

draft Meeting Minutes
Guilford Inland Wetlands Commission
Regular Meeting
September 9, 2020 at 7:00pm

GUILFORD TOWN HALL
20 SEP 16 PM 3:16

Due to COVID-19, this meeting was a web & phone meeting in accordance with Governor Lamont's Executive orders 7b & 7i. Meeting documents were available on the town website: www.ci.guilford.ct.us under the events calendar.

NOTE: Please be advised that at this time the following are strictly "Draft Minutes" until approved by the Inland Wetlands Commission Once approved the minutes will be marked as "Approved Minutes" and will be available in the clerk's office or upon request.

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

Member Absent: None

Alternates Present: W. Furniss & J. Newton

Alternates Absent: None

Staff: Erin Mannix – Wetlands Enforcement Officer

Chairman K. Clark opened the meeting at approximately 7:05 P.M.

Appointment by Chair of members sitting for this meeting

A. APPROVAL OF AGENDA

September 9, 2020

Upon a motion by Commissioner W. Furniss and seconded by Commissioner E. Besmer it was voted to unanimously to approve the amended agenda.

B. APPLICATIONS

1. Christopher Balestracci, Murray Lane, Map 88, Lot 12B, Regulated Activity, Construction of a new residential home, septic system & well within the 100' upland review area.

Present for Applicant: Chuck Mandel – Thomas A. Stevens & Assoc.

Discussion: Chuck Mandel explained to the commission the proposed construction of a new 4 bedroom house on a 4.5 acre vacant lot. This was subdivided before wetlands. The right front corner is where the proposed house of a width of 25ft and a 22ft garage would be located. The closest construction to the wetlands is 48.5 feet to the garage and grading will stop approximately 35 feet from the wetlands. It has an approved for septic plan and the sight line for the driveway was reviewed by the engineering department. There will be some soil stock piling in front of the house

Commissioner K. Clark made the following motion:

VOTED: That the Guilford Inland Wetlands Commission approves a regulated activity for Murray Lane, Map 88, Lot 12B, Construction of a new residential home, septic system and well within 100' jurisdictional review zone as shown on "Site Plan & Inland Wetlands Regulated Activity Plan, Prepared for Christopher Balestracci, Assessor's Map 88, Lot 12B, Murray Lane, Guilford, Connecticut prepared by Thomas A. Stevens & Associates dated July 21, 2020 and last revised August 13, 2020 with the following conditions;

1. That prior to approval of a building permit application, the application shall include the approved map, revised to include these conditions of approval.
2. Inland Wetlands Enforcement officer shall be notified 24 hours prior to any construction activities and contact information for the site contractor be provided to the Wetlands Office
3. Prior to construction:
 - a. Soil erosion and sediment control measures shall be installed as shown on the approved plan.
 - b. That all installation shall be done by hand or by a mini excavator with a 1 foot wide bucket.
 - c. That the Inland Wetlands Enforcement Officer be notified of such installation so that an inspection might be conducted to determine compliance and authorize commencement of construction.
4. A stone or rip-rap anti-tracking pad shall be installed at the entrance and exit areas of the site in order to prevent erodible material from being tracked onto paved areas and subsequently being deposited into adjacent storm drainage systems, inland wetlands or watercourses.
5. During construction, piles of fill, erodible material and debris shall not be created within 100 feet of regulated inland wetland and watercourse areas unless specifically authorized in this permit.

