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TOWN OF NORTH BRANFORD

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MINUTES

SPECIAL MEETING

NORTH BRANFORD CONSERVATION & INLAND WETLANDS & WATERCOURSES AGENCY

Wednesday, January 3, 2018

6:30 p.m.

Town Hall- 909 Foxon Road

1. CALL TO ORDER

Chairman Scavo called the meeting to order at 6:35 p.m.

2. ROLL CALL

Present: Chairman Scavo, Members: Lisa DePonte, Frank Brigano, Ashley Joiner and Town Planner, Carey Duques

3. MINUTES

A. Site Walk December 9, 2017

Motion: Member Brigano moved, seconded by Member Joiner to approve the Site Walk minutes from December 9, 2017.

With all in favor, the motion passed.

B. Special Meeting December 13, 2017 – Tabled

4. NEW BUSINESS

A. IWWA Application #2017-7, Site Plan and Subdivision; Proposed 13 lot residential subdivision, +/- 570 Linear foot cul de sac and storm water detention basin; regulated activities includes, grading for lots 4, 5, 9, and 13, houses on lots 10 and 13 and driveway on lot 12, detention basin and associated outlet; located at **363 Totoket Road**, Assessor Map 36 Lot 10, R-40 Zone. *Owner: What TF LLC; Applicant: ATA Realty*

Discussion: Town Planner Duques explained that the former application was withdrawn and this application is new and needs to be treated as a separate application. The IWWA has to determine if the proposed activities are significant, as this is a brand new application, for all intensions and purposes.

Attorney Joan Molloy thanked the Agency for holding this special meeting. There are a few changes and questions on how to proceed. East Shore Health District and the Regional Water Authority have come up with an option allowing public water to this property. By moving the detention basin to lot 9 and creating a new lot 13, an extension will allow for the hook up of water.

The detention basin will now be behind lot 9, of which a portion is within the 100 foot wetlands upland review area.

The new location allows for storm water from Totoket Road to come off and be treated in the new basin.

Attorney Molloy distributed IWWA #2017-7 Exhibit #1: Overall Site Development Plan Dated December 22, 2017.

Chairman Scavo sees the need for a public hearing.

The public hearing for the previous application was not closed, although the application was withdrawn, therefore a new public hearing would be appropriate.

Member Brigano commented that Lot 13 is within a 100 feet from the upland water review area.

Motion: Member DePonte moved, seconded by Member Joiner to hold a Public Hearing on January 24, 2018 for the Review of Application of #2017-7.

With all in favor, the motion passed.

Attorney Molloy requested a portion of the fees be waived.

Town Planner Duques reviewed the difference in fees.

Motion: Member Brigano moved, seconded by Member DePonte accept the modification of the fees as explained by Town Planner Duques.

With all in favor, the motion passes.

Attorney Molloy would like to ask that the previous exhibits be included as part of this application and reviewed at the public hearing to avoid the repetition.

Town Planner Duques wanted to make sure that the procedure is followed for legal purposes.

Attorney Molloy indicated that the list of exhibits would need to be printed, if there was an issue. She will make a list of the exhibits and minutes in order to agree on the content to be provided for the Public Hearing.

Finally, they would like to publically thank the RWA, ESDH, the Agency and staff, which have met and come up with a workable solution to have public water as a possibility for this property.

Member Brigano inquired about the listing on the map, which is "NF Clearview Farm", which is now listed as "Lot 13". This lot was split from the original parcel and is not part of this application.

Lot 14 is outside of the review area, so if developed at some point, it would not have to go before the IWWA.

- B. IWWA Application #2017-5, Revisions to Site Plan application for construction of a *6,000 sq. ft. increase of 740 sq. ft. storage building/garage (in the same location as originally submitted), associated perimeter fire access road, parking, retaining wall and fence (if required) 50 feet from*

wetlands at 90 Ciro Road; a total of approximately 12,657 sq. ft. of upland review area to be impacted. Assessor Map 13, Lot A30, I-2 Zone. *Owner: Maclellan North Branford LLC; Applicant: John Paul Garcia (Original application approved December 13, 2017)*

Planner Duques described the proposed change which includes increasing the size of the largest building located in the 100 foot upland review area to 100' X 60'. The area was originally proposed as being pavement so no additional area will be impacted by the change.

Motion: Member Brigano moved, seconded by Member DePonte to approve IWWA Application #2017-5, for construction of a 6,000 sq ft storage building/garage, associated perimeter fires access road, parking, retaining wall and fence (if required) 50 feet from wetlands at 90 Ciro Road; a total of approximately 12,657 sq feet of upland review area to be impacted. Map 13, Lot A30, I-2 Zone. Owner: Maclellan North Branford LLC; Applicant: John Paul Garcia, as contained in submitted application documents and shown on entitled plans:

Prepared for Arrow Paving Incorporated Property Located at 90 Ciro Road North Branford, CT
Prepared By: John Paul Garcia and Associates Engineers and Surveyors Stamped by John Paul Garcia, PE

Page C-1: 'Proposed Site Plan; Scale 1"=30' dated September 21, 2015, Latest Revision December 26, 2017

Page C-2: 'Erosion and Sediment Details'; dated September 21, 2015, Latest Revision December 22, 2015

Page C-3: 'Typical Details'; dated September 21, 2015, Latest Revision November 29, 2017

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, and regarding. 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 site disturbance within the review area 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 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 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):

13. Adherence to recommendations and requirements of the East Shore District Health Department

5. OLD BUSINESS

A. IWWA Application #2017-6, Site Plan to remove two culverts from the Farm River at **363 Totoket Road and 127 Forest Road** Map 36 Lot 10 and Map 36 Lot 16, respectively, R-40 Zone. *Owner: WTF, LLC; Applicant: Mark DiLungo (Application received November 15, 2017, Continued December 13, 2017)*

Motion: Member DePonte seconded by Member Brigano to approve IWWA Application #2017-6, Site Plan to remove two culverts from the Farm River at 363 Totoket Road and 127 Forest Road. Owner: WTF, LLC; Applicant: Mark DiLungo Map 13, Lot A30, I-2 Zone, as contained in submitted application documents and shown on entitled plans:

363 Totoket Road Culvert Removal Plan North Branford, CT Prepared By: Cole Engineering dated November 13, 2017 with the following standard conditions: 1, 2, 3a, 3b, 3c, 3d, 4-8, 10-12 and special conditions 13 and 14

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, and reguarding. 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 site disturbance within the review area 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 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 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.

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):

13. Adherence to recommendations from Regional Water Authority dated December 12, 2017 (See attached)

14. Adherence to "Culvert Removal Construction Sequence" as submitted (See attached)

With all in favor, the motion passed.

6. OTHER BUSINESS: None.

7. ADJOURNMENT

Motion: Member DePonte moved, seconded by Member Brigano to adjourn at 7:10 p.m.

With all in favor, the motion passed.

Respectfully Submitted by,



Michele Pollock

1-8-18

Date

Steven Scavo

Date