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TOWN OF NORTH BRANFORD

TOWN HALL 909 FOXON ROAD NORTH BRANFORD, CONNECTICUT 06471-1290
Building Department (203) 484-6008 Engineering Department (203) 484-6009 Planning & Zoning (203) 484-6010
Department Fax (203) 484-6018

1. CALL TO ORDER

Chairman Scavo called the meeting to order at 6:33 P.M.

2. ROLL CALL

Present: Stephen Scavo, Regular Member, Chairman
Frank Brigano, Regular Member
Gerry Fischbach, Regular Member
Ashley Joiner, Regular Member
Lisa DePonte, Regular Member

Absent: William Galdenzi, Alternate Member

Town Staff Present:
Carey Duques, Town Planner and Wetland Officer

3. MINUTES - Meeting of April 22, 2015

Minutes from April 22, 2015- Member DePonte made a motion to approve the minutes of April 22, 2015, seconded by Member Brigano. With all in favor, motion passed.

4. PUBLIC HEARING:

- A. IWWA Application #2015-2** Proposed Amendments to Wetlands and Watercourses Regulations for the Town of North Branford. Applicant/Owner: Town of North Branford IWWA. **Public Hearing Continued to June 24, 2015 to allow DEEP to review the Proposed Amendments.**

Town Planner Carey Duques reported that after the public hearing had been set the State informed her they needed 35 days notification. Due to the timeframe the Public Hearing will be continued to June 24th, 2015.

Member Brigano suggested notification be placed on the website with information on the Public Hearing. Commission members discussed best ways of informing the public on the hearing. Member Brigano offered to write a letter to the editor inviting the public to come out for the hearing

5. OLD BUSINESS

- A. Application #2014/15-3**, for erosion prevention at 30 Walnut Lane including a request for permitting after-the-fact of the installation of 80 feet of pipe laid in a watercourse and covered with soil and proposed work including the installation of an additional 100 feet of pipe to be covered with soil; a total of approximately 180 sq feet of watercourse and wetlands. Map 73,

Lot 28A, R-40 zone. Owner/Applicant: John Mirakian Agent: Winterbourne Land Services.
(Application received December 10, 2014; Public Hearing closed on March 25, 2015).

Town Planner Carey Duques distributed a draft proposed motion for their review and gave a brief history of past work as well as updated recommendations by East Shore Health District.

Mr. George Cotter, engineer for the applicant presented an overview of the project and work that has been done including a time line for any conditions attached to an approval.

MOTION: Member Brigano moved, seconded by Member Joiner to approve IWWA Application #2014/15-3, for erosion prevention at 30 Walnut Lane including a request for permitting after-the-fact of the installation of 80 feet of pipe laid in a watercourse and covered with soil and proposed work including the installation of an additional 100 feet of pipe to be covered with soil; a total of approximately 180 sq feet of watercourse and wetlands. Map 73, Lot 28A, R-40 zone. Owner/Applicant: John Mirakian Agent: Winterbourne Land Services, as contained in submitted application documents and shown on entitled plan "Site Plan of Property of 30 Walnut Lane aka 52 Walnut Lane North Branford, Connecticut"; Scale 1"=30' dated November 26, 2014, REV February 10, 2015, REV April 6, 2015, and REV April 16, 2015 Prepared By: CW International of Cheshire CT; Stamped by George T. Cotter, PE, with the following standard conditions:

STANDARD IWWA CONDITIONS

- 1. Regulated activities granted shall be implemented by the permittee in accordance with the timing, location, duration and intent as proposed and approved by the Agency.**
- 2. Notice of transfer of ownership of property must be given to the Agency prior to or at the time of filing of deed with Town Clerk. Failure to do so may invalidate the permit.**
- 3a. Amount of Performance Bond shall be set by the Town Engineer for erosion and sedimentation control measures, earth removal, regarding, planting and piping. The bond must be in a form and surety acceptable to the Town Attorney.
- 3b. This bond may be used by the Town's agents to achieve site stabilization and restoration of all or any portion of the site should the permittee fail to do so.
- 3c. This bond shall be posted prior to any site disturbance or issuance of the Agency's permit.
- 3d. All conditions of approval must be met before the bond can be released. The Agency may consider requests for bond reductions.
- 4. All sedimentation and erosion control measures shall be installed prior to or upon issuance of this permit and inspected by the Town Engineer prior to commencing work. These controls must be maintained during and after construction and removed upon site stabilization.**
- 5. The permit must be signed and filed with the Town Clerk. A copy of the signed permit with the Town Clerk's Attestation must be returned to the Agency's office.**

The permit shall be good for five (5) years from date of approval. The permittee shall have the permit readily available and shall produce it for inspection upon request.

The permit is issued only for those activities approved by the Inland Wetlands and Watercourse Agency.

