

**draft Meeting Minutes**  
**Guilford Inland Wetlands Commission**  
**Regular Meeting**  
**June 13, 2018 at 5:00pm**  
**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:** David Williams, Kevin Clark, Jeff Parker and Eva Besmer

**Member Absent:** None

**Alternates Present:** S. Anderheggen and W. Furniss

**Alternates Absent:** None

**Staff:**

Erin Mannix, Inland Wetland Officer

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

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

**A. APPROVAL OF AGENDA**

June 13, 2018

Upon a motion by Commissioner E. Besmer and seconded by Commissioner D. Williams, it was voted to unanimously to approve the agenda.

## **B. APPLICATIONS**

1. Vigliotti Construction, Long Hill Rd., Long Hill Road, Map 57, Lot 205, Zone R-3, Boundary Clarification, Subdivision Referral, Residential subdivision of the existing 8.01 acres into 6 lots, each lot will contain a 4 bedroom home, septic, storm water system and well within 100' jurisdictional review zone.

Present for Applicant: Chuck Mandel of Thomas A. Stevens & Associates, Inc.

Discussion: Chuck Mandel spoke with the commission regarding the walk on Saturday and how they had a time constraints so the commission didn't have enough time to walk the site. The commission has questions regarding the amount of lots for the site. Chuck Mandel stated that Vigliotti will be reducing the number of lots. Chuck noted that the applicant will be revising the proposal to use public water

Erin Mannix asked for the wetland boundary line to be flagged clearly and to have an updated map.

Csmr. E. Besmer asked about the intermittent water course.

Upon a motion made by Commissioner E. Besmer it voted to walk this site on Saturday, June 30, 2018 and table the application to the Wednesday, July 11, 2018 meeting. The motion was second by Csmr. S. Anderson. It was unanimously approved.

2. Vango, LLC – Podunk Rd & Orcutt Dr., Map 57, Lot 205, Zone R-8, Subdivision Referral, Residential subdivision of the existing 24.8 acres into 5 lots. Each lot will contain a 4 bedroom home, septic, storm water system and well within 100' jurisdictional review zone.

Present for Applicant: Chuck Mandel of Thomas A. Stevens & Associates, Inc.

Discussion: Chuck Mandel showed the commission the map with the proposed lots and possible house locations. He is not proposing anything within the review zone and the boundary had been walked previously and clarified.

Upon a motion made by Commissioner J. Parker

VOTED: The Guilford Inland Wetlands Commission refers favorably to the planning and zoning commission the subdivision shown on map titled “Residential Subdivision Park Side Woods Property of Caleb Orcutt, William Orcutt, and Anne Bailey –Assessor’s Map 94, Lot 6, Guilford, Conn. C1-C4”, Prepared by Thomas A. Stevens & Associates, Inc, dated April 27, 2018 with the following conditions:

1. Any clearing within 100’ jurisdictional review zone required return to commission for review/possible permits.

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 E. Besmer and was approved.

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

Opposed: None

Abstained: D. Williams

5-0-1

3. James A. Portley, Durham Road (Conn. Route 77), Map 62, Lot 25, Zone R-8, Regulated Activity, To construct a single family residence and appurtenant driveway, potable water supply well, subsurface sewage disposal system and public utility services within 100 jurisdictional review zone.

Present for Applicant: Michael Ott of Summer Hill, Civil Engineers and Land Surveyors, P.C.

Discussion: Michael Ott submit new map showing the relocated leaching fields and briefed the commission on the non-conforming lot. It is a triangle shaped lot with one side on Durham Rd and the two other sides on Lake Quonnipaug. Jim Portley is proposing to construct a 3 bedroom house with drive way, septic and utility services. The proposed house is 65 feet from well. The plan collects rain water and driveway runoff and into infiltrates it back into the ground. Bob Skully of the State Health Dept. was not available, but Mile Ott spoke with Brian Curtis (not hired) as friend and professional to confirm and understand that the public health code still does not address the with the concentration of the nitrogen at the wetland line.