6. No grading, clearing, landscaping or other ground surface disturbance shall occur within 100 feet of the regulated inland wetland and watercourse area unless specifically authorized in this permit.
7. Any material, man-made or natural, which is in any way disturbed and / or utilized during work herein authorized shall not be deposited in any wetland or watercourse, either on- or off-site, unless specifically authorized in this permit.
8. Steps taken to control sedimentation, erosion and downstream siltation shall include but need not be limited to:
 - a. The stabilization of all disturbed earth surfaces with suitable ground cover and/or hay mulch during and following construction activities.
 - b. The installation of a temporary erosion control fence or other suitable erosion control measure as indicated on the permit map or as required by Inland Wetlands Enforcement Officer. This erosion control measure will be installed prior to the start of construction activities. Its location will be reviewed and approved in the field by Inland Wetlands Enforcement Officer.
 - c. The limitations of all construction activities to a specified area reviewed and approved by the Inland Wetlands Enforcement Officer and as defined by the permit map.
 - d. The placement of additional erosion controls as reviewed and approved by Inland Wetlands Enforcement Officer prior to commencement of clearing and construction activities.
9. The permittee shall immediately inform the Inland Wetlands Enforcement Officer of problems involving sedimentation, erosion, downstream siltation, or any other adverse impacts, which develop in the course of or are caused by the work herein authorized.
10. That all soil erosion and sedimentation control measures shall be maintained in the manner in which they were approved on the site plan and are in compliance for a period of one year or one growing season after completion of the project and that vegetation is established to the satisfaction of the Inland Wetlands Enforcement Officer prior to removal of such soil erosion and sedimentation control measures. In the event that the property/permit area is transferred to another party prior to a period of one year or one growing season after completion of the project;
 - a. A bond will be set by the Inland Wetlands Enforcement Officer in an amount adequate to ensure that in the event of failure of such soil erosion and sedimentation control measures or in the event that they become ineffective and or in disrepair, the Town of Guilford may enter upon such property and re-

establish such soil erosion and sedimentation control measures as shown in the approved plan,

- b. And that the property owner shall enter into an agreement with the Guilford Inland Wetlands Commission to place a cash bond which will be held in an account by the Town of Guilford in the amount as established by the Inland Wetlands Enforcement Officer,
 - c. The bond will be held by the Town of Guilford in a savings account for the period of one year or one growing season; to ensure that all soil erosion and sedimentation control measures shall be maintained in the manner in which they were approved on the site plan; are in compliance for a period of one year or one growing season after completion of the project; and that vegetation is established to the satisfaction of the Inland Wetlands Enforcement Officer prior to removal of such soil erosion and sedimentation control measures.
11. This permit does not obviate the permittee's obligation to obey all other applicable federal, state and local laws or obtain any applicable federal, state and local permits.
 12. This permit may be revoked or suspended if the permittee exceeds the conditions of approval of this permit or has secured this permit through deception or inaccurate information.
 13. That any changes to the approved plan must be submitted to the Inland Wetlands Commission for approval.
 14. That unless an extension is granted,
 - a. Construction must begin within one year of approval.
 - b. This permit expires five years from the date of approval

This regulated activity is approved based upon the finding that there is no feasible or prudent alternative in completion of this project.

The motion was seconded by Commissioner W. Furniss and was approved by roll call vote.

Approved: K. Clark, S. Williams, E. Besmer, W. Furniss and J. Blackwell

Opposed: None

Abstained: J. Parker

Vote: 5-0-1

2. Beth & Jack Mariotti, 114 Leetes Island Rd, Map 21, Lot 26A-2, Regulated Activity, After the Fact, Construct 6' by 13' on story bathroom addition to detached barn. After the fact connection of electric to building and sewer line to existing tank within the 100' upland review area.

Present for Applicant: Beth and Jack Mariotti – property owner

Discussion: Erin Mannix explained to the commission that After the Fact work consisting of a trench being dug for utilities and was back filled was conducted because the contractor moved faster than the application. A one story bathroom addition will be constructed on sono tubes for the 6 x 6 bathroom. There is no stock piling and the roof filtration and storm drain will go into an 18' drip trench.

Commissioner K. Clark made the following motion:

VOTED: That the Guilford Inland Wetlands Commission approves a regulated activity for 114 Leetes Island Rd, Map 21, Lot 26A-2, Construct a 6' x 13' one story bathroom addition to detached barn. After the fact connection of electric to buildings and sewer line to existing tank as shown on, "Existing Building Location Survey – Record, Prepared for Elizabeth MacDermid, Sachem's Head, 114 Leetes Island Rd, Guilford, Ct, prepared by Thomas A. Stevens & Associates Inc. dated December 15, 2008 and hand revised August 7, 2020 with the following conditions;

