

**MINUTES - North Branford Conservation and Inland Wetlands and Watercourses Agency, Special Meeting of Monday, April 29, 2013 - North Branford Town Hall, Town Council Chambers, North Branford, CT**

Chairman Scavo called the meeting to order at 7:30 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, Wetland Officer

**1. NEW BUSINESS:**

- A. Application #2012 /13-5, Installation of an 18 ft. round above ground swimming pool in the side yard of an existing single family house affecting 325 sq. ft. within the 100 ft wetland buffer, 38 Jerz Lane, Assessor Map 36B Lot 27, R-40 Zone, Owner Aurela Dautaj, Applicant Edit Dautaj

Town Planner Zebb noted that this item had a field walk earlier in the evening during which the present sitting members and the applicant attended. At that time, the Agency indicated that the applicant didn't have to attend the meeting since the applicant had shown in the field what was being done and the Agency had no questions.

Members briefly discussed possible conditions regarding water discharge and pool chemicals and decided, after reviewing the comments in the Regional Water Authority letter dated April 22, 2013, to have the RWA letter a condition of approval. Town Planner Zebb entered into the record the Town Engineer's review memo dated 4-11-2013 which had no outstanding comments.

Member Joiner moved, seconded by Member Fischbach, to approve IWWA Application #2012/13-5, Installation of an 18 ft. round above ground swimming pool in the side yard of an existing single family house affecting 325 sq. ft. within the 100 ft wetland buffer, 38 Jerz Lane, Assessor Map 36B Lot 27, R-40 Zone, Owner Aurela Dautaj, Applicant Edit Dautaj, as contained in submitted application documents, with the following standard conditions #1, 2, 4, 5, 6, 7 and special conditions #15 and 16:

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.
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.

**MINUTES - North Branford Conservation and Inland Wetlands and Watercourses Agency, Special Meeting of Monday, April 29, 2013 - North Branford Town Hall, Town Council Chambers, North Branford, CT**

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.
15. Adherence to requirements of the Regional Water Authority in its memorandum dated April 22, 2013.
16. Adherence to the requirements of the East Shore District Health Department in its approval dated 9-28-12.

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

**2. OLD BUSINESS:**

- A. IWWA Application # 2007/08-4, "Schanz Farm Subdivision", westerly portion of 1775 Middletown Ave, Assessor Map 72 Lot 12, Owners June Schanz & Estate of William Schanz, Applicant Sunwood Development Corp.
  - Agency Review of PZC approved subdivision plans per Condition #31 of Wetland Approval: "The applicant shall resubmit the final approved subdivision plan acted on by the Planning and Zoning Commission to the Agency prior to the issuance of the wetland permit. Any modifications approved by the Planning and Zoning Commission shall be reviewed by the Agency for compliance to the Agency's conditions of approval prior to issuance of the wetland permit."

Attorney Molloy represented the applicant. Robert Wiedenmann, Jr. of Sunwood Development Corp. and Ryan McEvoy, P.E., Milone & MacBroom, Inc. were present.

Attorney Molloy submitted her notification letter dated April 12, 2013 to the interveners on the original application (marked Exh. #1). She then reviewed briefly the changes between the plan approved by the Agency and the plans approved by the Planning and Zoning Commission that were listed in her submission letter dated April 12, 2013 to the Town Planner on requesting the Agency to administratively approve the changes. She also noted that the submitted reduced scaled subdivision index map highlighted these changes.

Ryan McEvoy, P.E., Milone & MacBroom, Inc., project engineer, explained the various changes using a full scale map set of the pertinent subdivision plans.

Town Planner Zebb summarized her comments from her review memo dated April 29, 2013 noting the applicant had met the intent of Condition #31 and the Agency could sign-off on

**MINUTES - North Branford Conservation and Inland Wetlands and Watercourses Agency, Special Meeting of Monday, April 29, 2013 - North Branford Town Hall, Town Council Chambers, North Branford, CT**

compliance. In addition, she noted the applicant was asking the Wetland Agency to increase the spacing of the boulders along each lot's conservation easements as described in the Wetland approval conditions on those lots from "no more than 12 ft. apart" to "a minimum of 12 ft. and a maximum of 25 ft. apart". This was showed on the submitted set of PZC application plans. She said that, as part of this administrative approval, the Agency will need to decide whether to approve the boulder spacing adjustment as satisfying the intent of the conservation easement conditions on those lots.

Attorney Molloy stated that PZC had discussed increasing the boulder spacing but did not approve it.

Town Planner Zebb stated that the Agency's determination of Option 17A meeting all the regulatory requirements last summer showed that the revised lots were at a greater distance from the wetlands and the Farm River. This resulted in the lot conservation easements having only a small portion of the wetland buffer boundary within it and the rest of the conservation easement area not in the wetland buffer. So, a boulder spacing adjustment was reasonable, but, it had to be decided what spacing distance was appropriate to identify clearly those non-disturbance easement areas. She suggested boulders on the lot side property lines at the thirty foot distance from the rear lot property corners, then some in a line between those boulders.

Attorney Molloy and Robert Wiedenmann discussed with the Agency and the Town Planner various spacing distances and changing the minimum boulder size to something larger and having less boulders. Town Planner Zebb suggested taking a brief recess to go outside to view the Town Hall rock garden to get an understanding of size, spacing and distance.

Chairman Scavo called a brief recess at 7:45 pm.

Chairman Scavo reconvened the meeting at 8:05 pm.

Town Planner Zebb indicated that Member Joiner stated to her after the field viewing that she had signed a petition in opposition which was submitted into the hearing record on the application and felt that she had to withdraw from sitting on the agenda item.

The Agency, after some discussion when members and the applicant would be available for another meeting, agreed to continue the agenda item to a Special Meeting on Wednesday, May 8, 2013.

**3. OTHER BUSINESS:**

A. Newspaper Spring Notice about wetlands

The Agency reviewed the draft Spring Wetland Notice and agreed that it should be put in the next issue of the Totoket Times on May 17, 2013.

B. Agency/Staff Participation & Exhibit for High School May 24 Environmental Science Fair

**MINUTES - North Branford Conservation and Inland Wetlands and Watercourses Agency, Special Meeting of Monday, April 29, 2013 - North Branford Town Hall, Town Council Chambers, North Branford, CT**

Town Planner Zebb and the Agency reviewed the information to be used at the fair that included various maps and informational handouts.

**4. WETLAND ENFORCEMENT OFFICER'S REPORT**

Town Planner Zebb reported no new violations.

**5. ADJOURNMENT**

Member Fischbach made a motion to adjourn at 8:47P.M., seconded by Member Joiner. The motion passed unanimously.

Respectfully submitted,

Respectfully submitted,

---

Carol A. Zebb, Acting Recording Secretary

---

Stephen Scavo, Chairman