There also is a new practice of using sand and woodchips under the leaching fields that helps mitigate nitrogen levels.

Michael Ott also stated that the state will have a project test site in Westbrook they are using woodchips and sand. Mike Ott stated that this proposed plan complies with State Health Code

and at this point the state does not regulated concentrations of nitrogen with respect to wetlands watercourses.

Csmr. D. Williams asked if it is being used for absorption.

Csmr. D. Williams requested conditions and is difficult to agree with the levels and the soil type.

Csmr. E. Besmer asked if it is approved for a 3 bedroom lot.

Csmr. K. Clark asked about reducing it to a 2 bedroom

Upon a motion made by Commissioner S. Anderheggen

VOTED: That the Guilford Inland Wetlands Commission approves a regulated activity for to construct a single family residence and appurtenant driveway, portable water supply well, subsurface sewage disposal system and public utility services 100' jurisdictional review zone as shown on "Site development Plans Land of James A. Portley, Durham Road (Conn. Route 77), Guilford, CT, Pages 1-3" Dated May 1, 2018 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. 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.
  - 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. During construction, piles of fill, erodible material and debris shall be contained within erosion control barriers. Piles will be covered and wrapped.
4. 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.

5. 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 limit of disturbance shall be the silt fence line as shown on the approved site plan.
  - d. The placement of additional erosion controls as reviewed and approved by Inland Wetlands Enforcement Officer prior to commencement of clearing and construction activities.
6. 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.
7. 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.
8. 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.
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. Prior to issuance of a Certificate of Occupancy, 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.

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;
12. The construction of the regulated activity shall be under the supervision of a Professional Engineer registered as such in and by the State of Connecticut.
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 two 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 K. Clark and was approved.

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

Opposed: None

Abstained: D. Williams

5-0-1

4. Jeffrey Parker, 159 Saddle Hill Dr., Map 100, Lot 6-24, Zone R-5, Regulated Activity, Resurface existing bituminous concrete driveway, including limited existing pavement removal to transition new surface to existing garage slab elevation. Excavation for dry well for backwash effluent from home water system with restoration of existing landscaped surfaces within 100' jurisdictional review zone.

Present for Applicant: Jeffrey Parker – Home owner

Discussion: Jeffrey Parker updated the commission on the driveway and the proposed project.

Upon a motion made by Commissioner E. Besmer

VOTED: That the Guilford Inland Wetlands Commission approves a regulated activity for 159 Saddle Hill Rd, Map 100, Lot 6-24, Resurface existing bituminous concrete driveway, including limited existing pavement removal to transition new surface to existing garage slab elevation. Excavation for dry well for backwash effluent from home water system with restoration of existing landscaped surfaces as shown on, "159 Saddle Hill Rd Map" dated May 8, 2018 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. Upon completion, 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 that the site is stable.
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 IWC
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 approved.

Approved: E. Besmer, K. Clark, W. Furniss, S. Anderheggen & D. Williams

Opposed: None

Abstained: J. Parker

5-0-1

### **C. MODIFICATIONS**

Lisa Popolizio, 13 Ives Place, Map 40, Lot 81, Zone R-1, Modification, Construction of 2 car attached garage (previously approved for 1 car detached garage) within 100' jurisdictional review zone.

Lisa Popolizio explained to the commission of the modification to the 2 car attached garage is proposed to be widened by 2ft.

Upon a motion made by Commissioner J. Parker

VOTED: That the Guilford Inland Wetlands Commission approves a modification for a regulated activity for Lisa Popolizio, 13 Ives Place, Map 40, Lot 81, Zone R-1, construction of a 2 car attached garage within 100' jurisdictional review area with the following conditions:

1. All previous conditions of the December 11, 2013 approval to remain in effect.

This modification to the 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 approved.

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

Opposed: None

Abstained: S. Anderheggen

5-0-1

### **D. EXTENSION AND TRANSFER OF PERMIT**

None

### **E. ENFORCEMENT**

1. Marianela Torres & Edwin Pozo – 166 Jefferson Drive

Erin Mannix updated the commission of the site and the clearing that was done. Marianela Torres would like to put a second floor addition to her house. Erin Mannix and the



commission advised her to have a survey and soil testing done for a map and to stop work until this is done. The property owner will submit an updated information for the next commission meeting.

