

MINUTES - North Branford Conservation and Inland Wetlands and Watercourses Agency, Regular Meeting of Wednesday, August 27, 2014 - North Branford Town Hall, Town Council Chambers, North Branford, CT

INLAND WETLANDS & WATERCOURSES AGENCY AGENDA

Chairman Scavo called the meeting to order at 6:04 P.M.

ROLL CALL

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

Absent: Frank Brigano, Regular Member

Town Staff Present: Carey Duques, Town Planner and Kurt Weiss, Town Engineer.

Chairman Scavo read the legal notice and announced the opening of the public hearing.

2. PUBLIC HEARINGS:

- A. Application #2013/14-5, Install Geothermal Loops in Linsley Lake and trenching to install polyethylene 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.

Chairman Scavo gave a brief explanation to the public regarding protocol for the hearing, stating that the applicant's agent would give a presentation of the project, followed by questions from Agency members at which time the public would be invited to ask questions or make comments.

Town Engineer Kurt Weiss stated that after the presentation, Town Planner Carey Duques would submit correspondence.

Mr. Peter Tavino, certified geo exchange designer gave an in depth explanation of the plan for Dr. Crede's geothermal installation at his residence. He stated that because of the layout of the land, utilizing the lake would be the most appropriate application. Mr. Tavino gave an explanation on how the system works in both summer and winter without using any combustion. He additionally overviewed the statistics of the installation as well as an opinion on the zero impact this installation would have on the environment or the lake. Mr. Tavino also overviewed the safeness of propylene glycol antifreeze which is the agent used in the pipes to keep them from freezing. He expressed the desire to add an additional piece of equipment, which would push air circulation into the lake to help the effectiveness of the system.

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Alerting neighbors regarding a potential leak was discussed. Member Joiner questioned how soon the property owner might know if there was a leak. Mr. Tavino explained that each coil contains 4 gallons, a full break would release 20 gallons of propylene glycol (PG) into the lake in which case the pressure would end and Mr. Crede would know there was a problem, alert the heating contractor and email notify neighbors. Mr. Tavino stated they could add an extra alarm connected to detect the pressure of the system.

Dr. Crede suggested that depending on the size of the leak, a shutdown would be based on how quickly you would get to a certain low level pressure.

Mr. Tavino stated that 23 gallons pumping at 3 gallons per minute is approximately 7 minutes for the same water to return back.

Chairman Scavo commented on their alternative use of five coils seems to add more safeguards in case of a leak. There was discussion regarding potential alarms that could be used to inform the lake homeowners of a leak.

Chairman Scavo questioned the long-term maintenance and propylene glycol life.

Mr. Tavino stated that there is virtually no maintenance as the pipes are completely impervious; maintenance consists of checking pressure and changing air filters.

Town Planner Carey Duques read the following correspondence:

- Completed inland wetlands and waterways application dated 6/12/14
- Email from Manfred Noak regarding a release of 20 gallons of propylene glycol stating that in summary there would not be a long term impact just a temporary impact.
- MSDS sheets from Dow Chemical regarding the impact calculation if there were a leak into the lake, the calculations regarding the dilution of the propylene glycol
- Notification plan from Dr. Crede to his neighbors in case of a leak.
- Email information from Dr. Crede to Ms. Ross of Branford regarding a change of less than 1 degree to the water temperature.
- Plan referenced titled Source Heating and Cooling Exchange Site Plan. One plan dated 6/12/14 and one dated 8/21/14- included alternative supply and addition of the air supply
- Email opinion from Town Attorney and applicant's attorney speaking to the ownership of the lake and how it should be handled.

Member Fischbach questioned the temperature change of the lake and asked what the impact would be if everyone installed a system.

Dr. Crede explained that the temperature degree, which was-.012-degree change, was within one hundred feet from the coils.

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Mr. Tavino stated this is a minimal temperature change.

Member Fischbach questioned the reasoning for the air burst.

Mr. Tavino gave an overview of the reasoning, one of which was to keep the water from being stagnant and the manner of introducing the air into the lake.

Member Fischbach asked if they were happy with the MSDS sheet regarding the safety of the Propylene Glycol.

Mr. Tavino stated that it is the safest material for them to use.

Chairman Scavo commented that one of his major concerns was regarding the durability of the tubing, which he felt Mr. Tavino has addressed.

Mr. Tavino explained heat fusing done with the piping, and he assured members piping was the best material to use with the least chance of having any break in the system. Mr. Tavino also pointed out their choice to stay away from concrete, nylon roping or any PVC material.

Chairman Scavo opened the meeting up to the public for questions.

