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TOWN OF NORTH BRANFORD

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MINUTES
REGULAR MEETING
NORTH BRANFORD CONSERVATION & INLAND WETLANDS &
WATERCOURSES AGENCY
Wednesday, February 28, 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 Stephen Scavo, Alternate Member William Galdenzi, Regular Member Ashley Joiner, Town Planner Carey Duques, Town Engineer Kurt Weiss, Barbara Schellenberg with the Town Attorney's Office

3. MINUTES –January 24, 2018

Motion: Member Galdenzi moved, seconded by Member Joiner to approve the minutes of January 24, 2018.

With all in favor, the motion carries.

Public Hearing was continued at 6:37 p.m.

4. PUBLIC HEARING

A. IWWA Application #2017-4, Site Plan and Subdivision; Proposed 3 lot residential subdivision and construction of 2 residential single family homes; regulated activities includes construction of two driveways, wetland crossing with 12" cross culvert, and cuts and fills associated with the construction at **67 Totoket Road**, Assessor Map 7, Lot 1, R-40 Zone. *Owner: RSMP LLC; Applicant: CW Landmark Group LLC (Application received October 25, 2017; Site Walk December 9, 2017; Voted Significant Activity on December 13, 2017; Public hearing continued on January 24, 2018).*

Town Planner Duques reported that she received a certification, which is a requirement because the property is within 500 feet to the Branford town line that indicates that water will not run off the property into the street and impact traffic.

Van Hopson, with Milone and MacBroom, 99 Realty Drive in Cheshire discussed updates to the plan as follows:

A single family house design is being proposed for Lot #3, which is the southernmost lot. The house was tucked as far as possible to increase the size of the rear yard.

A cedar fence has been added on which IWWA placards can be placed to delineate the wetlands areas.

To convey the flow of water to the existing culvert, a two-foot high earthen berm was added along the wetland boundary.

The connection would be made at the existing culvert by removing the end walls and connecting with a PCP pipe to extend it.

In response to a concern identified by Kurt Weiss, the Town Engineer regarding the possibility of a damn being created by this berm, an inlet will be added to capture the flow and convey the water through the culvert.

A Wetland Impact Assessment Report was completed.

Meghan Raymond, the Wetlands Scientist, explained this assessment, which summarized the material that was reported and testified to by William Root, the licensed soil scientist at the January IWWA meeting. He reviewed the location and composition of the wetlands at this meeting, as well. Ms. Raymond explained that the report breaks the information down into direct or indirect impact to, as well as short or long-term impact to wetlands. There will be no impact to the western portion of this 20-acre piece post construction, provided that sedimentation and erosion control measures are in place during and after construction.

Given the location of the wetlands on this property, the frontage of the property on Totoket Road necessitates a direct impact to the wetland in relation to the culvert, as discussed by Mr. Hopson.

There is a 1200 square foot direct wetland impact that will be required to install the new culvert extension and the driveway crossing to the one, single-family dwelling lot.

The wetland is comprised of a man-altered system, which emanates from a shallow dug well. This is an oscillating well, with a conveyance feature, which will be maintained.

In terms of long-term impact, Ms. Raymond explained, the actual nature of the flow will not be impeded to the Burrs Brook Tributary, which ultimately connects to the Farm River. The demarcation of the wetlands will assist in preserving the wetlands. Modifying the conveyance feature and minimizing flow to the rear of the existing manufacturing plan has been achieved by the installation of the berm.

Member Joiner asked if the culvert has been scoped to determine if there is any obstruction or breakage.

Mr. Hopson explained that a visual inspection was done and the inline outlet looked to be in good condition and he believes that the PVC pipe is in decent shape.

Additionally, Mr. Hopson reported that a concrete slab, similar to the ones protecting the other system, would replace the car hood that is currently over the culvert.

Member Galdenzi requested clarification on a statement made regarding the source of water being from the well.

Ms. Raymond explained that the water originates from the well, but there is ground water seepage, as well.

Chairman Scavo asked if the hookups for the city water and sewers are delineated in the plan.

Mr. Hopson reported that the sewers are a work in progress, however, the water is on the same side of the property.

Town Engineer Weiss explained that the water and sewers would be hooked up along the driveway of Lot 1 and in the front of the property of Lot 3.

Chairman Scavo asked if both houses would be built on slab.

Mr. Hopson commented that Lot 1 would be towed into the grade. The house on Lot 3 would be cut into the grade with a slab on the low side and cut in on the high side. Both could have fully excavated basements.

Town Engineer Weiss commented that the berm proposed would protect and direct the water to flow into the channel in order to keep it out of the wetland area. Regarding the driveway from Lot #1, a damn is effectively created, which requires an inlet to be installed so that water does not flow onto Totoket Road.

Mr. Hopson agreed that an inlet is required. Either an inlet with a catch basin in order to establish a depression there, or a flared end section on one end of the culvert would protect the wetlands and keep water from running onto the road.

At 6:55 p.m., Chairman Scavo opened the meeting to hear public comment.

Roy Volta, 65 Totoket Road asked if there would be blasting that would impact the wells of the homeowners.

Mr. Hopson answered that he does not anticipate any blasting for construction on Lot 1 or 3.

Roy Volta asked for a guarantee that no blasting will be required so that no foundations will be impacted. He also requested information about the oil and sludge that is coming up from the ground. He added that there are contaminants coming out of the ground from the Silly Putty factory.

