

APPROVED Meeting Minutes
Guilford Inland Wetlands Commission
Regular Meeting
January 9, 2019 at 7:00pm
Guilford Community Center – Faulkner Room
32 Church St. Guilford CT

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: Susan Anderheggen, David Williams, Kevin Clark, Eva Besmer & Jeff Parker

Member Absent: None

Alternates Present: Wendy Furniss

Alternates Absent: Jennifer 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, S. Anderheggen, D. Williams, K. Clark, J. Parker and E. Besmer

A. APPROVAL OF AGENDA

January 9, 2019

Upon a motion by Commissioner W. Furniss and seconded by Commissioner D. Williams, a vote was taken and the members voted to unanimously to approve the agenda.

GUILFORD TOWN HALL
FEB 14 PM 2:54

B. APPLICATIONS

1. Andrew Ettinger, 61 Broad Hill Circle, Map 92, Lot 35 A-12, Regulated Activity, install a 23x42' in ground pool within 100' jurisdictional review area.

Present for applicant: Andrew Ettinger – Home owner
Mario Capela – A-1 Pool & Spa

Discussion: Andrew Ettinger provided the commission with a plan showing the location of the pool. He is looking to have a walkway and patio along with an outdoor kitchen with a brick pizza oven.

Csmr. D. Williams asked about the slope.

Csmr. K. Clark asked about the sidewalk around the pool.

Mario stated that there will be approximately 1,000 sq. ft. of pavers patio with a 4 foot walkway around the pool.

Csmr. S. Anderheggen asked if the patio was on the plan.

Kevin Magee asked the applicant to add the walk way, patio and outdoor kitchen with brick oven pizza to the map.

Erin Mannix indicated that the applicant needs to provide an extension so that the application can be tabled to the next meeting with updates.

Upon a motion made by Commissioner S. Anderheggen

The motion was seconded by Commissioner E. Besmer and was unanimously voted to table the application to the February 13, 2019 meeting.

Approved: W. Furniss, S. Anderheggen, K. Clark, J. Parker and E. Besmer

Opposed: None

Abstained: D. Williams

5-0-1

2. Dora Morra, 138 Catullo Drive, Map 78, Lot 8-06, Zone R-5, Regulated Activity, Installation of a septic system within 100' jurisdictional review area.

Present for Applicant: Eric Anderson of Anderson & Associates

Eric Anderson updated the commission with the updated map.
The current septic is working. The silt fence is up at the edge of the woods.

Csmr. K. Clark asked if the upper left of the property is suitable for the septic.

Eric Anderson stated that there is ledge and fill would need to be brought in.

Csmr. K. Clark asked if the site is stable

Eric Anderson indicated that there is work for the storm water infiltration outside of the existing silt fence and additional silt fence can be installed as a condition of approval

Csmr. J. Parker asked if there are and excavating outside of the wetlands.

Eric Anderson stated it can be one of your approvals.

Csmr. D. Williams asked about if the drainage will be put in by hand or a small machine.

Eric Anderson stated it will be done by a small machine.

Upon a motion made by Commissioner J. Parker

VOTED: That the Guilford Inland Wetlands Commission approves a regulated activity for 138 Catullo Drive, Map 78, Lot 8-06, Installation of septic system and legalization of 20'x45' gazebo and associated storm water management as shown on, "Remedial Sanitary System Design, Lot 6, Oak Crest, 138 Catullo Drive, Guilford dated October 24, 2018 and revised to January 8, 2019 with the following conditions;

1. 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.
2. 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.
3. Any stock piles to be contained with hay bales and/or silt fence. Any disturbed areas to be seeded and hayed
4. Modification of approved plan needs to come back to Inland Wetlands Commission
5. 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.

3. Guilford Agricultural Society, Inc., 111 Lovers Lane, Map 40, Lot 138, Zone R-3, Regulated Activity, Future Construction of 4 Pole Barns 4800, 2 enclosed and 2 open within 100 ft jurisdictional review zone.

Present for Applicant: No one was present from Guilford Agricultural Society.

Kevin Magee updated the commission with the map showing where the wetlands are and where the barns are being located.

Csmr. K. Clark is concerned about the manure pile and can it be relocated.

Kevin Magee stated that it is an exhibit type property so it does not fall in the agricultural exemption and the commission and can ask for a manure plan.