1. Inland Wetlands Enforcement officer shall be notified 24 hours prior to any construction activities and contact information for the site contractor be provided to the Wetlands Office
2. That prior to any construction soil erosion and sediment control measures shall be;
 - a. installed as shown on the approved plan.
 - b. installation shall be done by hand.
 - c. The Inland Wetlands Enforcement Officer shall be notified of such installation so that an inspection might be conducted to determine compliance and authorize commencement of construction.
3. Prior to issuance of a final inspection, the Inland Wetlands Enforcement Officer shall be notified so that an inspection may be conducted to determine that all soil erosion and sedimentation control measures have been maintained in the manner in which they were approved on the site plan and are in compliance.
4. Roof water infiltration to be captured by an 18" x 18" stone drip trench.
5. Modification of approved plan needs to come back to Inland Wetlands Commission
6. That unless an extension is granted,
 - a. Construction must begin within one year of approval
 - b. This permit expires two years from the date of approval.

This regulated activity is approved based upon the finding that there was no reasonable or prudent alternative in completion of this project.

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

3. Titan Properties, LLC, 885 Nut Plains Rd, Map 92, Lot 8A, Regulated Activity, Construction of a single family residence, in-ground swimming pool, and appurtenant driveway, septic system and building utility services within the 100' upland review area.

Present for Applicant: Michael Ott – Summer Hill Engineering

Discussion: Michael Ott explained to the commission the proposed application for a single family residence with an in-ground swimming pool. The septic and leeching tanks are outside of the 100ft upland review area. The house, pool, driveway, infiltration system are within the wetlands review area. The infiltration system would be closest item constructed near the wetlands at 30 feet away.

Commissioner K. Clark made the following motion:

VOTED: That the Guilford Inland Wetlands Commission approves a regulated activity for 885 Nut Plains Rd, Map 92, Lot 8A, Construction of a single family residence, in-ground swimming pool and appurtenant driveway, septic system and building utility services within 100' jurisdictional review zone as shown on "Subdivision of Land of Titan Properties, LLC, Nut Plains Road, Guilford, Connecticut, dated August 1, 2020 prepared by Summer Hill Civil Engineers & Land Surveyors, P.C. with the following conditions;

That prior to approval of a building permit application, the application shall include the approved map, revised to include these conditions of approval.

1. Inland Wetlands Enforcement officer shall be notified 24 hours prior to any construction activities and contact information for the site contractor be provided to the Wetlands Office
2. Prior to construction:
 - a. Soil erosion and sediment control measures shall be installed as shown on the approved plan.
 - b. That all installation shall be done by hand or by a mini excavator with a 1 foot wide bucket.

- c. That the Inland Wetlands Enforcement Officer be notified of such installation so that an inspection might be conducted to determine compliance and authorize commencement of construction.
3. A stone or rip-rap anti-tracking pad shall be installed at the entrance and exit areas of the site in order to prevent erodible material from being tracked onto paved areas and subsequently being deposited into adjacent storm drainage systems, inland wetlands or watercourses.
4. During construction, piles of fill, erodible material and debris shall not be created within 100 feet of regulated inland wetland and watercourse areas unless specifically authorized in this permit.
5. No grading, clearing, landscaping or other ground surface disturbance shall occur within 100 feet of the regulated inland wetland and watercourse area unless specifically authorized in this permit.
6. Any material, man-made or natural, which is in any way disturbed and / or utilized during work herein authorized shall not be deposited in any wetland or watercourse, either on- or off-site, unless specifically authorized in this permit.
7. Steps taken to control sedimentation, erosion and downstream siltation shall include but need not be limited to:
 - e. The stabilization of all disturbed earth surfaces with suitable ground cover and/or hay mulch during and following construction activities.
 - f. The installation of a temporary erosion control fence or other suitable erosion control measure as indicated on the permit map or as required by Inland Wetlands Enforcement Officer. This erosion control measure will be installed prior to the start of construction activities. Its location will be reviewed and approved in the field by Inland Wetlands Enforcement Officer.
 - g. The limitations of all construction activities to a specified area reviewed and approved by the Inland Wetlands Enforcement Officer and as defined by the permit map.
 - h. The placement of additional erosion controls as reviewed and approved by Inland Wetlands Enforcement Officer prior to commencement of clearing and construction activities.
8. The permittee shall immediately inform the Inland Wetlands Enforcement Officer of problems involving sedimentation, erosion, downstream siltation, or any other adverse impacts, which develop in the course of or are caused by the work herein authorized.

