

**MINUTES - North Branford Conservation and Inland Wetlands and Watercourses
Agency Regular Meeting of May 23, 2012 - North Branford Town Hall, Town
Manager's Conference Room**

1. ROLL CALL

Chairman Scavo called the meeting to order at 7:06 p.m.

Gerry Fischbach, Regular Member

Ashley Joiner, Regular Member

Frank Brigano, Regular Member, absent

Mark Perez, Regular Member, absent

Town Staff:

Carol Zebb, Town Planner, Wetland Officer

Kurt Weiss, Town Engineer

2. NEW BUSINESS:

- A. Application #2011/12-8, Installation of drainage system including manhole, piping and flared outlet with rip rap, and 450 cubic yards of fill material and recycled pavement to back fill the pipe and regrade the area affecting approx. 0.17 acres within the 100 ft. wetland buffer area and 130 linear feet of the watercourse within the drainage ditch to be piped on 3 Commerce Drive with a portion of the proposed work on the adjacent 15 Commerce Drive; 3 Commerce Drive, Assessor Map 19D Lot 13-14, I-2 Zone, Owner COP Enterprises, Applicant Ozzie's Carting Company and 15 Commerce Drive, Assessor Map 19D Lot 13-12, I-2 Zone, Owner W.E. Hitchcock LLC

Town Planner Zebb stated that this application was just subject to a field walk with all in attendance as well as the applicant/owner, Paul Stankiewicz and the adjacent owner, Bill Hitchcock. A revised plan dated 5/23/12, Town Engineer comments and calculations of rip rap were submitted tonight.

Gary Greenalch, the project engineer, stated there was a lot of erosion of the stream banks and the drainage ditch was clogging up with debris. On the Ozzie's Carting property, it was coming down into the stream. The problem of the damaged area of the stream will be corrected with this proposal. This project was designed by taking the maximum pipe flows that came into the channel way to design a pipe size at a pitch that will handle all the water. All the pipes will come together in a manhole. This will alleviate the erosion maintenance problem. Erosion controls will be set up during construction and are marked on the map in green.

Town Engineer Weiss stated the pipes were sized for the worst case scenario. The existing pipes were 30" and 18". He noted that the existing headwall may have to be removed to tie the two pipes together. The goal was to keep all the large trees and the tree line on the upper level of the bank adjacent to the Hitchcock property.

In response to the Agency's question on when the project might start, Mr. Stankiewicz stated that the project was tied into the State's Route 80 reconstruction project timetable for the land cuts on the north side of the highway. The soil from those regrading areas would be the

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fill that would be deposited for the project on this property. Recycled Bituminous pavement from that State project would be used for the finished surface material so that storage containers could be stored there.

Town Planner Zebb explained that because the site was an industrial I-2 zone, the Zoning Regulations allowed outside storage in the area starting at the 50 ft. front setback line from the street line subject to site plan approval by the Planning and Zoning Commission. Some type of outside storage area screening might be required.

Town Engineer Weiss suggested to the Agency that another 10-15 ft. of rip rap be added at the proposed end of the project's rip rap channel.

Member Fischbach moved, seconded by Member Joiner, to approve IWWA Application #2011/12-8, Installation of drainage system including manhole, piping and flared outlet with rip rap, and 450 cubic yards of fill material and recycled pavement to back fill the pipe and regrade the area affecting approx. 0.17 acres within the 100 ft. wetland buffer area and 130 linear feet of the watercourse within the drainage ditch to be piped on 3 Commerce Drive with a portion of the proposed work on the adjacent 15 Commerce Drive; 3 Commerce Drive, Assessor Map 19D Lot 13-14, I-2 Zone, Owner COP Enterprises, Applicant Ozzie's Carting Company and 15 Commerce Drive, Assessor Map 19D Lot 13-12, I-2 Zone, Owner W.E. Hitchcock LLC, as shown on submitted application maps entitled "Site Modification Plan for Ozzie's Carting Co., 3 Commerce Drive, North Branford, CT; Site Plan Sheet S1, Grading & Drainage Plan Sheet S2, Erosion Control & Sedimentation Control Sheet S3, Site Details S4, all dated 5-9-12 and revised 5-23-12, prepared by Gary M. Greenalch, P.E.", with the following standard conditions #1 through 8, 10, 12 and special condition #17:

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.

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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.
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.
17. Field changes related to the possible extension of rip rap within the downstream channel and the possibility of headwalls being allowed to remain must meet the approval of the Town Engineer.

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

3. OTHER BUSINESS:

- A. Review and discussion of latest draft of updated regulations and associated information.

The Agency concurred with the Town Planner to postpone this item to the next meeting.

- B. Any Other Item

Town Planner Zebb suggested the Agency change the scheduled June meeting from June 20th to June 27th. The Agency concurred noting that the June 20th was during the week school was getting out.

Town Planner Zebb informed the Agency that Bill Choti, the facilities manager for the public schools, informed her that the school superintendent was looking into the possibility of installing a sand volleyball area behind the high school gym and was inquiring if a wetland application permit was needed. Member Joiner stated, based on her knowledge of that area,

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that it was a wetland area with a stream. Chairman Scavo suggested an application be filed but that the fee be waived. Town Planner noted that all municipal applications had waived fees.

4. WETLAND ENFORCEMENT OFFICER'S REPORT

Town Planner Zebb visited all the sites that had previous notices of violations or cease and desist orders noting all the sites were under control and complying.

Member Joiner raised the issue that Coyne's automotive building development on Foxon Road still needed to fix the drainage problem with its detention basin. Town Engineer Weiss stated he knew about the problem and had been too busy with other work to have time to talk with the contractor to correct the problem. He said that he would.

Town Planner Zebb informed the Agency that she and the ZEO had a meeting with Maisano Construction, owner of 1059 Middletown Avenue, regarding the nonregistered old trucks and construction equipment debris along the properties at 1059 and 1071 Middletown Avenue. The meeting produced information that the two property owners were currently in a property dispute as to where their boundaries were since they had no available detailed surveys. Until the property line was defined, she told the Agency that the Town could not determine who to cite on a zoning regulation violation and would have to wait to issue any violation notice.

5. ADJOURNMENT – 8:00 P. M.

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

Respectfully submitted,

Respectfully submitted,

Janet S. Crean, Recording Secretary

Stephen Scavo, Chairman