



## Inland Wetlands and Watercourses Agency

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### REGULAR MEETING MINUTES - REVISED

Inland Wetlands and Watercourses Commission

Thursday, November 4<sup>th</sup>, 2021 at 7:00 PM

This meeting was held remotely, via ZOOM.

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#### CALL TO ORDER:

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

#### ROLL CALL:

**Commissioners Present:** Chairman Peter Bassermann, Clarice Begemann, Suzanne Botta, and Sandra Kraus and Melissa Papantones (arrived at 7:07pm)

**Commissioners Absent:** Richard Greenalch

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

#### 1) MINUTES FOR APPROVAL:

- a) October 14, 2021 Regular Meeting Minutes

**Comm. Botta made a motion to approve the minutes.**

**Comm. Kraus seconded the motion.**

**The motion carried. (Y-N-A : 4-0-0)**

- b) November 3, 2021 Site Walk Minutes

**Chairman Bassermann made a motion to accept the minutes.**

**Comm. Begemann seconded the motion.**

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

**\*Commissioner Papantones joined the meeting at 7:07pm\***

#### 2) APPLICATIONS FOR RECEIPT:

- a) IW#21.10.05 | 367, 373-375, 377 & 383 E. Main St | addition of another building, associated drainage, and improvements to an approved mixed use development

- Staff said the application is a result of a proposed modification to IW#20.04.01. Since the activity includes a new parcel, it should be a new application. **Dave Sacco** (professional engineer, TPA Design Group) shared the site plans. **Sacco** pointed out the DOT is requiring a fence along the right of way, and they are proposing the fence go along the limits of disturbance associated with IW#20.04.01, rather than through the wetland. **Sacco** noted the energy dissipater by the wetland area that the fence will wrap around so it is easily accessible for maintenance and cleaning out.
- **Sacco** discussed the stormwater management, noting it is a very rocky area, and there is little opportunity for water to infiltrate. **Sacco** pointed out the rain garden proposed and said the stormwater will tie into the system for the other buildings. **Sacco** noted the stormwater system has been modeled up to the 100-year storm.

- Staff noted the fee has been based off of new activity that wasn't included in the previous approval. All of the new areas of disturbance associated with the project is outside of the Upland Review Area. Commissioners discussed the application fee and asked staff if the fee would cover staff time in reviewing the impacts of the additional work. **Sacco** pointed out the work hasn't occurred yet, and the disturbance to that area will only take place once. Commissioners determined the fee as calculated by staff for the new activity would be appropriate.
- b) IW#21.11.01 | 3-7 Rockland Park | restoration of a wetland area/pond, including removal of invasive species and planting native plants
- Commissioner Begemann recused herself from the discussion of this item.
  - **Yin Ho** (applicant and owner) discussed the application, noting the area is .75 acres with a pond and forested area. **Ho** said they are working with All Habitat Services to plan the removal of the invasive species and planting native plants.
  - **Matt Davison** (soil scientist, Davison Environmental) said he delineated the property. **Davison** said it is important to improve water quality functions, which could be done by planting emergent vegetation. Commissioners asked about the pond outlet. **Davison** said he has not been able to locate the outlet. Commissioners asked about the iron precipitate. **Davison** discussed some ways to rectify this issue.
  - Staff said the delineation on file is for the eastern portion of the site, and the Commission should determine if they would like the delineation to be extended. Staff asked Commissioners if the applicants would need a formal plan or if there is sufficient information in the plans presented. Staff reminded the Commission of the fee reduction request. Staff said typically when the Commission waives the fee for a conservation project, they still require a monitoring period. Staff noted the Commission has a past practice of waiving certain requirements, such as an A-2 survey for conservation project. Commissioners asked if staff could calculate the fee based off the estimated area of disturbance and then determine a potential fee reduction amount. **Davison** said he could estimate the area of the wetland for the Commission to review.
- c) IW#21.11.02 | 140-240 Austin Ryer Lane| D005/003/001C | Repair/replacement of drainage outlet
- **Pete Parent** (professional engineer, CHA) shared the site plans for the scour hole repair. **Parent** said they plan to do the work over the winter. Staff asked how the site would be accessed. The Commission determined they would review photos before determining if a site walk is necessary. Staff said the application fee should be revised to include the intermittent watercourse that exists at the outlet.