Upon a motion made by Commissioner K. Clark

VOTED: That the Guilford Inland Wetlands Commission approves a regulated activity for 111 Lovers Lane, Map 40, Lot 138, Zone R-3, For construction of 4 pole barns 4800 each, 2 enclosed and 2 open as shown on General Location Survey for Guilford Agricultural Society, Stone House Lane & Lovers Lane, Guilford, CT, prepared by Anderson Engineering & Surveying Associates, dated September 3, 2013 and revised January 4, 2019 with the following conditions;

1. 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.
2. 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.
3. Roof water infiltration to be captured by an 18" x 18" stone drip trench
4. Any stock piles to be contained with hay bales and/or silt fence. Any disturbed areas to be seeded and hayed
5. Modification of approved plan needs to come back to Inland Wetland 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 D. Williams and was unanimously approved.

4. Ellen M. & Robert K. Heffernan, 383 East River Rd, Map 75, Lot 27B5, Regulated Activity, Construct 2 car garage is proposed 45 feet from the wetlands flanking a small water course and a rain garden. Proposed location is within the 100' review zone and is predominately lawn with some hardwoods.

Present for Applicant: Robert Heffernan, property owner
Mark Young, Land Surveyor for Waldo

Mark Young reviewed the plan with the commission. There new driveway will be located at the break in the stone wall that has a dirt path; it is not a long term situation. There is a swale adjacent to the stone wall that the detention basin will pick up. There is no erosion from the swale. To stabilize there will be 1" stone brought in and fill the swale.

On the south side of the driveway there is run off from the lawn that will cross the driveway and goes into a basin. The edge of the driveway will be protected with erosion fabric.

Mark Young stated that he received an email from Janice Plaziak, Town of Guilford Engineer indicating that she has no issues with the construction of the new driveway. A copy of the email is attached.

There will be a standard tracking pad during construction.

Csmr. S. Anderheggen asked how the equipment will enter on the property.

Mark Young stated that it will enter in from the north side of the property.

The commission has a concern from the run off from the garage to driveway.

Mark young indicated that they driveway runoff and the garage roof leader with discharge to a detention basin north of the driveway.

Csmr. D. Williams expressed a concern regarding the proximity of the wetlands to the detention basin along the concern that the wetlands may be flagged incorrectly.

Mark Young noted that the wetlands flags where based on the subdiviso9n map. He also noted that the original plan showed a rain garden but due to the commissions concern regarding infiltration was changed to a detention basin.

Mark young noted they will be planting 10 to 15 native bushes around the detention basin.

Robert Heffernan explained to the commission that they planted a lot of native plants on the property.

Upon a motion made by Commissioner K. Clark

VOTED: That the Guilford Inland Wetlands Commission approves a regulated activity for 383 East River Road, Map 78, Lot 27B5 for Regulated Activity, A 2 car garage proposed 45 feet from the wetlands flanking a small watercourse within 100' jurisdictional review zone as shown on "Topographic Survey – Property of Richard J. & Katherine H. Heffernan, 383 East River Rd, Guilford, CT prepared by Waldo & Associated, LLC, Dated February 15, 2013 and revised to January 8, 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 be covered and secured.
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. A planting plan for disturbed buffer and wetlands areas shall be submitted to staff 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 W. Furniss and was approved.

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

Opposed: None

Abstained: D. Williams

5-0-1

5. Colin & Michael MacKenzie(Green Planet Co.), 376 State St., Map 74, Lot 5, Subdivision Referral & Boundary Clarification, Develop property for residential use within 100' jurisdictional review zone

Present for Applicant: Chris Widmer of G. C. Widmer Architect of Guilford, CT.

Csmr. S. Anderheggen asked if there was any changes from when the commission walked the property Saturday, January 4, 2019.

Chris Widmer stated yes they up dated the map showing the road at a higher elevation, which moves the road further from the pond.

Erin Mannix stated that they were able to move the house on lot 2 since it is now proposed to share a driveway.

Csmr. K. Clark asked how far the septic system will change from the vernal pool on lot 3. Chris Widmer indicated that system was shown originally 60 feet way however is looking to relocated 100 feet away based on additional site testing.

Csmr. S. Anderheggen asked if the existing barn will be staying

Chris Widmer indicated that the existing buildings will be staying

Csmr. K. Clark asked if lot 3 would change if lot 4 stayed a single lot.

