

MINUTES - North Branford Conservation and Inland Wetlands and Watercourses Agency, Special Meeting of Saturday, February 16, 2013 - North Branford Town Hall Council Chambers, North Branford, CT

1. ROLL CALL

Chairman Scavo called the meeting to order at 2:40 p.m.

Present: Stephen Scavo, Regular Member, Chairman
Frank Brigano, Regular Member
Ashley Joiner, Regular Member
Absent: Gerry Fischbach, Regular Member
Mark Perez, Regular Member, absent

Town Staff Present: Carol Zebb, Town Planner, Wetland Officer

1. OLD BUSINESS:

- A. Application #2012/13-3, Various regulated activities on Lot 3, 4, 6, 7 and 8, "Brown Stone Acres" Subdivision, as described on the submitted application proposed regulated activities document and maps, affecting 0.83 acres within the 100 ft. wetland and watercourse buffer area, affecting 240 sq.ft. within the wetlands and affecting 50± linear ft. across the watercourse brook, 1446 Middletown Avenue, Assessor Map 67D Lot 67, R-40 Zone, Owner William and Kenneth Neubig, Applicant Kenneth Neubig, Agent Criscuolo Engineering LLC c/o Robert Criscuolo

Applicant Ken Neubig and his engineer, Robert Criscuolo P.E., were present to represent the application. Town Planner Zebb stated that just prior to the start of this meeting, the sitting Agency members had finished a site field walk with the applicant and his engineer in attendance.

Robert Criscuolo P.E. gave an overview summary of the regulated activities. He clarified information regarding Sheet 4 and Sheet 2A. Water quality swales were proposed for ground water recharge on the site. Lots 3 and 7 were designed with two swales on each lot. On Sheet 2A, two proposed 2 inch pipes at a 42 inch depth would carry water service across the brook. He noted that the Town Engineer asked on the subdivision maps the addition of a bag device for water retention to filter out the water clean and a series of hay bales in case it was found to be needed.

Upon Agency questioning, Ken Neubig responded that the brook crossing construction will take two hours to install the 100-150 linear feet using a 6 ½ ft. width for machine installation of the pipe in one day. It will be done during the summer time at the time of low brook flow. Mr. Criscuolo mentioned all the erosion control notes to protect the area during construction.

Regarding the Agency's discussion on its concern about future property owners violating the regulated wetland buffer areas with clearing and tree cutting for yard expansion, Mr. Criscuolo suggested wetland markers on trees along the wetland boundary which could be install right away along its perimeter. He showed a sample yellow marker from the

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Town of Hamden. A similar marker could be ordered and the remaining left after installation would be donated to the Agency. The Agency concurred.

Town Planer Zebb reviewed with the Agency a suggested approval condition (#17) on language about the regulation of the wetland buffer area that could be added to the deeds of specific lots and as a map note on the recorded subdivision map. The Agency agreed.

Member Brigano moved, seconded by Member Joiner, to approve IWWA Application #2012/13-3, Various regulated activities on Lot 3, 4, 6, 7 and 8, "Brown Stone Acres" Subdivision, as described on the submitted application proposed regulated activities document and shown on entitled maps "Property Located at 1446 Middletown Avenue, North Branford, CT, Prepared for William & Kenneth Neubig, "Brown Stone Acres" Subdivision Map Sheet 1 dated 11-15-12, Possible Site Plan Lot Layouts Sheet 2 dated 11-15-12, Enlarged Partial Site Plan Areas Sheet 2A dated 11-15-12, Existing Conditions Plan Sheet 3 dated 12-20-12, Soil Testing Notes & Details Sheet 4 dated 12-19-12, Erosion and Sediment Control Notes & Details Sheet 5 dated 12-19-12, Criscuolo Engineering LLC" affecting 0.83 acres within the 100 ft. wetland and watercourse buffer area, affecting 240 sq.ft. within the wetlands and affecting 50± linear ft. across the watercourse brook, 1446 Middletown Avenue, Assessor Map 67D Lot 67, R-40 Zone, Owner William and Kenneth Neubig, Applicant Kenneth Neubig, Agent Criscuolo Engineering LLC c/o Robert Criscuolo, with the following standard conditions 1, 2, 3.a, 3.c, 4 through 12 and special conditions 17 and 18:

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.c This bond shall be posted prior to any site disturbance or issuance of the Agency's permits.
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.

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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.
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.
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.
17. The following note shall be added to the deeds of lots 3, 4, 6, 7 and 8 and under the Subdivision Notes of the "Brown Stone Acres" Subdivision Map" to be recorded on the North Branford Land Records:

"Any wetlands, watercourse and adjacent 100 ft. buffer area located on portions of Lot 3, 4, 6, 7 and 8 are protected regulated areas under the Town's wetland regulations pursuant to the State's Wetlands Legislation. All proposed activities of disturbance within these regulated areas require a permit approval from the North Branford Conservation and Inland Wetlands and Watercourses Agency. Such activities include vegetation clearing/removal, tree cutting/stump removal, land filling, excavation, regrading land elevations, construction of any building structure, below and above ground swimming pools, sheds, decks, patios, yard drains, septic system location changes and driveways. The dumping of debris including landscaping grass, leaves, and shrub/tree branches is not allowed in these regulated areas."
18. The applicant shall install yellow markers on trees closest to the 100 ft. buffer line at varying distances to clearly identify the boundary of the cleared tree line on lots 3, 4, 6, 7 and 8. Said marker boundary line shall be field approved by the Town Planner and Town Engineer and shown on a map for the Agency's final approval. The markers shall be approved by the Agency prior to installation.

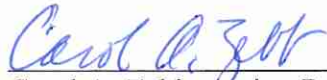
The motion passed 3-0 in favor with Brigano, Joiner and Scavo voting.

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2. ADJOURNMENT

Member Brigano made a motion to adjourn at 4:00 p.m., seconded by Member Joiner. The motion passed unanimously.

Respectfully submitted,



Carol A. Zebb, Acting Recording Secretary

Respectfully submitted,

Stephen Scavo, Chairman