

**MINUTES - North Branford Conservation and Inland Wetlands and Watercourses Agency, Regular Meeting of Wednesday, June 25, 2014 - North Branford Town Hall, Town Council Chambers, North Branford, CT**

Chairman Scavo called the meeting to order at 6:40 P.M.

**ROLL CALL**

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

Absent: Mark Perez, Regular Member

Town Staff Present: Kurt Weiss, Town Engineer.

**2. NEW BUSINESS:**

A. Application #2013/14-4. Construct driveway, proposed buildings, drainage improvements and lot regrading for new buildings and associated lot development within 100 ft. wetland buffer area affecting 0.5 acres (21,000+ sq. ft.) for site improvements, 1831 Middletown Avenue, Assessor Map 77, Lot 22, I-3 Zone, Owner: 1831 Middletown Ave., LLC Applicant: Alberta Management, Inc. Agent: Criscuolo Engineering, LLC.

Mr. Robert Criscuolo of Criscuolo Engineering representing Alberto Management gave an overview of the 9.725 acre parcel, which currently contains two existing buildings. Mr. Criscuolo gave an in-depth explanation of the existing conditions including the watercourse and soil type along with proposed new buildings, drainage improvements and lot regrading. He explained that Alberto Management is interested in adding 6 buildings none of which would need septic or wells. At the request of Member Brigano, Mr. Criscuolo gave a further explanation of the existing drainage compared to the proposed lever spreader system, which will also provide for runoff.

Town Engineer Kurt Weiss reviewed the application referrals from the Building Official, Fire Marshal, Regional Water Authority and East Shore Health District. Mr. Weiss stated that RWA submitted comments on erosion and sedimentation controls being installed prior to site work, any hazardous materials should be stored in a secondary container and removed to locked area, the project meets recommended wetland buffers, on-site storage of hazardous waste and vehicle activities should be prohibited, the applicant should develop guidelines and an inspection program to ensure storage of hazardous materials and vehicle maintenance are not being conducted on site.

Member Fischbach moved, seconded by Member Brigano to approve application #2013/13-4, Construct driveway, proposed buildings, drainage improvements and lot regrading for new buildings and associated lot development within 100 ft. wetland buffer area affecting 0/5 acres (21,000+ sq. ft) for site improvements, 1831 Middletown Avenue, Assessor Map 77,

RECEIVED

AUG 29 2014

PLANNING &  
ZONING DEPT.

Approved at 8/27/14  
Mtg. CRD

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Lot 22, 1-3 Zone. Owner: 1831 Middletown Ave., LLC Applicant: Alberta Management, Inc. Agent: Criscuolo Engineering, LLC, as contained in submitted application and on entitled maps "Property located at #1831 Middletown Avenue, North Branford, Connecticut", prepared for Alberta Management Inc., having a set of 5 sheets, sheet 1 & 2 dated 3/4/14 and sheets 3-5 dated 12/31/13, prepared by Criscuolo Engineering, LLC, with the following standard conditions 1-10 and 12 and special condition 15.

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.
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

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- 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.
  15. Adherence to requirements of the Regional Water Authority in its memorandum dated June 24, 2014. (see attachment)

**B.** Application #2013/14-5, Install Geothermal Loops in Linsley Lake and trenching to install polyethene tubing from house to Lake within 100 ft. wetland buffer area affecting 960 sq. ft. within Linsley Lake and 160 sq. ft. of buffer area, 29 Off Twin Lakes Road, Assessor Map 4, Lot 11, R-40 Zone. Owner: William B. Crede, Applicant/Agent: Peter J. Tavino, Jr., P.E.

Mr. Peter Tavino gave a presentation to the Agency at the request of Dr. William Crede, homeowner of property 29 Off Twin Lakes Road. Mr. Tavino gave a complete overview on how a heat pump system works as well as what this particular installation would encompass.

At the request of Chairman Brigano, Mr. Tavino explained what propylene glycol was comparing it to toothpaste and stated about 14 gallons would be used in total for the system. There was discussion regarding the potential impact this substance could have should it accidentally be dumped into the lake. Mr. Tavino insisted it would be compared to any type of food entering the lake. Chairman Brigano then requested a safety sheet be presented on the substance Propylene glycol. Additionally Chairman Brigano asked about the PPM's and PPB's.

Member Joyner opened discussion about lake rights referring to notes from Attorney Gesmonde. There was discussion regarding lake rights and also rights of other members of the lake association.

Attorney Harrington representing the applicant gave his legal opinion on why a title search would not be necessary. Member Joiner stated she would recommend a public hearing be called to inform the residents of the lake.

