

**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, January 25, 2017

6:30 p.m.

Town Hall - 909 Foxon Road

### 1. CALL TO ORDER

Chairman Scavo called the meeting to order at 6:37 pm.

### 2. ROLL CALL

Present: Steven Scavo, Regular Member, Chairman  
Ashley Clow Joiner, Regular Member  
Frank Brigano, 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 – Site Walk of October 26, 2016 and Regular Meeting of December 14, 2016;

Member Brigano motioned seconded by Member DePonte to accept the minutes from the Site Walk of October 26, 2016 and the minutes the Regular Meeting of December 14, 2016.

Member Joiner requested that the Motion be amended to include the recommendations from the Site Walk on October 26, 2016 including no additional trees be cut, the maples and willows not be cut, and no mowing beyond the top of the bank, as stated in the meeting minutes regarding this issue.

Member Brigano motioned, seconded by Member DePonte to accept the minutes from the Site Walk of October 26, 2016 with the amendment as requested.

With all in favor, the motion passes.

#### 4. OLD BUSINESS

- A. Application #2016-16**, Site plan review for construction of a single family house and septic system within the 100 foot upland wetland review area at **45 Clear Lake Road** (Map 41, Lot 41A), R-40 Zone. *Owner: K4K LLC /Applicant: Sage Custom Homes c/o Kimberly Bailey*

An updated plan was provided by Town Planner Duques, which include comments from the East Shore Health Department, who approved the proposed construction.

Mr. Bob Criscuolo, of Criscuolo Engineering LLC, explained the comments made by the East Shore Health Department, which included requests for the following:

1. Submission of house floor plan
2. Prescription of the plan
3. The addition of a symbol in the legend be added to note the site of the perk testing
4. Contact be made to the neighbors for the location of their wells
5. The utilities to be supplied to the home
6. Asked if a propane tank was at home, and the location of the tank.

Mr. Criscuolo met each request made by East Shore Health and the East Shore Health Department approved the plans. Additionally, the soil testing from the prior years was confirmed.

Town Planner Duques mentioned that the information provided by Mr. Criscuolo regarding the S Box system was forwarded to each member.

Member Brigano expressed his continued concerns after his continued research and the recommendations of NOWWA, National On-Site Waste Water Association and the United States Environmental Protection Agency, who both strongly recommend against driving over leech fields. Member Brigano further stated that he would not be able to vote to pass this proposal given this information. He would like a warranty to certify the S Box.

Mr. Criscuolo submitted for the record a letter of approval dated March 21, 2011, from the Department of Public Health for the State of CT, which approved this system and the construction detail for driving over the top of the leeching system and is signed by Matthew Pollock of the State of CT. Additionally, he submitted sheet 204 that has been approved by the State of CT for his plans. Also, sheet 404, which is the first page of the public health code which further shows the support of his plan as safe; as well as documentation from the S Box manufacturer.

Mr. Criscuolo also confirmed the letter from East Shore dated January 23, 2017 approves the plans he submitted.

Member Brigano requested a warranty, and although he appreciates the documentation as provided, he does not believe this is a good plan.

Mr. Criscuolo guarantees that this system will not fail as long as this system is properly maintained. He will provide a letter stating this to the attention of Town Planner Duques.

Michael Madeline, with Sage Custom Homes, spoke regarding these plans and stated that this home he is building it for his mother and that he has used the S Box system with success. He indicated that every business in Guilford, including Big Y and Wal-Mart have their parking area over the septic systems.

Member Joiner asked how far the well is from the S Box.

Mr. Criscuolo indicated that it is 75 feet.

Town Planner Duques received a letter from Guilford, because the property is within 500 feet of the adjacent town, indicating that there is no issue from their perspective to the plans as presented.

Member DePonte inquired about the number of feet is under the driveway.

Mr. Criscuolo indicated that it about 12 feet.

Chairman Scavo asked the percentage of the unit that is under the driveway.

Mr. Criscuolo indicated that it is less than 20 percent. He further explained that the layout of the lot makes it difficult to have the driveway in another area.

Member DePonte asked if the driveway could eliminate the turn around, and approached the map.

Mr. Criscuolo answered that the placement of the garage and requirements to allow cars to park and maneuver would make this unfavorable.

Member DePonte motioned, seconded by Member Joiner to approve the **Application #2016-16**, for construction of a single family house and septic system within the 100 foot upland review area at 45 Clear Lake Road a total of approximately 8200 sq. feet, of upland review area to be impacted (Map 41, Lot 41A), R-40 Zone. *Owner: K4K LLC /Applicant: Sage Custom Homes c/o Kimberly Bailey*; as contained in submitted application documents and shown on entitled plans; property located at #45 Clear Lake Road, North Branford, CT prepared by Criscuolo Engineering LLC; stamped by Robert A Criscuolo PE, page one of two proposed plot plan and on-sight wastewater disposal plan, scale 1" to 10 ft., dated December 1, 2016 revised January 2, 2017, page 2 of 2 wastewater detail erosion and sediment control notes and details dated December 1, 2016 existing conditions, property located at #45 Clear Lake Road, North Branford, CT prepared by Criscuolo Engineering LLC., stamped by Robert A Criscuolo PE, page one of one property and topographic survey scale 1' to 10 feet dated November 22, 2016 with the following standard conditions; IWWA Conditions 1, 2, 3A, 3B, 3C, 3D, 4, 5, 6, 7, 8, 9, 10, 11, 12, and with the following special condition of a letter of warranty on the septic system to be sent to the Office of the Town Planner, Attention Town Planner Carey Duques.

