

MAYOR
MICHAEL J. DOODY

DEPUTY MAYOR
JOSEPH E. FAUGHNAN

TOWN MANAGER
MICHAEL T. PAULHUS



COUNCIL MEMBERS
ROSE MARIE ANGELONI
DANIEL ARMIN
ANTHONY S. CANDELORA
MARIE E. DIAMOND
CHRIS MANNA
GEORGE MILLER
ALFRED D. ROSE

TOWN OF NORTH BRANFORD

TOWN HALL 909 FOXON ROAD NORTH BRANFORD, CONNECTICUT 06471-1290
Building Department (203) 484-6008 Engineering Department (203) 484-6009 Planning & Zoning (203) 484-6010
Department Fax (203) 484-6018

MINUTES REGULAR MEETING NORTH BRANFORD CONSERVATION & INLAND WETLANDS & WATERCOURSES AGENCY

Wednesday, November 18, 2015
6:30 p.m.
Town Hall- 909 Foxon Road

1. CALL TO ORDER

Chairman Scavo called the meeting to order at 6:30 p.m.

2. ROLL CALL

Present: Stephen Scavo, Regular Member, Chairman
Frank Brigano, Regular Member
Ashley Joiner, Regular Member
Lisa DePonte, Regular Member
Absent: Gerry Fischbach, Regular Member
William Galdenzi, Alternate Member

Town Staff Present: Carey Duques, Town Planner and Wetland Officer

3. MINUTES – Meeting of October 28, 2015

Minutes from October 28, 2015- Member Brigano made a motion to approve the minutes of October 28, 2015, seconded by Member Galdenzi. With all in favor and one abstention from Member Joiner, the motion passed

4. OLD BUSINESS

A. IWWA Application #2015-4, Site plan review for construction of commercial retail building, sidewalks, parking area, storm water management system and site grading located inside 100 foot upland wetland review area at **1111 Foxon Road** (Assessor Map 25, Lot 14), B-1/R-40 Zone. *Owner: 1111 Foxon Road LLC/Applicant: Gary Eucalitto, BL Companies*

Town Planner Carey Duques reviewed questions by members from the last meeting. She stated all recommended changes were addressed. Ms. Duques also overviewed additional changes should certain establishments occupy the building.

Members discussed potential future tenants and the need to revisit Inland Wetlands for approval. Ms. Karen Isherwood from BL Companies gave a brief overview of the project as well as any regulations for a change of use in the future.

MOTION: Member Brigano moved to approve, seconded by Member Joiner; IWWA Application #2015-4, for construction of commercial retail building, sidewalks, parking area, storm water management system and site grading located inside 100 foot upland wetland review area at **1111 Foxon Road** Assessor Map 25, Lot 14, B-1/R-40 Zone Owner: 1111 Foxon Road LLC/Applicant: Gary Eucalitto, BL Companies, as contained in submitted application documents listed below:

“Permitting Plans Submitted for Site Plan Application; Proposed Retail 1111 Foxon Road North Branford, Connecticut” Prepared for Sound Garrett Arch, LLC Prepared By: BL Companies Issue date October 14, 2015, containing the following sheets:

- Sheet No: BS-1 “Property/Topographic Survey” Dated 9/9/15 Scale: 1”=30’ Stamped by Michael Garon L.S.
- Sheet No: GN-1 “General Notes” Dated 10/14/15
- Sheet No: DM-1 “Demolition Plan” Dated 10/1/4/15 Scale 1”=30’
- Sheet No: SP-1 “Site Plan” Dated 10/14/15 Scale 1”=30’
- Sheet No: GD-1 “Grading and Drainage Plan” Dated 10/14/15 Scale 1”=30’
- Sheet No: SU-1 “Site Utility Plan” Dated 10/14/15 Scale 1”=30’
- Sheet No: EC-1 “Erosion Control Plan” Dated 10/14/15 Scale 1”=30’
- Sheet No: EC-2 “Erosion Control Notes” Dated 10/14/15
- Sheet No: LL-1 “Landscape Plan” Dated 10/14/15 Scale 1”=30’
- Sheet No: LL-2 “Landscape Details and Notes” Dated 10/14/15 Scale 1”=30’
- Sheet No: LP-1 “Lighting Plan” Dated 10/14/15 Scale 1”=30’
- Sheet No: DN-1 “Site Details” Dated 10/14/15
- Sheet No: DN-2 “Site Details” Dated 10/14/15
- Sheet No: DN-3 “Site Details” Dated 10/14/15
- Sheet No: DN-4 “Site Details” Dated 10/14/15
- Sheet No: DN-5 “Site Details” Dated 10/14/15
- Sheet No: DN-6 “Site Details” Dated 10/14/15

