

draft Meeting Minutes  
Guilford Inland Wetlands Commission  
Regular Meeting  
July 10, 2019 at 7:00pm  
Guilford Community Center – Faulkner Room  
32 Church St. Guilford CT

GUILFORD TOWN HALL  
19 JUL 12 AM 11:15

**\*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:** J. Marchi, S. Anderheggen, J Parker, E. Besmer, D. Williams & K. Clark

**Member Absent:** None

**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 7:07 P.M.

**Appointment by Chair of members sitting for this meeting:** W. Furniss, S. Anderheggen, J. Marchi, D. Williams, K. Clark, J. Parker and E. Besmer

**A. APPROVAL OF AGENDA**

July 10, 2019

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. Max & Christine Lataillade, 6 Pole Bridge Lane, Map 88, Lot 6, Regulated Activity, Construction of a new outdoor patio area, replacement of existing concrete pool decking, and filling and grading of an existing lawn area within 100’ jurisdictional review zone.**

Present for Applicant: John Cunningham, TEC Landscape

**Discussion:** John Cunningham showed the grading plan to the commission. The existing house, deck and pool will remain. The shed will be moved. The new pool deck will be permible with a crushed stone under the south side. The proposed fill on the west side of the swimming pool to make the yard equal height with the pool. There will be about two foot grade charge. He will be installing wetlands plantings. They will use either hay bales and or silt fencing whichever is preferred. There is one tree that will be removed.

Csmr. J. Parker asked if the existing lawn is staying

Csmr. D. Williams asked about staging debris, stock piling

Csmr. K. Clark asked about septic

John Cunningham stated that there will not be changes to the septic and the septic system can handle the additional fill.

Upon a motion made by Commissioner D. Williams

**VOTED:** That the Guilford Inland Wetlands Commission approves a regulated activity for 6 Pole Bridge Lane, Map 88, Lot 6, for Regulated Activity, Construction of a new outdoor patio area, replacement of existing concrete pool decking, and filling and grading of an existing lawn area within 100' jurisdictional review zone as shown on "Lataillade Residence, Guilford, Connecticut, Preliminary Landscape Plan:P-2 Map Title; prepared by TEC Landscape Design, Inc." dated December 3, 2018 and swimming pool and deck improvement plan prepared by Summer Hill Civil Engineers and Land Surveyors, P.C. dated July 1, 2019 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 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. A planting plan for disturbed buffer and wetlands areas shall be submitted to the commission for approval.
11. 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.
- 12. 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.
  - 13. 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.
  - 14. That any changes to the approved plan must be submitted to the Inland Wetlands Commission for approval.
  - 15. 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 E. Besmer and was unanimously voted to approve the application.

Approved: W. Furniss, S. Anderheggen, J. Marchi, D. Williams and E. Besmer

Opposed: no one

Abstained: K. Clark & J. Parker

5-0-2

- 2. Edwin Pozo & Marianela Torres, 166 Jefferson Dr., Map 83, Lot 21-21, Regulated Activity, 14'x35' addition on the back of house and 14'x13' deck off side of house and 12'x 20' shed within 100' jurisdictional review zone.**

Present for Applicant: Marianela Torres – homeowner

Dennis Johnson, Director of Health report was read into the record.

**Discussion:** Marianela Torres explained to the commission that she is withdrawing her application at this time due to the septic system concerns.

- 3. Town of Guilford, Lake Quonnipaug Town Park, Map 64, Lot 22, Regulated Activity, Relocated fence line for boat storage area for water dependent use at Lake Quonnipaug. The Town of Guilford and Guilford Crew Team need to adjust the storage area to better secure equipment adjacent to launch area within 100' jurisdictional review zone.**

Present for Applicant: William Thompson

**Discussion:** William Thompson explained to the commission the proposed plan for the relocation of the fence line for the boat storage area at Lake Quonnipaug. The town would like to extend the fence to edge of the lake. It would be too cumbersome to cross the street with the crew boats that are rigged and Route 77 being busy at that time of day. The beach was created. There are approximately 70 + crew members.