9. That all soil erosion and sedimentation control measures shall be maintained in the manner in which they were approved on the site plan and are in compliance for a period of one year or one growing season after completion of the project and that vegetation is established to the satisfaction of the Inland Wetlands Enforcement Officer prior to removal of such soil erosion and sedimentation control measures. In the event that the property/permit area is transferred to another party prior to a period of one year or one growing season after completion of the project;
 - a. A bond will be set by the Inland Wetlands Enforcement Officer in an amount adequate to ensure that in the event of failure of such soil erosion and sedimentation control measures or in the event that they become ineffective and or in disrepair, the Town of Guilford may enter upon such property and re-establish such soil erosion and sedimentation control measures as shown in the approved plan,
 - b. And that the property owner shall enter into an agreement with the Guilford Inland Wetlands Commission to place a cash bond which will be held in an account by the Town of Guilford in the amount as established by the Inland Wetlands Enforcement Officer,
 - c. The bond will be held by the Town of Guilford in a savings account for the period of one year or one growing season; to ensure that all soil erosion and sedimentation control measures shall be maintained in the manner in which they were approved on the site plan; are in compliance for a period of one year or one growing season after completion of the project; and that vegetation is established to the satisfaction of the Inland Wetlands Enforcement Officer prior to removal of such soil erosion and sedimentation control measures.
10. This permit does not obviate the permittee's obligation to obey all other applicable federal, state and local laws or obtain any applicable federal, state and local permits.
11. This permit may be revoked or suspended if the permittee exceeds the conditions of approval of this permit or has secured this permit through deception or inaccurate information.
12. That any changes to the approved plan must be submitted to the Inland Wetlands Commission for approval.
13. That unless an extension is granted,
 - a. Construction must begin within one year of approval.
 - b. This permit expires five years from the date of approval

This regulated activity is approved based upon the finding that there is no feasible or prudent alternative in completion of this project.

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

4. South Central Ct Regional Water Authority, Beaver Head Rd, Sugar Loaf, Map 112 & 113, Lot 5 & 1, Regulated Activity and Boundary Clarification, storm water drainage improvements within the 100' upland review area.

Present for Applicant: Michael Ott – Summer Hill Engineering

Discussion: Mike Ott explained the lack of attention from the Regional Water Authority's because of COVID-19. The first part of the repair is the eroded channel on woods road section of Sugarloaf Road and is about 90ft in length. Then a stone drop structure will be installed followed by a stone lined channel. A construction access road will be installed along the channel. Mike Ott suggested the commission walk the application again to familiarize themselves and an updated map will be submitted. Erin Mannix explained October meeting will be the deadline for action. This has included all of the extensions.

Commissioner E. Besmer made the motion to walk the application on Saturday, September 19, 2020 and Commissioner W. Furniss seconded; it was unanimously approved.

5. 1940 Boston Post Road, LLC,(Guilford Village West) Boston Post Rd., Map 78, Lot 1,39,41 and Map 79, Lot 39, Modification, Request for approval of modification of Regulated Activities permit within the 100' upland review area.

Present for Applicant: Michael Ott – Summer Hill Engineering

Discussion: Erin Mannix explained deadline for action. This has included all of the extensions. Michael Ott discussed with the commission the proposed plan for modification to the Guilford Village West roadway plans. Left first 400 feet of road alone, from the 400 foot mark to the 1,200 foot mark the road profile was changed in order to redesign the culverts. The redesign resulted in a reduced elevation of road which reduces the amount of filling. The proposed plan to changes the type of culverts to metal steel structural plate arch culvert installed on spread footings on either side of the wetlands. The utilities will cross all three structures. There is freeze protection concern with the water line to be installed under the bridge. The water company would like the water line to be buried in the wetlands. The span of the wetlands is 40 feet. After the crossings are done there is a planting plan for the wetlands to be restored. Discussion was held regarding the disturbance of the wetlands for the installation of a water line.