Chris Widmer stated that lot 2 & 3 will stay single lots.

Chris Widmer noted that lot 4 is a 10 acre lot which is not practical for single family lot. Chris is looking to create a cottage development.

Csmr. K. Clark reminded the commission has been asked to approve a 4 lot subdivision. What is in front of the commission is the single lot. The cottage plan would need to come back to the commission.

Csmr. E. Besmer asked if lot 4 was just a single family residential lot how wide would the road need to be for the crossing.

Chris Widmer indicated that could be reduced based on zoning standards. Several commissioners expressed concern regarding a wide road and a wide bridge crossing.

Csmr. J. Parker asked what they propose to cross the stream with to access the rear lot. Chris Widmer indicated that he looking to install a bridge over the stream.

Chris Widmer stated that they have scheduled test pits for Thursday, January 17, 2019.

Upon a motion made by Commissioner K. Clark the subdivision referral has been tabled to the February 13, 2019 meeting. It was seconded by Commissioner J. Parker and unanimously approved.

Upon a motion made by Commissioner D. Williams

RESOLVED: That the Inland Wetland Boundary shown on map titled "Boundary & Topography Survey of Property at No. 376 State Street, Guilford, Connecticut, Inland Wetlands Map, Property of Colin & Michael MacKenzie, Guilford, Conn." Sheets 1 of 2 and 2 of 2, Prepared by Franklin Surveys, Dated November 23, 2018, and Inland Wetlands Boundary Comparison Plan, 376 State Street, Guilford CT, Prepared by Green Planet Company dated December 3, 2018 are substantially correct.

The motion was seconded by Commissioner J. Parker and was unanimously approved.

C. MODIFICATIONS

None received.

D. EXTENSION AND TRANSFER OF PERMIT

1. Craig Bradley – 110 Half Mile Rd – Extension- replace existing damaged drain pipe

Craig Bradley sent a letter requesting an extension on his approved permit granted October 7, 2017 to replace and existing damaged drain pipe on his property. The contractor that was hired has not been able to perform the work and is looking to hire a different contractor as soon as the weather allows.

Commissioner J. Parker made the following motion:

Voted: that the Guilford Inland Wetlands Commission approves an extension to permit Craig Bradley, 110 Half Mile Road, replace existing damaged drain pipe, Map 80, Lot 96A , Extension to permit granted October 7, 2017, new permit to expire October 7, 2021, with the following conditions:

1. All previous conditions of approval to remain in effect.

The motion was second by Commissioner W. Furniss and it was unanimously voted to approve.

E. ENFORCEMENT

1. Marianela Torres – 166 Jefferson Rd (Cease & Desist Order)

Erin Mannix updated the commission. She sent out a cease and desist letter. Erin Mannix will follow up and report back at the February meeting.

F. APPLICATIONS TO BE RECEIVED (Walk February 9, 2019)

No applications to be received for the month of February, therefore the scheduled walk for February 9, 2019 has been cancelled.

G. BILLS

1. Shore Publishing – \$0.00 (December)

No legal add was submitted to be published, so there was not a bill for the month of December.

H. MANDATORY REFERRAL

None

I. AUTHORIZED AGENT APPROVALS

1. Dana Regett – 76 Three Corners Rd – emergency septic repair
Erin Mannix reviewed the approval with the commission

J. CORRESPONDENCE/OTHER BUSINESS

1. Review of agent approval application types

A discussion ensued with the commission and staff regarding staff approvals and what the staff is able to approve. Chairman K. Clark inquired about the subcommittee to further discuss the staff approvals and the application.

K. APPROVAL OF MINUTES

1. December 12, 2018 – draft meeting minutes

Upon a motion by Commissioner S. Anderheggen and Commissioner W. Furniss seconded by it was unanimously voted to approve the minutes.

2. January 5, 2019 – walk draft meeting minutes

Upon a motion by Commissioner E. Besmer and seconded by Commissioner W. Furniss it was unanimously voted to approve the minutes once correction where updated

Then, with no further business before it, upon a motion by Commissioner S. Anderheggen and seconded by Commissioner K. Clark it was unanimously voted to adjourn the meeting of the Guilford Inland Wetlands Commission at approximately 9:50 P.M.

Respectfully submitted,

Michelle C. Nazario