Csmr. K. Clark asked about post hole and racks

Csmr. D. Williams asked about the number of feet for the fence to be extended toward the lake.

Csmr. W. Furniss asked about the loss of a vegetated buffer.

Csmr. D. Williams asked about the storage of the additional boats.

Commissioner E. Besmer made a motion to table the application to the next Inland Wetlands meeting scheduled for August 14, 2019, and would like the application to be walked again on Saturday, July 20, 2019, Commissioner W. Furniss seconded. The motion was unanimously approved.

### **C. PUBLIC HEARING**

1. Vigliotti Construction, 2103 & 2131 Long Hill Rd., Map 96, Lot 1, 1C, 2 & 2A, Special Permit Open Space Subdivision Referral for the construction of a 1,405 LF Town Road and the creation of 31 lots within 100' jurisdictional review zone. (Public Hearing July 10, 2019)

Present for applicant: Chuck Mandel – Thomas A. Stevens and Associates

Kevin Magee notified the commission of the regulated activity portion of the application has been withdrawn. Erin Mannix reviewed the process of the Open Space Subdivision with the commission as well.

Chuck Mandel reviewed the proposed Special Permit Open Space Subdivision Referral commission for the construction of a 1,405 LF Town Road and the creation of 31 lots with the commission. It is just a review for open space development concept. There are no detailed lots designated at this time. There is 20 feet of wetlands crossings, on-site septic systems and public water.

Csmr. D. Williams asked about road construction and proposed blasting.

Chuck indicated that the blasting would be 35 feet away from the wetlands.

Csmr. J. Parker asked about the road line stake out and elevations.

Chuck indicated that there may be errors in the stake out.

Csmr. J. Parker asked about the need for a wetlands crossing.

Chuck indicated they need a crossing for the subdivision and that Bob Russo will create mitigation plan because of the wetland crossing

Erin asked Chuck to discuss requirement for special permit.

Chuck noted the Flood Zone located along West River, steep slope located along the river with most located in proposed open space. Erin asked if a NDDB request was submitted to the state.

Chuck will place a NDDB request.

Csmr. S. Anderheggen asked about lot layout with relation to wetlands.

Chuck noted that the plan shows a fifty foot setback from the wetlands and most development is being kept 50' from the wetlands. The site has high ground water. The septic system will be engineered with filled systems. Public water will be brought up from the intersection of Long Hill Road and the school.

Csmr. E. Besmer asked if Spruce Hill Rd is a public road and if access can be reached from Spruce Hill.

Chuck indicated access would not work from Spruce Hill.

Csmr. J. Parker asked about connection of Open Space, the access to the pond, and existing drainage Patterns.

Chuck indicated the Open Space is connected to the Baldwin Property. He also indicated that they will have extensive drainage report storm water from the road discharge to detention basin that overflows to the wetlands.

Csmr. J. Parker asked about need for additional information on existing drainage patterns

Chuck indicated that they will have extension drainage report. Storm water from the road discharge to detention basin that over flows to the wetlands.

Csmr. K. Clark asked about the curbing along the road.

Chuck indicated that the town engineer want standard curbing and will propose Cape Cod Curbing.

Csmr. D. Williams asked about alternative for blasting.

Csmr. E. Besmer asked if installing a bridge it will require blasting.

Bill Adinolfi of 1750 Durham Rd asked how many lots off of Long Hill Rd and will the trails be touched.

Chuck stated about 8 lots on Long Hill Rd. and the trails will not be touched.

Pat Witheril of 56 Spruce Hill Rd asked about lot demissions of 6 to 9.

Chuck indicated that they show 80 ft lot width and proposed location of the house will be as far south from the property line.

Pat Witheril asked for a buffer along the property line.