Chairman Scavo commented that the IWWA was not aware of this, as it was not evident on the site walks, but assured Mr. Volta that this would be looked into.

Mark Sansone, 53 Totoket Road asked about the proposed building of one of the houses being moved by 10 feet. He wanted to know if the house would be closer or further from the road.

Town Planner Duques explained that the house would be 10 feet closer to Totoket Road. Therefore, the setback would be 50 feet.

Ken Arden, 45 Totoket Road wanted to thank the Committee for their thoroughness. This new development and the impacting changes are of concern. He hopes that the investors in the property continue to look out for the wildlife. There are many water issues, which changes with the seasons. Ultimately, when their property is sold, it will be a responsibility of the owners, who will be taxpayers. The current concerns will become the concerns of the new neighbors. There was dumping when there was a manufacturing plant. This needs to be taken into consideration.

Chairman Scavo confirmed that the Town Planner would monitor this.

Town Planner Duques reported that there was additional information that was received on February 21 and therefore did not make it into the packets. Due to the statutory timeline this is the last day possible for the public hearing. She asked if the applicant would be willing to grant an extension. Otherwise, the Agency will have to close the public hearing on February 28, 2018. The Agency will have 35 days to make a decision.

Mr. Hopson granted an extension on behalf of the applicant in order to keep the public hearing open until March 14, 2018.

Motion: Member Joiner moved, seconded by Member Galdenzi to continue the Public hearing on **Application #2017-4** until the March 14, 2018 Special Meeting at 6:30 p.m.

With all in favor, the motion passes.

- B. IWWA Application #2017-7**, Site Plan and Subdivision; Proposed 13 lot residential subdivision, +/- 570 Linear foot cul de sac and stormwater 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 35, Lot 10, R-40 Zone. *Owner: What TF LLC; Applicant: ATA Realty (Application received January 3, 2018; Public hearing continued from January 24, 2018)*

Member Joiner recused herself from this application.

Joan Malloy, an attorney with Laughlin Fitzgerald, 150 South Main Street in Wallingford commented in agreement with Chairman Scavo that, as there is no quorum, this couldn't move forward at this time. The applicant is prepared to grant an extension. The preference would be to be heard at the March 14, 2018 special meeting.

Motion: Member Galdenzi moved, seconded by Chairman Scavo to continue **Application #2017-7** until the March 14, 2018 Special Meeting at 6:30 p.m.

With all in favor, the motion passes.

5. POTENTIAL ACTION ON PUBLIC HEARING ITEMS

A. IWWA Application #2017-4 – Continued to a Special Meeting to be held March 14, 2018 at 6:30 pm

B. IWWA Application #2017-7– Continued to a Special Meeting to be held March 14, 2018 at 6:30 pm

6. NEW BUSINESS

A. IWWA Application #2018-1, Site Plan; proposed ground mount solar array within 100 foot upland review area at Regional Water Authority Water Treatment Plant at **765 Foxon Road**, Assessor Map 24 Lot 12, I-3 Zone. *Owner: Regional Water Authority; Applicant: Nicole Murphy Asante Energy.*

A preliminary review was conducted on this application. No action can be taken to allow for the 14-day comment period to occur as well as obtaining comments from various department heads.

Nicole Murphy, with Asante Energy explained that the project was planned to begin in October, but may be further out due to the approval process. 900 kW ground mount. There are pile posts that go into the ground. There are generally 2 posts per 4 panels, stacked 2 high. It will not be driven into the wetlands and there will be no excavating and no disturbance to the wetlands, however, they will be within 100 feet of the upland area.

There seems to be one section on the lower east side that may be within the wetlands.

ZRECs are renewable energy credits that are offered through the United Illuminating Company. These have a deadline, which must be met. Delays may occur as a result of the review process, but the deadline is firm.

Chairman Scavo believes that this seems relatively straightforward and if possible, this can be held on the March 14, 2018 Special Meeting.

Power distribution is run in cable lines under, so no excavation is required.

Member Joiner asked about how many posts are estimated to be put in.

Ms. Murphy indicated that the plan is for four panels per two posts, stacked two high. The posts will be 26 feet apart from row to row, but the distance between posts within the row can't be determined until engineering reviews this further. It is her feeling that this may become smaller. The Cable trays power the panels, so no excavating is required.

Chairman Scavo explained that as long as the footprint that is shown doesn't change a great deal and remains outside the wetlands, there shouldn't be an issue.

Member Joiner requested information on how connection is made when the cable comes to the output.

The cable goes to the ground closer to Foxon Road, so it will not have an impact.

Motion: Joiner moved, seconded by Member Galdenzi to continue **Application #2018-1** until the March 14, 2018 Special Meeting at 6:30 p.m.

7. OTHER BUSINESS

Administrative:

Town Planner Duques explained that an email from David Sergeant of the Land Trust was forwarded to members regarding Blue Blaze Trail System, which is located on the Durham/Guilford Line by White Hollow. Town Planner Duques will provide a map so that a discussion can focus on this with regards to conservation.

Member Joiner requested that a binder with our regulation and state regulations be available so that they can be referenced at meetings.

8. ADJOURNMENT

Motion: Member Joiner moved, seconded by Member Galdenzi to adjourn at 7:25 p.m.

With all in favor, the motion passes.

Respectfully Submitted by,



Michele Pollock
Recording Secretary

3-2-18
Date

Steven Scavo
Chairman

Date