placed a shed in the back corner of their lot which may potentially be in a wetland area. Staff stated the homeowner was informed an updated survey will be required and if the shed is within the upland it will need to be removed. Staff also shared that the homeowner will be required to fill out and submit an application.
  - The Commission confirmed with staff if the homeowner would need to have the wetlands delineated again or if the shed just needs to be added to the survey. Staff reiterated that they are requesting the shed be added to the existing survey. Staff noted that the homeowner is being responsive.

#### 7) AGENT APPROVALS:

- a) IW#21.04.04 | 46 Parish Farm Road | installation of a new septic system
  - Staff noted that this permit had been issued since the last meeting.

- b) BRIW#21.05.01 | 32 Victor Hill Road | installation of yard drain and pipe connection to existing catch basin
  - o Staff noted this has not yet been approved, but that is on the to-do list for the near future and the Commission will be kept up-to-date.
- c) IW#21.05.01 | 18 Whiting Farm Road | installation of new water service and underground power service to existing garage
  - o Staff said after a site visit with Jim Pretti, the permit was issued by the agent.
- d) IW#21.05.02 | 22 Brightwood Lane | 21' diameter above-ground pool
  - o Staff shared that this permit had been issued since the last meeting.

**8) CORRESPONDENCE & ANNOUNCEMENTS:**

- a) IW#08.06.02 | 26 Cherry Hill Road | Sterling Ridge Estates, single family and multi-family residential development
  - o Staff shared that this lot is roughly across from the Canoe Brook Senior Center and that the permit was issued in 2008. Staff noted there was a pre-construction meeting and that it is anticipated that work will begin soon.
  - o Staff shared that there has been a change to site plans, but should have no impact to the wetlands.
- b) IW#20.04.01 | 367, 373-375, & 377 East Main Street | redevelopment of existing motel, restaurant, and bank to multi-family housing with commercial/retail space
  - o Staff said they met with the permit holders on site. Staff noted they are looking to start work soon and there will be another site inspection coming soon.
- c) IWWC Regulation Fee Revision Subcommittee
  - o Staff stated that the minutes for the last subcommittee meeting on May 20<sup>th</sup> can be found in the Dropbox and the next subcommittee meeting will be on July 15<sup>th</sup>.

**ADJOURNMENT:**

**Comm. Rose made a motion to adjourn the meeting.**

**Comm. Kraus seconded the motion.**

**The motion carried unanimously. (Y-N-A : 5-0-0) The meeting was adjourned at 8:34pm.**

**Respectfully submitted,**

**Abby York  
Inland Wetlands Associate**