**E. APPLICATIONS TO BE RECEIVED (Walk July 7, 2018)**

(APPLICANTS NEED NOT ATTEND RECEIPTS)

1. Town of Guilford, 130 Lower Rd., Map 16, Lot 49-4, Regulated Activity, Public water main extension from Sachem Head Road through easement and into the Mulberry Point, Tuttle's Point and Long Cove Association within 100' jurisdictional review zone
2. Larry M. Lupone/Christina Monroe, POA, 500 Durham Rd, Map 85, Lot 46, Zone R-5, Subdivision Referral, 4 lot subdivision within 100' jurisdictional review zone.
3. Peter Fitton, 47 Walden Hill Rd, Map 4, Lot 35-3, Zone A, Regulated Activity, To build a detached barn and in ground pool within 100' jurisdictional review zone.
4. Dennis & Kathleen Gilloran, 222 Race Hill Rd., Map 109, Lot 35A, Zone R-8, Regulated Activity and Subdivision Referral, Three lot subdivision on 12.52 acres with an existing common driveway within 100' jurisdictional review zone.
5. Vigliotti Construction, Long Hill Rd., Long Hill Road, Map 57, Lot 205, Zone R-3, Boundary Clarification, Subdivision Referral, Residential subdivision of the existing 8.01 acres into 6 lots, each lot will contain a 4 bedroom home, septic, storm water system and well within 100' jurisdictional review zone.

Upon a motion by Chairman J. Parker and seconded by Commissioner D. Williams it was unanimously voted to move the walk date from Saturday, July 7, 2018 to Saturday, June 30, 2018.

Upon a motion by Chairman J. Parker and seconded by Commissioner D. Williams, it was unanimously voted to receive the application and set a walk date for July 30, 2018 for applications 1-4 and re-walk application #5

**F. BILLS**

1. Shore Publishing – \$26.00 (May)

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

**G. MANDATORY REFERRAL**

1. CT DEEP – Copper Hill Village Private Ponds at 50 Copper Hill Dr.

Discussion ensued no recommendation was made.

#### **H. AUTHORIZED AGENT APPROVALS**

1. Mercedes Varanay – 9 Laurel Hollow Rd – 10’x12’ storage shed
2. A. Mancini – 255 Hemlock Ave – 4’x4’ landing deck and 14’x18’ patio
3. Andrew DaRos – East Creek Circle - Septic
4. Robert G. Mitchell – 196 Hemlock Ave – septic
5. Schmitt-405 Colonial Rd. – fence

Erin Mannix reviewed the approvals with the commission

#### **I. CORRESPONDENCE/OTHER BUSINESS**

1. Septic Systems and the Wetlands Act – Journey to the Legal Horizon

Correspondence was discussed

#### **J. APPROVAL OF MINUTES**

1. June 9, 2018 – draft walk meeting minutes

Upon a motion by Commissioner K. Clark and seconded by Commissioner S. Anderheggen it was voted to approve the minutes once corrections where made.

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

Opposed: None

Abstained: W. Furniss & D. Williams

4-0-2

2. May 9, 2018 – draft meeting minutes

Upon a motion by Commissioner K. Clark and seconded by Commissioner S. Anderheggen it was voted to approve the minutes.

Approved: E. Besmer, S. Anderheggen, K. Clark, J. Parker & D. Williams

Opposed: None

Abstained: W. Furniss

4-0-2

3. Mary 24, 208 – Special walk meeting minutes

Upon a motion by Commissioner K. Clark and seconded by Commissioner D. Williams, it was voted to approve the minutes.

Approved: E. Besmer, K. Clark, J. Parker & D. Williams

Opposed: None

Abstained: W. Furniss & S. Anderheggen

4-0-2

Then, with no further business before it, upon a motion by Commissioner E. Besmer and seconded by Commissioner J. Parker 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