

APPROVED Meeting Minutes
Guilford Inland Wetlands Commission
Regular Meeting
February 12, 2020 at 7:00pm
Guilford Community Center – Faulkner Room
32 Church St. Guilford CT

Members Present: K. Clark, J. Marchi, E. Besmer & J. Parker

Member Absent:

Alternates Present: W. Furniss

Alternates Absent: J. Blackwell

Staff: Kevin Magee, Environmental Planner
Erin Mannix, Inland Wetland Officer

Chairman K. Clark opened the meeting at approximately 7:00 P.M.

Appointment by Chair of members sitting for this meeting: W. Furniss, J. Marchi, K. Clark, J. Parker & E. Besmer

A. APPROVAL OF AGENDA

February 12, 2020

Upon a motion by Commissioner W. Furniss and seconded by Commissioner J. Marchi, it was voted to unanimously to approve the agenda.

B. APPLICATIONS

1. None

C. PUBLIC HEARING

1. Vigliotti Construction, 2103 & 2131 Long Hill Rd, Map 96, Lot 1, 1C, 2 & 2A, Regulated Activity & Subdivision Referral, Open space subdivision including the construction of a 1,405 LF Town Road and the creation of 31 lots with various lot improvements within 100' of wetlands review zone and road crossing with water, gas, electric within the wetlands.

Present for Applicant: Chuck Mandell from Thomas A. Stevens & Associates
Robert Russo from CLA Engineers, Inc
Attorney Tim Lee

Third Party Consultant: Robert Wheway, PE from Codespoti & Associates

Discussion: Chuck Mandell submitted a revised map that shows where they are at with plan updates which does not include all of the information in the Codespoti letter. Chuck stated that there are 19 building lots within the 100 foot wetlands review area. He noted that the health department has reviewed the test pit data and stated the individual septic system area for the 19 lots were viable based on a 3 bedroom house. Chuck indicated the applicant is removing the individual house lots from the regulated activity application since it is going to take time to design the septic systems and get health department approvals for each of the lots.

Robert Wheway of Codespoti & Associates reviewed the plans for the Regulated Activity and Subdivision Referral for the open space at 2103 & 2131 Long Hill Rd as a third party consultant. Robert reviewed with the commission his review letter dated February 3, 2020 and highlighted a number of concerns which included the following areas the storm water management, water quality and ground water discharge. The watershed for lots 1, 3 and 5 will drain down into the field and flow north to a culvert and under the property's to the north driveway and then flow back through a second culvert and discharge back to the pond on the property. The increase flow will need to be accounted for. The area should be field surveyed to determine the location of a drainage divide. Based on a review of GIS data the land use impervious area calculation utilized in the stormwater calculations should be 21% versus the 12% utilized.

The report noted concerns with the roadway crossing and the pond. The pond has a concrete spillway with blocks that have been dislodged, a berm height of 3-4', and a timber bridge. The stream channel discharging from the pond needs to be surveyed and depicted on the plan along with the control structure and bathymetric data on the pond bottom. The plan should also show the area of wetlands disturbance. The proposed plan showing the 36" pipe would hold back water which is not allowed by DEEP and Army Corp. Best Management Practices for stream crossings as part of the CT DEEP general permit that provides for access of small wildlife should have an openness ratio greater than 0.82 feet. The existing culvert has an openness ratio of 0.073 feet. A minimum of 9.4 feet is required to meet this standard. Robert also noted that the Stream Channel Protection calculation numbers calculated may not adequately protect the stream channel from scour and erosion since the channels are exposed to a longer duration of bank full events.

Water Quality issues need to be address. In accordance to the 2004 Stormwater manual the first inch of runoff needs to be treated from developed areas such as roofs, driveways, and roads. There needs to be properly sized infiltrations systems for driveways, porches, and patios for all lots. Increased runoff could affect groundwater recharge and lower groundwater tables. Septic systems could add to the groundwater recharge. The development of the property would require a DEEP stormwater permit for construction as part of the permit requirement the applicant needs to demonstrate 80% removal of total suspended solids.

Robert Wheway expressed concerns with individual lots. Lot 5 the driveway will be widened, underground utilities will be brought in, a pressure septic line would be installed, and a culvert pipe would be replaced. No information regarding temporary disturbances where noted. The plans need

detailed grading for lots 20 & 21 along with additional information regarding the stormwater quality for driveway to lots 26, 27, and 28.

A review of the detention basins noted that the first detention basin could be moved closer to the road and the inlet and outlet structures should be flipped to provide for a greater flow path. All the basins per the Soil and Erosion Guidelines require additional details such as the material to make up the berm, the need for a 8 foot wide width at top of berm, emergency spill way, and suitable access for cleaning. Robert Whewey noted that each basin has an 8 inch plastic standpipe and he would like to see a more structurally sound structure such as constructed from concrete. Robert is also concerned with the construction of rain gardens since they could be easily filled in. A better alternative would be for the stormwater from the individual lot to be collected in a central system. He also noted that any stormwater treatment would require a maintenance plan that gets implemented.

Robert Whewey discussed the email received regarding the CT DEEP review of the Dam. The CT DEEP has classified the dam as a low hazard dam. If the town accepts the dam, it would be responsible for any required inspections.

The Commissioners asked about a feasible and prudent alternatives for the bridge crossing, detention basins, and the lots sizes. Kevin Magee noted that the detention basin at the end of the cul-de-sac by lot 13 is within 25 feet of the wetland. Kevin recommended a feasible and prudent alternative of the detention basin being constructed south of the wetlands area as shown on the plans reviewed for the special permit approval.

The commission members indicated that most of the concerns they had were discussed in the Codespoti letter. They would like to see them addressed in the next set of revised plans.