Pat Witheril is it feasible to bring city water to their on Spruce Hill Rd.

George Brocksieper of 20 Spruce Lane asked about dedication of open space and use of open space.

Pat Witheril asked about flow of water of his property and preventative of water blocking up on his property.

Chuck indicated that he has conducted a drainage report for the culvers and water should not back up.

George Krall Town Planer discussed the history of Open Space Subdivision in Guilford.

George Brocksieper of 20 Spruce Hill asked about small lot size like Sunrise.

Csmr. J. marchi made a motion to close Public Hearing motion was seconded by Csmr. S. Anderheggen and member were in favor.

**Discussion:** Csmr. E. Besmer asked about pipe for crossing

Csmr. J. Parker indicated look at options for crossing with avoidance verses impact to the wetlands

Csmr. J. Parker indicated the plan shows 48 inch pipe at the road crossing with filling in the wetlands

Csmr. D. Williams is concerned about blasting 40' of pond and would like them to look at prudent and alternative feasible

Csmr. E. Besmer limit open space as passive recreation

Csmr. K. Clark would like Cape Cod curbing for as much of the road as possible.

Upon a motion made by Csmr. K. Clark

VOTED: That the Inland Wetland Commission reports favorably to the Planning and Zoning Commission for the Open Space Subdivision Special Permit based on concept plans for 2103 & 2131 Long Hill Road, Residential Open Space Subdivision Long Hill Estates East, 10 sheets prepared for Vigliotti Construction Company, dated April 30, 2019 and last revised May 18, 2019. Site preserve more open space especially adjacent to West River. The property has interconnected wetlands located near the top of steep slopes on the east side of the property that slope to the West River. During an Inland Wetlands Commission site walk obligate vernal pool species were observed in these wetlands. The Open Space proposed would help to protect a large portion of the onsite Inland Wetlands and approximately 1,750 feet of West River.

In order to provide additional protection to the Inland Wetlands and Watercourses located on the property the commission recommends the following conditions for approval:

1. All buildings, storm water infiltration systems, primary leaching fields, and reserve leaching fields on the residential lots be located a minimum of 50 feet from the wetlands and watercourses
2. Water flow across the property not be restricted by roads or driveway's
3. The applicant submit for subdivision review a hydraulic study of the water flow across the site for pre and post development.
4. Avoid direct impacts to wetland re: crossing spanning would be a priority.
5. Avoid blasting. Reasonable prudent alternatives within 50' of resources
6. Recommend a Class A Open Space designation
7. Recommend as much Cape Cod Curbing as possible.



The motion was seconded by Commissioner E. Besmer and was unanimously voted to refer the application to Planning and Zoning.

**D. MINOR MODIFICATIONS**

None

**E. EXTENSION AND TRANSFER OF PERMIT**

None

**F. ENFORCEMENT**

1. Marianela Torres – 166 Jefferson Drive (Cease & Desist Order) –Marianela is up to date on her payments for the violation. The grass has grown in and staff will come to inspect the site.
2. Jose Mendoza, 165 Three Mile Course – clearing within 100’ of inland wetland review zone. Erin issued a warning letter that the work that has been done is beyond the scope of approval.
3. 37 Maplecrest –Erin issued a letter stating the permit was approved for a 5x100 drainage swale. There is other work that has been done that has impacted the neighbor.
4. 81 Briarwood Drive – Erin issued a letter for filling adjacent wetland land and within the upland review area.