### 3) APPLICATIONS FOR REVIEW:

- a) IW#21.08.01 | 175 Cherry Hill Road | 11-lot subdivision
- Staff stated the fee review is to determine if the activity is a subdivision with or subdivision without regulated activity. **James DiMeo** (professional engineer, Juliano Associates) then shared the site plans to review with the Commission the proposed activity, noting the location of the wetlands and man-made ponds on the property. **DiMeo** shared stormwater calculations were reanalyzed. **DiMeo** noted the roof leaders and the runoff from the driveway will be directed into the detention

basins, as is feasible. **DiMeo** shared the proposed open space area will be owned by an association of the 11 lots, who will be responsible for the maintenance.

- **DiMeo** addressed concerns raised by staff, and said the anti-tracking pad for the construction entrance will be off of Cherry Hill Road, rather than Autumn Ridge Road. **DiMeo** shared the plans for snow storage, as well as where the water from the water bars will be directed. Commissioners asked about the timeline for construction. **DiMeo** said the road and detention basins will be done first, then the houses. Commissioners the sequence of construction be added to the site plans.
- **George Logan** (soil scientist, REMA Ecological Services) shared his findings from his investigation. Staff noted a swale is located off site. Staff then shared the soils report with the Commission. **Logan** said the swale should be safe from erosion issues from construction. Staff asked **Logan** if he would recommend the corrective measures or if that would cause more disturbance. **Logan** said as long as the water is diverted from the area, it will no longer be an erosion issue.
- Commissioners decided to wait to see the changes made before making a decision, noting conditions are intended for minor changes. Commissioners added they want more information on how the homeowners association will be given responsibility of the stormwater maintenance system.
- The Commission requested the applicant grant an extension to the December 9<sup>th</sup> meeting in order to review a complete construction sequence, a phased soil and erosion plan, and the post-construction requirements for maintenance of the basins. **Bruno Ciccone** (applicant) confirmed the Commission has his consent to extend the discussion of the application. Staff requested an email follow up be sent.

b) IW#21.09.01 | 56 Stony Creek Road | installation of a fence around wetland

- Staff shared the request that the application be tabled to the December 9<sup>th</sup> meeting, noting the applicant's meeting with the State has been delayed.

**\*The Commission took a break at 8:50pm. The meeting reconvened at 8:53pm.\***

c) IW#21.10.03 | 49 & 81-111 Commercial Parkway | construction of a "last mile" ecommerce delivery station

- **John Knuff** (attorney, Hurwitz, Sagarin, Slossberg, and Knuff, LLC) discussed the proposed activity. **Dennis Goderre** (project manager, BL Companies) pointed out the wetland areas on the site plans. **Goderre** discussed the proposed stormwater management system, noting there is a reduction in the impervious cover of the site. **Goderre** said the reduction comes from the islands, planting areas, and buffer area between the property and the wetland area. Commissioners asked if the removed asphalt will be stored on site. **Jeff Dewey** (professional engineer, BL Companies) noted the stockpiles on the site plans were just noted as general stock piles.
- Commissioners asked about stormwater retention. **Dewey** said there aren't many opportunities to retain the water. **Dewey** said the four catch basins along the drive in this area will have sumps that go into a level spreader to treat the water. **Dewey** then discussed their plan for the roof runoff. **Dewey** said since roof runoff is considered to be clean, they determined the water did not need to go through a treatment system. The Commission discussed if roof runoff should be included in the calculation of the first inch. **Dewey** confirmed the overall first inch is being

retained on the site, just not the roof area. After discussing the Town Engineer's comments, staff said they want to follow up to confirm there are no other concerns.

