



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



REGULAR MEETING MINUTES

Inland Wetlands and Watercourses Commission

Thursday, June 9th, 2022 at 7:00 PM

This meeting was held remotely, via ZOOM:

CALL TO ORDER:

Chairman Peter Bassermann called the meeting to order at 7:00 pm.

ROLL CALL:

Commissioners Present: Chairman Peter Bassermann, Suzanne Botta, Clarice Begemann,

Melissa Papantones, Mark Steinberg

Commissioners Absent: Melissa Funaro, Jessica Meinsen Probulis

Staff Present: Jaymie Frederick-IW Agent, Michelle Martin (substitute Clerk)

Chairman Bassermann noted that all Commissioners are seated and can participate in the meeting.

1) MINUTES FOR APPROVAL:

a) May 4, 2022 Regular Meeting Minutes

Comm. Steinberg made a motion to approve the minutes.

Comm. Begemann seconded the motion.

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

b) June 2, 2022 Special Meeting Site Walk Minutes

Comm. Botta made a motion to approve the minutes.

Comm. Steinberg seconded the motion.

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

J. Frederick suggested tabling the public hearing until after the judicial ruling request since it may take some time to get thru the public hearing.

1) ENFORCEMENT:

- a) CC#22.05.01 & NOV | 35 Bayberry Lane | clearing of vegetation and ground disturbance within 100' of a wetland
 - i) Review of maintenance plan
 - ii) Status of Cease and Correct Order

J. Frederick explained that the commission had previously approved a restoration plan and asked for more information. She did receive the information from the property owners as well as photos which she displayed. She then reviewed the site plan and the soil scientist report. She asked the commission if this information was sufficient or did they want something else.

The commissioners then gave some comments and discussed it briefly.

Comm. Botta made a motion to amend the cease and correct to a 3 year maintenance plan. At the end of the 3 years, the commission will evaluate and review whether to continue to monitor to years 4 or 5. The maintenance and reporting should be done by a soil scientist or other qualified individual.

Chairman Bassermann seconded the motion.

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

Chairman Bassermann suggested hearing the Jurisdictional ruling request (4) next so Mr. Ron Waters from the RWA would not have to wait thru the lengthy public hearing.

2) PUBLIC HEARING:

- a) Regulation Amendments to the “Inland Wetlands and Watercourses Regulations of the Town of Branford” – proposed by the Agency
 - i) Proposed amendments can be viewed at the Inland Wetlands Office located at Town Hall, the Town Clerk’s Office, or online at <https://tinyurl.com/BranfordIWWA>

Tabled to later in the meeting.

3) JURISDICTIONAL RULING REQUEST:

- a) 100 Hosley Avenue | RWA | Lake Saltonstall | maintenance of stormwater treatment system

J. Frederick noted that the commission had a site walk of this property on June 2, 2022.

Ron Waters (Regional Water Authority) said he submitted an updated letter with more details. He asked the commission whether he can proceed with the maintenance work or is an Inland Wetlands application needed.?

J. Frederick displayed the letter for the commission to review.
Ron Waters reviewed the scope of the work that is planned.

The commission discussed this and the consensus was that this is an as of right activity. However, they noted that further activities may need to come before the commission.

Comm. Botta made a motion that 100 Hosley Avenue – Regional Water Authority maintenance is identified as an as of right activity and any work beyond this they will need to come back to the commission to confirm if its an as of right activity.

Comm. Begemann seconded the motion.

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

It was noted the RWA will get an access permit and notify J. Frederick 3 days before starting work.

The Commission went back to the Public Hearing item next.

PUBLIC HEARING (cont.):

- b) Regulation Amendments to the “Inland Wetlands and Watercourses Regulations of the Town of Branford” – proposed by the Agency
 - i) Proposed amendments can be viewed at the Inland Wetlands Office located at Town Hall, the Town Clerk’s Office, or online at <https://tinyurl.com/BranfordIWWA>

Chairman Bassermann reviewed the public hearing procedures. He asked if any of the commissioners are recusing themselves. None were. All the commissioners will vote.

J. Frederick noted she received comments from DEEP yesterday and she has a few modifications. She then went thru each page of the regulations noting the changes and the reasons for the proposed changes. The Commission discussed the changes and made some comments.

PUBLIC INPUT:

- 1. Julia Niedzwiecki – inquired about long and short term monitoring requirements; Commission addressed question and that any questions as to specifics as they pertain to an application may be asked prior to submitting an application
- 2. Vincent Giordano – inquired as to bond language and whether partial return only applied to erosion controls; he was informed that it could theoretically apply to any portion of the bond which has been completed to the satisfaction of the Agency

Chairman Bassermann closed the public hearing.