Commissioner E. Besmer made the motion to walk the application on Saturday, September 19, 2020 and Commissioner W. Furniss seconded; it was unanimously approved.

Erin Mannix noted problems with erosion control issues after a heavy rain storm. Erin and Mike Ott have come up with a plan to deal with the erosion control issues which include installation of additional silt fence and seeding exposed areas of soil. Erin asked surveyor to reflag the wetlands in the area of the disturbance area.

C. PERMITTED USE AS OF RIGHT

None

D. MINOR MODIFICATIONS

None

E. EXTENSION AND TRANSFER OF PERMIT

None

F. ENFORCEMENT

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

Erin Mannix showed the commission the update photographs Mr. Kowalski sent in. The swale is completed and vegetated. The grass has also grown in much better and the site has been stabilized. Erin Mannix will send a letter acknowledging the completed project.

Commissioner E. Besmer made a motion to lift the corrective action and Commissioner W. Furniss seconded. It was unanimously voted to approve to lift the corrective action and remove from the agenda.

2. Mathew Durkin, 2 Taylor Lane –
Erin Mannix is helping with the application to be received for October.

G. APPLICATIONS TO BE RECEIVED AND SET WALK DATE (Walk September 19, 2020)

1. Town of Guilford, 1350 Durham Rd., Map 97, Lot 1D, Regulated Activity and Boundary Clarification, Construction of pickle ball courts within the 100' upland review area.
2. Gloria Mei, 388 Three Corners Rd, Map 70, Lot 5-48, Modification, Rebuild new home revised with the garage on an angle in existing foot print at the same elevation as the first floor and move driveway to accommodate garage within the 100' upland review area.
3. Archie Bailey, Donald Rd, Map 57, Lot -, Regulated Activity, Construction of a 3 bedroom residence, driveway, septic system and well and to make utility connections in an established community on a vacant building lot comprised of four Assessors lots within the 100' upland review area.

Upon a motion by Commissioner E. Besmer and seconded by Commissioner W. Furniss, it was unanimously voted to receive applications 1 thru 3 and to add South Central Ct Regional Water authority, Beaver Head Rd, Sugar Loaf, Map 112 & 113, Lot 5 & 1, Regulated Activity and Boundary Clarification, storm water drainage improvements within the 100' upland review area and 1940 Boston Post Road, LLC,(Guilford Village West) Boston Post Rd., Map 78, Lot 1,39,41 and Map 79, Lot 39, Modification, Request for approval of modification of Regulated Activities permit within the 100' upland review area.

The walk date is scheduled for Saturday, September 19, 2020.

H. BILLS

1. Shore Publishing – \$34.00 - August

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

I. MANDATORY REFERRAL

None

J. AUTHORIZED AGENT APPROVALS

1. Renee Murphy – 199 New England Rd - Replace Septic
2. Linda Toscano – 110 Leatherman Rd – 15x27 in ground pool
3. Paul Golia – 123 Brook Ridge Lane – 8 x12 shed

Erin Mannix reviewed the agent approvals with the commission.

K. CORRESPONDENCE / OTHER BUSINESS

None

L. APPROVAL OF MINUTES

1. August 12, 2020 – draft meeting minutes

Upon a motion by Commissioner W. Furniss and seconded by Commissioner S. Williams it was unanimously voted to approve the meeting minutes for August 12, 2020.

2. August 22, 2020 – draft walk minutes

Upon a motion by Commissioner E. Besmer and seconded by Commissioner S. Williams it was unanimously voted to approve the meeting minutes for August 22, 2020.

Then, with no further business before it, upon a motion by Commissioner K. Clark and seconded by Commissioner S. Williams it was unanimously voted to adjourn the meeting of the Guilford Inland Wetlands Commission at approximately 8:45 P.M.

Respectfully submitted,

Michelle C. Nazario