- **Matt Davison** (soil scientist, Davison Environmental) reminded the Commission of the wetlands swales offsite, and noted water typically moves slowly through those areas. **Davison** addressed potential concerns, including temporary impacts during construction and discussed some options for stormwater management.
- **Knuff** said they could redirect the eastern portion of the roof into the subsurface detention system; they would need to resize it to account for the additional runoff.
- **Goderre** shared the landscaping plan and discussed the details of the plantings. **Davison** provided feedback on the proposed plantings, noting the native, emergent vegetation proposed would be helpful in improving water quality.

#### 4) JURISDICTIONAL RULING REQUEST:

- a) 93 Bradley Street | maintenance of path/road
  - Staff shared the request was submitted in response to a NOV sent by staff. Staff said there are some private disputes and a request to table this item was received.

#### 5) ENFORCEMENT:

- a) NOV | Island View Village Condominium | drainage maintenance required
  - Staff noted the application received for Island View Village II addresses this NOV. As such, it does not need to be discussed.
- b) NOV | 122.5c Chestnut Street | removal of trees and deposition of material
  - Staff said there have been staffing changes at the DOT and it was requested that staff hold off on creating a planting plan with the property owners.
- c) NOV | 93 Bradley Street | clearing of vegetation and placement of crushed stone
  - Staff noted this is the NOV that relates to the jurisdictional ruling request received, so the item is also tabled until December 9<sup>th</sup>.
- d) NOV | 41 Brainerd Road | erosion control maintenance RE IW#20.12.01 (subdivision) & IW#20.08.07 (Lot 4)
  - Staff shared the silt fence overtopped and unfiltered site runoff got into the wetland area and the street. In response to this, a NOV was issued. Staff shared photos from the site and stated corrections have been made, so no further action needs to be taken by the Commission at this time.

#### 6) OTHER BUSINESS:

- a) IW#20.08.05 | 81 Todds Hill Road | permit modification request
  - **Michael Freda** (homeowner) discussed the relocation of the rain garden. Staff shared the site plans and asked if this could be a modification to the existing permit. Staff noted the lots for the subdivision were agent approvals, so if the Commission is okay with it, staff could approve it. Commissioners said they would be okay with the new proposed activity being a modification made by staff to the existing permit.
- b) 2022 Meeting Schedule – review/approve meeting schedule for 2022
  - Commissioners discussed the proposed schedule for 2022 meetings.

**Chairman Bassermann made a motion to approve the 2022 meeting schedule as drafted for the November 4<sup>th</sup>, 2021 meeting [Dated: 10/22/2021].**

**Comm. Papantones seconded the motion.**

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

- c) IW#14.11.02 (Phase I) and IW#17.07.05 (Phase II) | 250 North Main Street | monitoring report status
  - o Staff noted permit holders have been responsive, but they don't have final documentation, so this has been tabled to the December 9<sup>th</sup> meeting.
- d) Update on Regulation Fee Subcommittee
  - o Chairman Bassermann shared that the subcommittee has disbanded. As such, a presentation will be drafted to share their findings at the December 9<sup>th</sup> meeting.

**7) AGENT APPROVALS:**

- a) IW#21.10.04 | 159 Cherry Hill Road | installation of a fence and patio
  - o Staff said the application was determined to be agent approval and has been issued.
- b) IW#21.10.01 | 18 Brookhills Road | residential septic system replacement
  - o Staff noted they had modified the limits of disturbance to decrease the overall limits of disturbance, and it was approved by the agent.
- c) IW#21.10.02 | 61 Flax Mill Road | new single family home
  - o Staff said they went out to the site, and after they received confirmation of the wetland locations from the delineation, staff issued the permit.

**8) CORRESPONDENCE & ANNOUNCEMENTS:**

- a) Resignation - Commissioner Rose
  - o Staff stated Commissioner Eric Rose had resigned from the Commission.
- b) Correspondence received from Sinatra
  - o Staff said the office received correspondence from a neighbor of a property with an Inland Wetlands approval. Staff shared they have been in correspondence with the site engineer who has been informed of the problem and if they do not fix it in a reasonable amount of time, they will follow up with some enforcement action.

**ADJOURNMENT:**

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

**Comm. Kraus seconded the motion.**

**The meeting was adjourned at 10:05pm.**

**Respectfully submitted,**

**Abby York  
Inland Wetlands Associate**