Passed 3 – 1

For: Chairman Scavo, Member Joiner, and Member DePonte

Against: Member Brigano

**B. Application #2016-17;** Site Plan Review for replacement and enhancement of an existing dock on Linsley Lake at 189 Twin Lakes Road (Map 10, Lot 2), R-40 Zone. Owner/Applicant: Ms. Kate McLaughlin

Town Planner Duques indicated that Kate McLaughlin requests an extension of 35 days as she is looking for a new contractor.

Member Joiner motioned, seconded by Member Brigano to table this motion until further notice with the required two week notification prior to the meeting date.

## 5. NEW BUSINESS

**A.** Discussion with North Branford Conservation Land Trust about Open Space in North Branford owned by the Town and the Land Trust.

Dave Sargent, President, provided a package of information on the Trust. He indicated that there is no conflict of interest if the IWWA Committee members would like to join the North Branford Conservation Land Trust.

David Wakefield, Vice President, North Branford Conservation Land Trust  
Otto Schaeffer, Secretary, North Branford Conservation Land Trust  
Ed Casco, Board Member Susan and Patty, Members of the Land Trust

A discussion ensued regarding the Top Five Critical Choices for the North Branford Conservation and Land Trust regarding the current state of each parcel and the interest of the Trust to maintain their current state and preserve the open land. The interest in these areas include the consideration of the habitats of the species that live on this land, but also for the development of trails for hiking which serve to help the emotional and physical wellbeing of our residents.

Chairman Scavo inquired to how the IWWA could best serve to assist the North Branford Conservation Land Trust, as the goals of each committee are aligned.

Dave Sargent agreed that the goal is to preserve open parcels of land in our town and we need to preserve the land and expand our trails. If the committees work together and advocate as a unified front, the interest to maintain open land will be better represented and grant money would be more likely obtained.

Town Planner Duques has begun to review, roughly 15 small parcels of land that are mainly wetlands and has begun to make the recommendation that the North Branford Conservation Land Trust be made the steward of the land, as they border the land currently owned by the Land Trust.

There is a CT Land Conservation Conference on March 18, 2017 for those who have an interest in the environment. Member DePonte attended last year. The conference

was very interesting. If someone would like to attend, please provide notice as soon as possible by notifying Town Planner Duques.

A question was posed as to the regulation pertaining to the 10% of open space and if wetland is a part of that 10%.

Town Planner Duques indicated that with regards to a subdivision, if the Planning and Zoning decides to impose a fee in lieu of open space, the money needs to go into a designated fund. Pertaining to the open space requirement, the 25% of the 10% can be wetlands; it needs to be useable space.

Member Brigano inquired about the builders on Mill road and the recommendation that this go to the North Branford Conservation Land Trust.

Town Planner Duques indicated that this is in the process of being transferred.

Mr. Otto Schaeffer, Secretary of The North Branford Conservation Land Trust, and employee of the Regional Water Authority for 38 years indicated that with regards to land acquisition, the more cooperation with the other land trusts, wetlands, and town committees; earns a lot of points. Further, the Farm River is a resource that should not be overlooked, as it connects North Branford and Northford. A tributary bridge may be requested in the future. It would be appreciated if such a request would be expeditiously executed.

Chairman Scavo indicated that the Farm River is in the thoughts of the Wetlands Committee and a regulation was put forth to help protect it.

For further information visit the website and Facebook. There is a Resource Page with a Maps Link which link to maps that have been developed using GPS.

Town Planner Duques will look into the possibility of adding a link to the Town Website.

**B.** Request for Bond Release for IWWA Application #2005/06-1 111 Foxon Road  
Town Planner Duques has been reviewing older bonds. Kurt Weis verified completion of the project and recommended that the bond be released in their entirety.

Member Joiner moved to release in its entirety the performance bond totaling \$11,973.00 for work associated with IWWA Application #2005/06-1 111 Foxon Road B1 Zone Owner/Applicant: Glen Meadow Realty LLC C/O Herman Dostie. Based on the completion of the work including the installation of drainage pipes and the associated drainage outlets and starch treatment within the regulated wetlands and 100-foot wetland review area.

**Motion Passes.**

## **6. WETLAND ENFORCEMENT OFFICER'S REPORT**

Ms. Duques provided a draft budget, which represents the request by Town Manger Michael Paulhus of a 0% increase. She discussed how funds were allocated and the amounts spent as well as the balances remaining.

Member Joiner requested that it be noted that with increased fees, and collection thereof, the revenue of the IWWA has increased.

Town Planner Duques reviewed the current budget. The proposed budget represents the 0% increase as requested.

## **7. OTHER BUSINESS**

Another Professional Development opportunity is March 25 at Wesleyan "CT Land Use Law for Municipal Agencies Boards and Commissions", which is more Planning and Zoning Committee, but it has a Wetlands Committee component, also.

An electronic survey may be forthcoming regarding your economic vision of the town.

Member Brigano mentioned and all were in agreement that emails, are acceptable for appropriate information in order to save funds and resources.

Town Planner Duques will inquire if there is a conflict of interest in a committee member from the IWWA joining the North Branford Conservation Land Trust.

## **8. ADJOURNMENT**

Member DePonte motioned, seconded by Member Brigano to adjourn. With all in favor, the meeting was adjourned at 7:51pm.

Respectfully Submitted by,

---

Michele Pollock, Recording Secretary

---

Steven Scavo, Chairman