Catherine Hollinger, Off Twin Lakes Road spoke about her concerns for safety as well as preservation of the lake. She questioned how much disruption would be done to the sediment at the bottom of the lake, what the air flow would do and asked for a description of the coil system.

Mr. Tavino gave an overview of the dimension of the coils and explained that the air would be high not to disturb the sediment. He also explained that there would be sediment disturbance on digging day but would settle after the day.

Mr. Manfred Noak, 2 Linsley Lake Road, spoke on the possible environmental impact of the lake with the propylene glycol. He commented on the statement that the piping would last 100 years, questioning what that research was based on. He also questioned the fail safety of the system and how an alarm would be triggered. He suggested more technical information of how an alarm system would work be presented.

Dianna Ross, Inland Wetland Agent from Branford asked the members to hold the public hearing open to enable the Town of Branford to review all information. She stated that she had recently found out about the application through the public hearing notice and has not had sufficient time to notify the appropriate people to comment on the project.

Nancy Reynolds, Off Twin Lakes Road stated that the neighbors were never informed of the application. She additionally asked about the library project's experience with geo

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thermal stating she spoke to the installer on that project who was not as aware of the success of a lake installation. Ms. Reynolds suggested the Agency should hear opinions from other competing professionals.

Bill Decosi, Linsley Lake questioned the graphics of the original application site plan and his concerns on the aesthetics and safety. He felt they would be seen from the surface of the lake, which would change the nature of the environment. He also stated a safety concern with the coils being in the pathway of people who fish from their boats and the potential hazard with swimming and getting tangled in the coils. He felt the approval of this installation would set a precedent to potentially have a series of these systems installed.

Corlis Darge, 30 Linsley Lake Road shared many concerns raised tonight along with the suggestion that the true life span of the system could be more like 20 years. She questioned the responsibility of the system if it should cease working along with the possibility of the property changing hands. Ms. Darge suggested a future problem and who would take responsibility for an inoperable system in the lake.

Mr. Noak cautioned using the term food based for propylene glycol, as it is not.

Mr. Tavino began answering some of the questions brought up by the public comment segment. He gave a more in-depth explanation of the accurate depth of the coils stating they are 3' high by 10' long at the base, he reiterating the safety of them. He also addressed the issue of end of life of the system, stating although the system is guaranteed for 50 years with 100 years being the more realistic time frame.

On the topic of heavy equipment on the private road, Dr. Crede explained that there would be one day of work and it would be an excavation truck.

Town Engineer Kurt Weiss spoke regarding the legal opinion on ownership of the lake stating the Town is still working on the legal opinion with the Town Attorney.

In response to a question regarding pressure through the piping, Mr. Tavino explained the recommended is 5-psi minimum to about 40-psi maximum. He stated they will likely use 20-psi; with the pipe adequate to 200 psi and that they test it to 100 psi.

Catherine Hollinger stated they all care about the lake and that she does not want this to become adversarial and hopes that other knowledgeable people come forward with good information. She thanked the Agency for being part of this process.

Member Joiner made a motion seconded by Mark Perez to hold open the public hearing until September 24th at 6:00 pm. The motion passed unanimously.

3. NEW BUSINESS:

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- A. Application #2014/15-1, Development of a propane storage facility, office and parking at 40 Ciro Road within 100 ft wetland buffer area affecting 0.5 acre (21,000+ sq ft.) of buffer area. Assessor Map 27C, Lot 39-3, I-2 Zone. Owner Donald J. Fucci, Applicant/Agent: BPR, LLC/ Attorney Jeffrey Beatty.

Town Planner Carey Duques presented information on this application, which began several weeks ago, with an updated application today. She informed members that they have all current information in their packet along with correspondence.

Attorney Jeffrey Beatty, notified Agency Members of a correction regarding the applicants name, stating it should be correctly noted as 2772 BPR, LLC as shown on the application.

Robert Sonnichsen, P.E., engineer of Waldo & Associates of 89 State Street, Guilford, Ct for the applicants 2772 BPL, LLC. Mr. Sonnichsen gave an overview of the history of the application. Mr. Sonnichsen stated that test pits were excavated and overseen by East Shore Health District on August 21st and with their engineering team came up with an acceptable septic system, which was updated and will be resubmitted. Mr. Sonnichsen explained the plan in front of members showing the latest test drills done. He also gave a history of inland wetland approvals for this property as well as a complete overview of buildings; propane storage tanks, parking, landscaping, catch basins and water storage areas along with fencing that will be installed. The total impact area is approximately .48 acres (1/2 of what was included in the 2008 proposal.) Mr. Sonnichsen stated that propane storage facilities are among the most highly regulated industries in the country with the highest safety record in the country. They are currently working with the Fire Chief to develop a fire safety analysis, which will be available when the site plan is made submitted.