He then asked the commission if they wanted to deliberate now and adopt the regulations.

The commission discussed this and decided to have J. Frederick compose a draft resolution to be clear on all the changes and additions that will be included in the

new regulations. This will be discussed at the July 14th Inland Wetlands meeting via zoom.

For the record, M. Steinberg left the meeting at 7:09 pm.

4) ENFORCEMENT (cont.):

- a) CC#22.06.01 & 2nd NOV | 20 Huntington Drive | removal of trees and placement of debris
 - i) Just cause hearing
 - ii) Status of Cease and Correct Order

J. Frederick noted that the activity from 2019 did not get fully resolved. Additional activity has occurred (debris has been placed adjacent to IW area). She noted she has been speaking with the homeowner and they are complying. She said at the last meeting the commission discussed deadlines. J. Frederick said that she asked them to submit a planting plan by the July meeting. She hasn't had a chance to inspect the site. She received a 2018 soils report and will expect a follow up report. She displayed the letter that she sent. She also asked for a soil report retainer and it has not been submitted yet. She then displayed photos for the commission and asked them what their next step is. What do they want to do?

The property owner (Bobby Maraj) was on the zoom call and said he is open to the commission visiting the site. He explained he reached out to a soil scientist a few times but could not reach them. He will try again. He noted that the pile of debris that they were speaking of is tree branches that almost fell on his house. He hired a company to clear the branches. That is how the debris is near the waterway. .

J. Frederick will send him information and she will make a day to visit the property.

Chairman Bassermann said the cease and correct order should not be rescinded.

Comm. Botta made a motion to uphold the cease and correct order at 20 Huntington Drive and adjust the date of the planting plan due no later than August 4th for review at the August 11th, 2022 meeting. The property owner will confirm erosion and sedimentation controls with the IW agent and set up a site visit with her. And, professional soil scientists should attend the August 11th, 2022 meeting.

Chairman Bassermann seconded the motion.

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

5) OTHER BUSINESS:

- a) 434 East main St | IW#20.07.01 | office building
 - i) Request for return of erosion control bond

J. Frederick said she met with the property owner on site. He is requesting return of the bond. A sewer connection is still needed. J. Frederick spoke of the items that the

property owner has not yet completed. She noted the site is not fully stable. She displayed photos of the site to the commission.

The property owner (Vincent Giordano) spoke and said he is temporarily on pause. He has approval for the sewer connection, he has to go before the sewer commission. He noted the sewer needs to go in first before the storm pipe and catch basins. He said he has effectively precluded any runoff in the buffer or wetlands area, he then spoke of the retaining wall. He noted he does not expect full release of the bond since there is still work to do.

J. Frederick asked the property owner for an itemized list of the release amount and a phased plan and how it would pertain to construction.

The property owner is requesting a \$22,500 reduction in the bond which is half cash and half surety bond.

The commission discussed this and felt they needed more information. They asked the property owner for an itemized list of what they are requesting.

J. Frederick suggested the commission do a site walk and they agreed.

J. Frederick stated this item is continued to the July meeting.

6) APPLICATIONS FOR REVIEW:

- a) IW#22.05.01 | 85 Todds Hill | Installation of an above ground pool
 - i) Per 5/12 meeting, Commission ok with Agent Review – waiting on dewatering plan

J. Frederick noted she is waiting for a watering plan and the applicant needs to get a variance so no action is needed by IW commission at this time.

7) AGENT APPROVALS

- a) IW#22.05.02 | 32 Ramblewood Drive | construction of a deck
- b) BRIW#22.04.01 | 75 Block Island Road (E10/1/2 Branford Sewer Authority Treatment Plant) | Addition of a closed-piped septage receiving unit adjacent to existing building

J. Frederick briefly reviewed these agent approvals.

8) CORRESPONDENCE AND ANNOUNCEMENTS:

- a) Inland Wetland Associate position

J. Frederick noted a new person accepted the position and will be starting June 27th. She will introduce them at the next meeting.

- b) 17-21 North Branford Rd – Letter sent to owner RE upland review area for offsite inland wetlands

J. Frederick said she sent a letter telling them there is Inland Wetlands within 100 feet of their project.

ADJOURNMENT:

The meeting adjourned at 10:24 pm.

Submitted by:

**M. Martin
(substitute clerk)**