



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, May 11th, 2023 at 7:00 PM

This meeting was held remotely, via ZOOM:

CALL TO ORDER: Meeting was called to order at 7:01 pm by Chairman P Bassermann

ROLL CALL: C. Begemann, M. Funaro, M. Ormrod, J. Meinsen, P. Bassermann

1) **MINUTES FOR APPROVAL:**

- a) March 9th, 2023 Regular meeting minutes-Commissioner Begemann made a motion to approve the Minutes. Commissioner M. Funaro seconds. Motion carries unanimously.
- b) April 13th, 2023 Regular meeting minutes-Commissioner Begemann made a motion to approve the minutes. Commissioner Meinsen seconds. Motion carries unanimously.
- c) April 25th, 2023 SPECIAL Site Walk meeting minutes-Commissioner Begemann makes a motion to approve the minutes. Chairman Bassermann seconds. Motion carries unanimously.

Chairman Bassermann makes a motion to add an item to the agenda for informational purposes. Commissioner Begemann seconds. Motion carries unanimously.

Chairman Bassermann made mention of the possibility in considering moving to a twice a month meeting format, as the meetings keep going later. There was no discussion.

2) **APPLICATIONS FOR RECEIPT:**

- a) IW#23.04.08 | Sundance/26 North Main St | arborvitae plantings-Commission approved Agent approval.
- b) IW#23.05.01 | 22 School St | residential addition and septic repair-Commission briefly reviewed submitted plans by Mark Young, Waldo and Associates. Site walk was set for June 1, 2023 at 5:30 pm.
- c) IW#23.05.02 | 35 Bayberry Ln | residential addition/garage addition-Commission heard brief presentation from Jim Pretti, PE regarding the project. Would like to add a second story to the garage, but first needs test pits dug to see if the foundation can support another level. Asking for permission to proceed with the test pits around the foundation prior to application approval. Commission Ok'd excavation of the test pits prior to permit issuance. Site walk set for June 1, 2023.

3) **APPLICATIONS FOR REVIEW:**

- a) IW#23.03.04 | 34 Oak Hollow Rd | detached garage 24'x30'-Commission reviewed the application presented. Commission requested additional information regarding drainage. They would like to see a test pit done and drainage calculations at the outlet to ensure the water will be able to infiltrate. Alternatively, they would consider

an alternative plan (rain barrels, cistern) to hold rainwater. Information needs to be presented as application is currently incomplete.

- b) IW#23.03.05 | 122 Flat Rock Rd | pool
 - i) Possible agent review – expecting revised plan-TABLED-awaiting revised plan
- c) IW#23.04.03 | 35-37 Harrison Ave | proposed construction of new two unit residential building - **WITHDRAWN**
- d) IW#23.04.04 | 117 Flax Mill Rd | in ground swimming pool & patio-postponed discussion until cease and correct order is addressed.

4) ENFORCEMENT:

- a) CC#13.11.01 | 117 Flax Mill Rd | filling
 - i) New property owner, preliminary discussion regarding resolution of order- Matt Davison, Soil Scientist, presented the restoration plan based upon the current site conditions and limitations. Removal of existing fill on the slope will be difficult if not impossible. Terracing the hillside presents an issue due to lack of equipment access. Current plan is for 4 maple trees to be planted on the slope, and the top of slope would be planted with a meadow mixture customized for the site and installed by Richard Snarski. Having a custom seed blend done for site conditions increases the chances of success. In order to accommodate the meadow, the trees to be planted will be located approximately 10 feet further down the slope than indicated on the plans. This is to allow for less shading on the meadow area. Invasives they will look to control are mugwort, knotweed and multiflora rose. If a meadow is not feasible, shrubs will instead be substituted at the approval of the IWEO. Commissioner Begemann makes a motion to accept the mitigation plans with the following adjustments:
 - (1) No glycoposphates will be used for invasive control. Instead a salt, soap, vinegar solution can be utilized.
 - (2) Maples (or other tree species as approved by IWEO) are to be relocated 10' further down slope to increase the probability of success for the meadow/shrubs at the top of the slope.
 - (3) Plantings shall have a 3 year monitoring requirement with an 85% cumulative survival rate. Trees shall be at a 75% survivability, but overall site survivability shall be 85% or greater.

Commissioner Bassermann Seconds. Roll Call:

M. Funaro-aye

C. Begemann-aye

M. Ormrod-aye

J. Meinsen-aye

P. Bassermann-aye

Motion carries unanimously.