- 6. The Agency's agent be notified in writing forty-eight (48) hours prior to the start of any construction.**
7. During the duration of the regulated activity, the Chairman of the Agency or the Inland Wetlands Enforcement Officer shall have permission to enter upon the subject property at reasonable times for the purposes of viewing and inspecting the conduct of said activity.
- 8. No work other than maintenance of sediment and erosion control shall be performed during significant rainfall of one (1) inch or more within a twenty-four (24) hour period. All work shall be performed between 8:00 a.m. and 5:00 p.m., Monday through Friday. No work may be conducted on legal holidays or weekends without the expressed approval of the Agency.**
9. Anti-tracking aprons shall be installed on all road and driveway curb with 6" of crushed stone (1 1/2" to 3") underlain with construction frame spread to the traveled width and 40' in length or with apron mats, as specified by the Town Engineer. The apron shall be maintained at all times. The specified anti-tracking devices must be shown on the final plan.
10. Prior to the issuance of the permit, the permittee and his contractor shall meet with the Agency's designated staff -- the Wetlands Enforcement Officer and Town Engineer -- to review the conditions of approval and the construction program to be used in conjunction with the approved regulated activity.
- 11. The Agency has determined that there are no feasible or prudent alternatives.**
- 12. The Agency has determined that the proposed regulated activities are not deemed significant.**

And the following **special conditions**: (if any):

- 16. Adherence to the requirements of the East Shore District Health Department in its memorandum dated May 27, 2015 (see attachment); upon the property connecting to the sanitary sewers, the permit will be issued and the Cease and Desist shall be lifted.**

With all in favor, motion passed.

6. WETLAND ENFORCEMENT OFFICER'S REPORT

Town Planner Carey Duques gave an update on 50 Fowler Road. She stated the property owner has been processing some compost as well as removing some of it from the site. They have put in a water line to keep the dust down. The inspector continues to visit the property once a month.

7. OTHER BUSINESS

- Request for a 5 year extension of IWWA #2005/06-20 Resubdivision of 942 Totoket Road

Attorney Pastore spoke on behalf of Totoket Road Resubdivision and gave an overview of the project informing the Commission that their IWWA permit would be expiring. He also explained the project anticipated beginning work again and requested an extension permitted by statute for five years.

Town Planner Carey Duques overviewed the recent approval by the Commission for this project and explained the outline of the current request by the applicant.

MOTION: Member DePonte moved, seconded by Member Brigano to approve a five (5) year time extension on IWWA Permit for IWWA Application #2005/06-20, Resubdivision of 10 lots at 942 Totoket Road, Assessor Map 56, lot 55B, (n/f Lot 2, Re-Subdivision 1195 Middletown Ave) R-40 Zone, Owner/Applicant Totoket Land LLC c/o John Acampora, Esq., Agent Criscuolo Engineering LLC, originally approved on June 15, 2006 to permit the conducting of the following regulated activity in and/or within the jurisdictional area of designated wetlands and watercourses with the following conditions:

1. All other Standard and Special Conditions of Approval to the Wetland Permit that was approved on June 15, 2006 and modified on April 22, 2015 shall be required.
2. The extended permit will expire on June 15, 2020.

With all in favor, motion passed.

- Debrief of Site Walk at 889 Totoket Road and 630 Forest Road.

Town Planner Carey Duques briefed the Commission on her visit of Friday May 8th with Alex Cinotti from East Shore Health District.

There was discussion regarding input from the Regional Water Company and East Shore Health District. There was also discussion with regard to redesigning the site to keep the animals away from the river.

Member Brigano agreed that working with the homeowner was important however; waste management, as well as animal relocation needs to be addressed.

There was also discussion regarding work that had been done in the past and has now changed as well as documentation from the past regulating the amount of pigs that were allowed.

Member Brigano suggested the Zoning Board look at regulations regarding the pigs living on the property.

Chairman Scavo suggested some of the Planning and Zoning issues be addressed before the Inland Wetlands issues are addressed.

Members discussed the best way to move forward while also working with the applicant.

Town Planner Carey Duques suggested they work with Southwest Conservation Group to help communicate positive outcomes with the property owner.

Next steps would be to reach out to the property owner and meet with East Shore Health District, Regional Water Authority, Southwest Conservation and talk about an animal waste management plan. Subsequent to that, the zoning issues will have to be addressed.

Member DaPonte questioned testing the water in the area looking for contaminants.

- **Environmental Fair.** Member Joiner stated the environmental fair at the high school was incredible and enjoyed by all the students. Member Brigano echoed the sentiments saying the students were very engaged in the fair. He remarked that all were able to pose real day questions to the students regarding wetland regulations.
- **Continuing Education.** Town Planner Carey Duques pointed out the flyer on the Municipal Inland Wetlands Agency continuing Education.

8. ADJOURNMENT

MOTION: Member Brigano moved, seconded by Member Joiner to adjourn at 7:28 p.m. With all in favor motion passed.

Respectfully Submitted,

Respectfully Submitted,

Mary Caruso, Recording Secretary

Steven Scavo, Chairman