**G. APPLICATIONS TO BE RECEIVED (Walk July 20, 2019)**

1. Timothy K & Jennifer Crick Smith, 651 Clapboard Hill Rd, Map 81, Lot 34A, Regulated Activity, Driveway addition and revision, construction of a porch, patio and walkways within 100’ of inland wetland review zone.
2. John W. Blanton, Jr., 516 Lake Drive, Map 63, Lot 29, Regulated Activity, Repair and replace most of crumbling section of retaining wall with in 100’ of inland wetland review zone.
3. Titan Properties, LLC, 885 Nut Plains Rd, Map 92, Lot 8A, Regulated Activity, Subdivision Referral & Boundary Clarification, Construction of two single family residences within 100’ of inland wetland review zone.
4. Sean J. Portley, 65 Sachems Head Rd., Map 21, Lot 22, Regulated Activity & Boundary Clarification, Demolition of existing residence and construction of a single family residence within 100’ of inland wetland review zone.

Upon a motion by Commissioner K. Clark and seconded by Commissioner J. Marchi, it was unanimously voted to receive applications 1 thru 4 and to re-walk Town of Guilford, Lake Quonnipaug Town Park, Map 64, Lot 22, Regulated Activity, Relocated fence line for boat storage area for water dependent use at Lake Quonnipaug. The Town of Guilford and Guilford Crew Team need to adjust the storage area to better secure equipment adjacent to launch area within 100' jurisdictional review zone to walk for Saturday, July 20, 2019.

#### **H. BILLS**

1. Shore Publishing – \$42.00 (June)
2. Public Hearing – 2<sup>nd</sup> run (7/4/19) - \$29.00

Upon a motion by Commissioner K. Clark and seconded by Commissioner D. Williams, it was unanimously voted to pay the bills

#### **I. MANDATORY REFERRAL**

1. CT DEEP – Mascari – 124 Flag Marsh Rd
2. CT DEEP – Mack Warner – 212 Whitfield St
3. CT DEEP – McCarthy -418 Colonial Rd
4. CT DEEP – Castlevetro - 385 Weatherly Trail
5. CT DEEP – Kelsey Pond – 911 Hoop Pole Rd

There was discussion and no recommendation was made.

#### **J. AUTHORIZED AGENT APPROVALS**

None

#### **K. CORRESPONDENCE / OTHER BUSINESS**

1. Review of agent approvals application types

Kevin Magee is reviewing other towns staff approval types.

**L. APPROVAL OF MINUTES**

1. June 22, 2019 – draft walk meeting minutes

Upon a motion by Commissioner K. Clark and seconded by Commissioner W. Furniss it was voted to approve the meeting minutes for June 22, 2019.

Approved: J. Marchi, W. Furniss, D. Williams, S. Anderheggen and E. Besmer

Opposed: None

Abstained: J. Parker & K. Clark

5-0-2

2. June 12, 2019 – draft minutes

Upon a motion by Commissioner K. Clark and seconded by Commissioner D. Williams it was unanimously voted to approve the meeting minutes for July 10, 2019

Then, with no further business before it, upon a motion by Commissioner K. Clark and seconded by Commissioner W. Furniss it was unanimously voted to adjourn the meeting of the Guilford Inland Wetlands Commission at approximately 9:45 P.M.

Respectfully submitted,

Michelle C. Nazario





# TOWN OF GUILFORD

HEALTH DEPARTMENT

50 BOSTON STREET – TOWN HALL SOUTH

GUILFORD, CONNECTICUT 06437

SETTLED IN 1639

TELEPHONE: (203) 453.8118

FAX: (203) 453.8034

TO : Inland Wetlands Commission  
FROM : Dennis Johnson, Director of Health *DJ*  
DATE : July 10, 2019  
SUBJECT : Edwin, Pozo & Marianela, Torres; 166 Jefferson Drive, Map 83, Lot 21-21

The west side of the applicant's proposed 14 ft. x 35 ft. house addition will encroach within the 10 foot separation setback to the existing septic tank. The septic tank will have to be relocated further down gradient prior to approval of a building permit. Depending upon the exact location of the leaching field, relocation of the septic tank downslope may require some realignment of leaching trenches.

**RECEIVED**

**JUL 10 2019**

**GUILFORD INLAND  
WETLANDS COMMISSION**