Atty. Tim Lee presented the commission with a letter of extension request.

Commissioner J. Marchi made a motion to continue the public hearing application to March 11, 2020. The motion was seconded by Commissioner W. Furniss. It was unanimously voted to continue the public hearing to March 11, 2020.

D. PERMITTED USE AS OF RIGHT

None

E. MINOR MODIFICATIONS

None

F. EXTENSION AND TRANSFER OF PERMIT

1. Transfer – Guilford Village West Residential Housing Dev. To 1940 Boston Post Rd, LLC

Mike Ott explained to the commission the transfer of the application to 1940 Boston Post Rd, LLC from Alison Pastorfield Associates, Inc.

Commissioner K. Clark made the following motion

That the Guilford Inland Wetlands Commission approves a transfer of a Regulated Activity Permit from Alison Pastorfield Associates, Inc.,(Waldo & Assoc) to 1940 Boston Post Road LLC, for the Property located at Boston Post Rd, Map 78 & 79, Lot 39, 41 & 42, Zone MU/C2, with the following conditions:

1. All previous conditions of the July 10, 2010 Inland Wetlands Commission approval to remain in effect.
2. The April 8, 2015 extension of permit with new expiration date of June 10, 2020 remains in effect.
3. All conditions of the Inland Wetlands Commission July 12, 2017 Modification Approval to remain in effect.

The motion was seconded by Commissioner W. Furniss and was unanimously approved

G. ENFORCEMENT

1. Kowalski, 1187 Moose Hill Rd – excavation of watercourse, installation of piping and regrading of site.

Attorney Lee is waiting to hear back from The Army Corp of Engineers if they will be taking action with unauthorized installation of the pipe along with the town. Attorney Lee asked if a Boundary Clarification application should be submitted. The commission agreed they would like a Boundary Clarification application to be submitted while waiting for a response from The Army Core of Engineers. Kevin Magee indicated that work performed cannot be approved in an after the fact application and would be handled through the violation process. Kevin Magee indicated that the applicant should provide the commission with a plan of what he would like to retain so the commission could have a document to review and comment on which could then be submitted to the Army Corp.

2. William & Sarah E. Monroe – 37 Maplecrest Dr – Installation of drainage system and regrading of site work to be completed by May 1, 2020.

Erin Mannix updated the commission the erosion controls/sand bags have been placed along the property line and now the applicant is waiting for the weather to break to finish out the project.

3. Jose Mendoza, 165 Three Mile Course –status of installation of paver parking area

Erin Mannix updated the commission on the cease and desist order and the applicant has installed the pavers that he has received an agent approval application for. Erin Mannix recommends that the Cease and Desist Order be lifted.

Upon a motion made by Commissioner K. Clark and seconded by Commissioner W. Furniss it was unanimously approved to lift the Cease and Correct order and remove the applicant from the enforcement list.

H. APPLICATIONS TO BE RECEIVED & SET WALK DATE (February 22, 2020)

1. Peter & Melissa Ginz, 52 Indian Rd, Map 4, Lot 5, Regulated Activity, Installation of a septic system, grading and misc. disturbance within 100' upland review area.
2. Union Rebuilt, LLC, 98 Union St., Map 40, Lot 111, Regulated Activity, Remove existing septic system and install a new system. Remove front porch and rear shed foundation. Add 48 sq ft addition on a single pier and add a basement access door within 100' upland review area.
3. Salafia Builders, LLC, 160 Orcutt Drive, Map 94, Lot 6, Regulated Activity, Build 5 bedroom house, associated septic system, in ground pool and detached pool house. Install septic system and grading within 100' upland review area.

Upon a motion by Commissioner W. Furniss and seconded by Commissioner J. Marchi, it was unanimously voted to receive applications 1 thru 3 and to set the walk date for Saturday, February 22, 2020 starting at 8:00 a.m.

I. BILLS

1. Shore Publishing – \$50.00 January

Upon a motion by Commissioner W. Furniss and seconded by Commissioner E. Besmer, it was voted to pay the bills.

Approved: W. Furniss, K. Clark, J. Parker & E. Besmer

Opposed: None

Abstained: J. Marchi

Vote: 4-0-1

J. MANDATORY REFERRAL

1. Ct DEEP – 454 & 480 Colonial Rd
2. Ct DEEP – Copper Hill Village Condominiums
3. Ct DEEP – 2461 Long Hill Rd

K. Clark reviewed with the commission.

K. AUTHORIZED AGENT APPROVALS

1. 125 North Mill Circle – septic tank replacement
2. 45 Fall Dr – replace septic tank
3. 83 Sachems Head – replacing septic tank

Erin Mannix reviewed the approvals with the commission.

L. CORRESPONDENCE / OTHER BUSINESS

Review of permit fees

Kevin Magee noted the Board of Selectman is having the land use office review their application fees. Kevin Magee provided the commission with a chart comparing the Inland Wetlands fees for surrounding towns and towns similar to Guilford. A discussion ensued on the proposed fees. The commission likes the fixed fee for residential properties, would like to see higher fees for nonresidential properties, and would like to see fees for subdivision reflect the amount of review needed. Kevin will update with the fee chart for the next meeting.

M. APPROVAL OF MINUTES

1. January 8, 2020 – draft meeting minutes

Upon a motion by Commissioner K. Clark and seconded by Commissioner J. Parker it was unanimously voted to approve the meeting minutes for January 8, 2020 once the corrections have been made.

Then, with no further business before it, upon a motion by Commissioner W. Furniss and seconded by Commissioner E. Besmer it was unanimously voted to adjourn the meeting of the Guilford Inland Wetlands Commission at approximately 10:20 P.M.

Respectfully submitted,

Michelle C. Nazario