“Stormwater Management Report; for the Proposed Dollar General Located at 1111 Foxon Road North Branford CT” Dated October 14, 2015 Prepared for: Sound Garrett Arch, LLC. Prepared by: BL Companies.

with the following standard conditions:

STANDARD IWWA CONDITIONS

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 of deed with Town Clerk. Failure to do so may invalidate the permit.

- 3a. Amount of Performance Bond shall be set by the Town Engineer for erosion and sedimentation control measures, earth removal, regarding, planting and piping. The bond must be in a form and surety acceptable to the Town Attorney.
- 3b. 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.
- 3c. This bond shall be posted prior to any site disturbance or issuance of the Agency's permit.
- 3d. 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 prior to or upon issuance of this permit and inspected by the Town Engineer prior to commencing work. These controls must be maintained during and after construction and removed upon site stabilization.
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 ten (10) 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 Watercourse Agency.

6. The Agency's agent 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" of crushed stone (1 1/2" to 3") underlain with construction frame spread to the traveled width and 40' 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.

And the following special conditions (if any):

17. The stormwater system located on site shall be operated and maintained per the Stormwater System Operations and Maintenance Plan dated October 14, 2015 and revised to November 10, 2015 (see attachment).
18. All floor drains shall be connected to the sanitary sewers.
19. If chemicals or hazardous materials are on site the Stormwater System Operations and Maintenance Plan dated October 14, 2015 and revised to November 10, 2015 shall address how they are handled and what would be done in the event of a spill. Material Safety Data Sheets shall also be kept in the Operations and Maintenance binder. Prior to being issued a Certificate of Occupancy the tenant shall submit a copy of the Operations and Maintenance Plan to the Wetlands Enforcement Officer/Town Planner.
20. If the change of use deviates from retail the property owner/applicant shall obtain comments and approval from the Town Engineer.

With all in favor, motion passed.

5. NEW BUSINESS

- A. IWWA Application #2015-5**, Site plan review for after the fact permitting of an addition to existing house and construction of multiple accessory buildings located inside 100 foot upland wetland review area at **20 Norwill Drive** (Assessor Map 3, Lot 53), R-40 Zone. *Owner: Karen Abbatello/Applicant: Jeff Abbatello*

Town Planner Carey Duques gave an overview of the applicant's history; members viewed the applicant's site plan.

Mr. Abbatello addressed the work he had done on the property and gave a history and time line of work. Mr. Abbatello answered questions by members and members requested a walk through.

Ms. Duques reviewed the additional permits the applicant has applied for as well as what the permit is covering.

Town Planner Duques read referrals from the Building Official, the Town Engineer as well as an update.

Member Brigano stated for the record that his opinion would be to have the applicant remove all structures and work that was done without proper permitting. He stated the applicant had knowledge of the permit procedure having applied for a permit in the past.

Member DePonte moved to table a decision on the IWWA Application #2015-5 until the next meeting, pending a site walk to be held on Sunday November 22 at 1 pm, seconded by Member Brigano. With all in favor, motion passed.

6. WETLAND ENFORCEMENT OFFICER'S REPORT

Nothing to report.

7. OTHER BUSINESS

Member Brigano informed members that he visited the Bridgewater Estates site on Middletown Avenue and voiced concern that the project is not following the permit requirements. He suggested they do a site visit.

Town Planner Carey Duques reported that she would be visiting the site with the Town Engineer and will report back at the next meeting.

8. ADJOURNMENT

MOTION: Member Brigano moved, seconded by Member DePonte to adjourn at 7:20 p.m. With all in favor motion passed.

Respectfully Submitted,

Respectfully Submitted,

Mary Caruso, Recording Secretary

Steven Scavo, Chairman