Member Brigano spoke about his concern should an emergency occur and asked how an emergency situation would be handled, he also stated his concern for the substance propylene glycol.

There was ongoing conversation regarding safety, submitting information to the Committee, and informing residents of Linsley Lake. It was agreed that the applicant would produce information requested by the Committee.

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Chairman Scalvo spoke about his interest in geothermal but that he also felt a responsibility to the residents of the Town specifically in this case to informing the residents of Linsley Lake of Dr. Crede's interest in installing this system.

Chairman Brigano suggested a plan be in place to inform residents in case of a spill.

Member Fischbeck asked Mr. Tavino how many installations similar to this design that had been designed and installed. Mr. Tavino replied that he installed one and knows of a second.

Kurt Weiss gave specifics about public hearings and procedural requirements to set a public hearing. He suggested an address for the association. Attorney Herrington asked for clarification on requirements. There was discussion regarding who would receive notification of the public hearing.

Member Brigano moved, seconded by Member Joiner to call a public hearing on August 27, 2014 at 6:00 p.m. in Council Chambers for Application #2013/14-5, Install Geothermal Loops in Linsley Lake, Assessor Map 4, Lot 11, R-40 Zone. Owner: William B. Crede, Applicant/Agent: Peter J. Tavino, Jr., P.E with Regular Meeting to follow.

Motion Passed in favor 4-0 with Brigano, Fischbach, Joiner and Scavo voting.

C. Application #2013/14-6. Install Footbridge on North Branford Land Conservation Trust Hiking Trail over Notch Hill Brook, off Hunter Hill Road, Assessor Map 13C, Lot 30, R-80 Zone. Owner: North Branford Land Conservation Trust, Inc. Applicant: Ken Albin. Agent: Patrick Gilbert.

Boy Scout Cadet Connor Gilbert gave an overview of the footbridge project explaining it would be made entirely of cedar containing chains and PVC pipe. His reasoning for this project was to fulfill a desire of the Land Trust to obtain a more permanent bridge for the trail. He explained that the present footbridge is narrow and difficult to get over.

Questioned by Member Joiner, Cadet Gilbert explained that the Land Trust approached him to do this project. Patrick Gilbert, parent of Cadet Gilbert stated he would oversee the project.

Chairman Scavo expressed his excitement for the project and asked how they came up with the idea of PVC to have a floating bridge. Cadet Gilbert explained they were trying to find a reasonable way to anchor the bridge stating all supplies would have to be carried, as the site is over ½ mile in on the trail. The bridge has the ability to float four feet, which has far more leeway than they potentially need for rising water. Chairman Scavo also requested the Boy Scouts keep this as an ongoing project and maintain the bridge.

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Ken Albin of the Land Trust explained that they would monitor the bridge and keep an eye on it. The trail is approximately two miles long. Mr. Albin also gave an overview of the recent interest and membership success of the Land Trust.

Town Engineer Kurt Weiss also gave an overview of the Land Trust stating they are a very active and energetic group.

Mr. Albin stated that the bridge would help to make the trail more easily accessible for both young and old.

Cadet Gilbert stated the bridge would be built off site and carried to the site and should be done in a weekend. He stated there would be approximately 20 to 30 scouts working on this project.

Member Joiner moved seconded by Member Fischbeck to approve the IWWA Application #201314-6. Install Footbridge on North Branford Land Conservation Trust Hiking Trail over Notch Hill Brook, off Hunter Hill Road, Assessor Map 13C, Lot 30, R-80 Zone. Owner: North Branford Land Conservation Trust, Inc. Applicant: Ken Albin. Agent Patrick Gilbert, as contained in submitted application documents with the following standard conditions: 1, 5.

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.
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.

Motion Passed in favor 4-0 with Brigano, Fischbach, Joiner and Scavo voting.

### **3. OTHER BUSINESS**

Town Engineer Kurt Weiss introduced potential buyers of a home in North Branford. Dan Remick and Katelyn Defelice requested an informal overview by Agency members of a potential property the couple were considering purchasing. Mr. Remick and Ms. Defelice presented maps and gave an overview of the changes they would be looking to make. They requested feedback from members to help guide them.

Agency members answered questions and looked at maps presented. They assured Mr. Remick and Ms. Defelice that the Agency prefers working with residents and although they feel their plans for the property are more in line with keeping with the feel of the town, they

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would be required to put in formal applications and members would walk the property before they would be able to give them definitive approvals.

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

Agency members requested an update on retired Town Planner and all voiced their best wishes for her stating her presence will be missed.

**5. ADJOURNMENT at 8:35 PM**

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

Respectfully submitted,

Respectfully submitted,

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Mary Caruso, Recording Secretary

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Stephen Scavo, Chairman