3) APPLICATIONS FOR REVIEW continued:

e) IW#23.04.04 | 117 Flax Mill Rd | in ground swimming pool & patio-Commission determined that a bond requirement would be in line with past practice. Chairman Bassermann makes a motion to approve the application as presented with findings and conditions outlined by staff. Commissioner Funaro Seconds. Roll Call vote:

C. Begemann-aye

M. Funaro-aye

M. Ormrod-aye

J. Meinsen-aye

P. Bassermann-aye

Motion Carries unanimously.

4) Enforcement (cont.):

b) Notice of Violation | 38 Howard Ave | retaining wall & associated activities-J. Pretti, PE was present as representative of property owner. Working on site plan for next meeting. Intent was always to replant the slope that was cleared for wall construction. Silt fences have been installed. Neighbor Stephen Diaz-Romero had concerns about debris falling into the watercourse and causing a backup up stream. Neighbor's architect Peter Jackson also had concerns regarding the retaining wall and increased impervious surface. Application to be submitted for June 8th Meeting.

c) CC#23.05.01/Notice of Violation | 144 Brushy Plain Rd | vegetation removal and pilling of woody debris-Property owners indicated they had retained a soil scientist whom will be visiting the site within a few days. IWEO J. Frederick will email the owner the concerns that she would like addressed in the restoration plan.

d) Notice of Non-compliance RE IW#20.03.01 | 58 East Industrial Rd | contractor's yard

i) Non-compliance with erosion control plan & site layout-still an active site. Engineer J. Pretti indicated that erosion controls are up and functioning as intended, including the temporary sedimentation basin. Will continue to work on a timeline of completion.

e) Notice of Non-compliance RE IW#20.01.03 | 57 & 61 East Industrial Rd | construction of commercial buildings with associated appurtenances

i) Non-compliance with permit conditions and approved erosion control plan-IWEO was notified that site work had started by ZEO. Property Lessee has retained Criscuolo Engineering, who will stake out the limits of disturbance. Silt fence and temporary sediment trap are to be installed. Modified plans will be drawn up by Criscuolo and submitted for approval.

f) CC#22.06.01 & 2nd NOV | 20 Huntington Drive | removal of trees and placement of debris

i) Progress on restoration plan-Silt fence repaired on one portion of the property. Conservation signs that were placed have been removed, as have the wetland flags. Site needs to be reflagged by the wetland scientist, and located on the survey. Conservation signs need to be re-installed. Letter to be sent requesting compliance or have CC filed on the land records.

- g) CC#22.12.01 | 21 Brainerd Road | Construction without permits
 - i) just cause hearing – continued from 12/8/22 –Property owner has hired a soil scientist and an engineer and IWEO has been contacted by both. No plans or reports have been submitted as of yet.

5) OTHER BUSINESS:

- a) IW#20.10.01 | 65 Dorchester | new single family house
 - i) Modification to mitigation and access way to pond edge-IWEO J. Frederick discussed the differences between the approved site plan and what was actually done. Commission discussed needing to see revised plans for the walkway, and planting recommendations for the area that was cleared beyond the originally stated limits of disturbance.
- b) IW#21.11.02 | 140-240 Austin Ryer Lane (aka Island View Village II) | drainage repair
 - i) Request for (portion of) bond to be surety-Commission discussed past practice regarding bonding. Commission determined that \$10,000 of the bond should be cash and the remaining portion of the bond can be surety.
- c) IW#19.11.01 | 1151 West Main | construction of bank and grocery store and associated improvements
 - i) Monitoring report & permit compliance-Tabled
 - ii) Bond return request-Tabled
- d) IW#20.07.01 | 434 East Main St | 25,000 SF office building
 - i) Bond reduction request -WITHDRAWN

6) AGENT APPROVALS:

- a) IW#23.04.02 | 91 Stannard Ave | deck addition
- b) IW#23.04.05 | 5 Spice Bush Lane | aboveground pool & associated grading
- c) IW#23.04.06 | 92 Flax Mill Rd | residential additions & aboveground pool
- d) IW#23.04.07 | 14 Fitzgerald Lane | front porch

ADJOURNMENT: M. Ormrod makes a motion to adjourn at 11:04 pm. M. Funaro Seconds. Motion carries unanimously.

Respectfully submitted,

Katy Blanchette



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