

MINUTES - North Branford Conservation and Inland Wetlands and Watercourses Agency, Special Meeting of Wednesday, October 23, 2013 - North Branford Town Hall, Town Council Chambers, North Branford, CT

Chairman Scavo called the meeting to order at 6:35 P.M.

ROLL CALL

Present: Stephen Scavo, Regular Member, Chairman
Gerry Fischbach, Regular Member
Ashley Joiner, Regular Member

Absent: Frank Brigano, Regular Member
Mark Perez, Regular Member

Town Staff Present: Carol Zebb, Town Planner, and Wetland Officer and Kurt Weiss, Town Engineer.

2. NEW BUSINESS:

A. Application #2013/14-2, Grading, paving and drainage improvements for new building lot development affecting 0.19 acres within the 100 ft. wetland buffer area, 1111 Foxon Road, Assessor Map 25 Lot 14, B-1 Zone, Owner 1111 Foxon Road LLC, Applicant Acquisition Holdings

Town Planner Zebb introduced Mr. William Fries representing the applicant, Acquisition Holdings and notified the Members they each had sets of the most revised maps.

Mr. Fries of Center Design LLC, showed the proposed plans to build a Family Dollar Store that would be comprised of a 8,320 square foot building, located in the middle of the site, proposed parking for 56 cars along with landscaping. Mr. Fries explained the intent with the design was to stay within the area that was previously disturbed for an approved plan from 2008. The plan Mr. Fries submitted was smaller with fewer disturbances than the previous approval.

Mr. Fries explained that the site contained wetlands in the eastern portion of the site with a drainage culvert that ran in front of Foxon Road that had highway drainage coming into it as well as drainage from the site run off down into a stream and into the wetland area. The proposed approval area consisted of approximately 1.9 acres; within this area there would be parking, sidewalk area, drainage and landscaping. Storm water has been designed with best management practices starting with catch basins with two foot stumps, flared outlets and oil/water separator which will discharge into a sediment basin with a sediment trap, and an outlet which will utilize an existing pipe that currently discharges to the adjacent wetlands. All of this water will be pretreated prior to discharge. They additionally created an operations and maintenance plan, which will be part of the overall development of the site. This will have to be followed per the DEEP Regulation that has rigorous stipulations.

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In response to Member Joiner's question about snow piling, Mr. Fries stated they would either work out specifics for a plan or they will have the piled snow stored furthest away from the wetlands.

Ms. Zebb asked if that would be on the west portion of the site. Mr. Fries stated that it was on the southwest portion of the site.

Mr. Fries stated that all utilities were presently on the street and they will utilize existing tie ins. Erosion sediment control was designed per state guidelines; there will be measures installed using hay bales and silk sacs within all catch basins. There will be stockpile areas with silt fence on all down slope sides.

Chairman Scavo asked if there was any indication for grading needed. Mr. Fries stated that there would be some grading for the catch basin; there will be little need for bringing in soil.

Town Planner Zebb spoke on the history of the site explaining the State had used the site as a stage area for the Route 80 construction project. Contractors had stored very high piles of soil and gravel which left a small residue of soil left behind.

Town Engineer Kurt Weiss also stated that this lot was created for part of a development in 1987 and then the State used it for staging area for the State construction project. He stated that the current applicant had designed their project in the cleared area.

Town Planner Zebb stated that they were proposing a vegetated basin area, looking similar to the Montgomery Village project.

Mr. Fries explained they would use a slow growing seed called New England Wetland seed mix for the vegetative area and would be mowed about once a year.

Town Planner Zebb stated this was a better way in keeping with a more environmentally responsible plan.

Mr. Fries stated out of 3.16 acres total site area, the disturbance area was 1.43 acre leaving more than half the site in its natural condition.

Member Fischbach asked about adding parking spaces should the business thrive. Town Planner Zebb explained that the applicant was within their standards for parking according to building size. She also stated that there was a potential for the applicant to request a provision for less parking but they decided to build out for the maximum to eliminate potential disturbance in the future.

Ms. Zebb read comments from 10/23/13 by Town Engineer stating all engineering comments had been addressed per the latest revised plan dated 10/22/13.

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Member Joiner moved, seconded by Member Fischbach, to approve IWWA Application #2013/14-2, Grading, paving and drainage improvements for new building lot development affecting 0.19 acres within the 100 ft. wetland buffer area, 1111 Foxon Road, Assessor Map 25 Lot 14, B-1 Zone, Owner 1111 Foxon Road LLC, Applicant Acquisition Holdings, as contained in submitted application documents and on entitled maps "Proposed Family Dollar, 1111 Foxon Road (RTE. 80), North Branford, CT, Sheets SP-1, SP-2, SP-3, SP-4 and D-2 dated October 11, 2013 revised to October 22, 2013, Center Design LLC", with the following standard conditions #1 through 10 and 12:

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 deed with Town Clerk. Failure to do so may invalidate the permit.
- 3.a Amount of Performance Bond shall be set by the Town Engineer for erosion and sedimentation control measures, earth removal, regrading, planting and piping. The bond must be in a form and surety acceptable to the Town Attorney.
- 3.b 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.
- 3.c This bond shall be posted prior to any site disturbance or issuance of the Agency's permits.
- 3.d 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 and inspected by the Town Engineer prior to commencing work. These controls must be maintained during and after construction and removed prior to requesting bond release. The entire site must be stabilized prior to bond release.
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 Watercourses Agency.
6. The Agency's agent must 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.

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9. Anti-tracking aprons shall be installed on all road and driveway curb with 6 inches of crushed stone (1 ½ inch to 3 inch) underlain with construction frame spread to the traveled width and 40 feet 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.
12. The Agency has determined that the proposed regulated activities are not deemed significant.

The motion passed 3-0 in favor with Joiner, Fischbach and Scavo voting.

3. OTHER BUSINESS

- A. Connecticut Assoc. of Conservation & Inland Wetlands Commissions, Inc. Annual Meeting and Environmental Conference

Town Planner Zebb reminded Members of the upcoming conference. Chairman Scavo and Members Joiner and Fischbech all reported they were unable to make the meeting. Ms. Zebb stated that she would be going and was looking forward to the topic of managing streams in urban and suburban areas.

4. WETLAND ENFORCEMENT OFFICER'S REPORT – Town Planner Zebb reported that the next meeting would be November 20th, asking if any members would be available. Members Scavo, Fischbach and Joiner stated they would be available.

Town Planner Zebb reported on the Southwest Conservation District newsletter stating that Mr. Nelson Ceccarelli received an award for his work on the water quality for the Farm River watershed area. She also mentioned Mr. DeFrancesco was also noted stating that it was remarkable that in a small Town there were two farmers heading up leadership management for other farmers within the State.

There was also Agency discussion regarding a property owner on Sea Hill Road doing work around his home and whether he was within regulated areas. Ms. Zebb stated she was aware of the situation but would check into further it if the Agency wanted.

5. ADJOURNMENT at 7:15 PM

Member Joiner made a motion to adjourn, seconded by Member Fischbach. The motion passed unanimously.

Respectfully submitted,

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Mary Caruso, Recording Secretary

Stephen Scavo, Chairman