Bob Russo, certified soil scientist profession sedimentation control engineer spoke on the staff recommendations for the basin. Mr. Russo gave an overview of the natural vegetation that has grown and its adequacy to perform the function of retaining storm water. He gave an overview of some changes in the vegetation they are planning that will be improvements to any anticipated additional water flowing into the basin. He gave an overview of the time frame for addressing some of the natural vegetation with the anticipation of replacing some varieties with more beneficial plantings to address a greater variety of pollutants. He suggested they provide the town with a report of the benefits of the planting program. Looking also to aesthetics, they will plant blue flag iris closer to the road as well as additional evergreens while mowing the weeds in place now. Mr. Russo summarized by saying there are presently no direct impacts to wetlands and that they are dealing with a site that has already had significant alterations done previously to prepare for development. The basin is in place to take on storm water effectively. He also stated that the footprint presented for this project is actually less than was approved previously by the Commission.

Mr. Sonnichsen spoke on the approval of the subdivision of lot #2.

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Chairman Scavo commented that as mentioned, the catch basin was underused, and as it stands is in good shape to take on water. He did ask if any major grading or refilling.

Mr. Sonnichsen stated they would not have to do any work of that magnitude within 80 feet of the wetlands. Mr. Sonnichsen stated they would do a gradual regarding to allow runoff into the catch basin where it will be treated and go into the basin.

Chairman Scavo questioned the amount of trucks to be stored at one time. Mr. Sonnichsen replied stating the current plan includes three bays and a garage. The garage space is gauged for oil trucks but they do have smaller trucks, which might utilize that space. They are showing 5 bobtail delivery truck storage spaces as well as possibly modifying the spaces for other types of trucks. They are in the process of deciding the best use of this project. He also added that as the business grows they would continue to project the best use for the site.

Member Joiner asked what the rate of evaporation is, in case of a leak.

Mr. Sonnichsen stated it is high and they do not believe it would get into the wetland however, that documentation would be included in the emergency response information.

Member Joiner also asked about a safety leak, especially if it is a major one. She additionally questioned the impact of the environment in case of an explosion.

Mr. Sonnichsen responded that the likely hood of an explosion is millions of times smaller that of a residential incident. Mr. Sonnichsen assured Member Joiner that there has never been an explosion in a bulk storage facility in the United States such as the one proposed.

Member Joiner questioned the amount of propane in the storage tanks.

Mr. Sonnichsen stated there would be 30,000 gallon maximum storage in each tank.

Chairman Scavo suggested a site walk of the property. Members decided to do a site walk at 5:15 pm on September 24th before the next meeting.

Town Engineer Kurt Weiss stated that the wetland basin was created for the Troiano project, which was a much more intense development. There was discussion regarding Mr. Russo's recommendations for the vegetation and Mr. Weiss stated they are in an agreement that it would be an improvement.

Property Owner Donald Fucci stated that a safety plan has nothing to do with Inland Wetlands.

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Chairman Scavo explained that anything that could affect the wetlands is within their jurisdiction; therefore it is a question that they might need to address.

Town Planner Carey Duques stated that as part of their referral process the Fire Marshal, the Building Official and East Shore Health District look at the plan. The Fire Marshal has stated that everything looks good as long as they meet all the fire codes.

Mayor Anthony Candelora commented that Ciro Road is an Industrial park with a diesel filling station that can be a lot worse than propane. He stated propane dissipates quickly and goes low to the ground. He also stated that the fire chief has addressed the issue.

Carey Duques asked if Commission Members feel there is significant activity and impact to the wetlands as a result of this project. Chairman Scavo stated that a site walk would be beneficial and asked if members were in agreement, all agreed.

4. OLD BUSINESS (none)

5. OTHER BUSINESS

A. Approval of June 25, 2014 IWWA meeting minutes

Member Joiner made a motion to approve the minutes of the June 25, 2014 IWWA meeting, seconded by Member Fischbach. The motion passed unanimously.

6. WETLAND ENFORCEMENT OFFICER'S REPORT:

Chairman Scavo welcomed Town Planner Carey Duques to her new position.

There was discussion regarding some of the unanswered questions brought up by the public at tonight's hearing, such as responsibility of the owner.

Town Planner Carey Duques stated she would go through the questions and work with the applicant to answer all questions as well as speak to the Town Attorney regarding lake ownership and the rights of the lake residents.

7. ADJOURNMENT:

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

Respectfully submitted,

Respectfully submitted,

Mary Caruso, Recording Secretary

Stephen Scavo, Chairman