

Draft Minutes
Guilford Inland Wetlands Commission
Regular Meeting
February 10, 2016 at 7:30pm
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: Dave Williams, Rich Meier, Eva Besmer, Scott Williams, Kevin Clark and Paul Mei
Member Absent: Caleb Orcutt
Alternates Present: Calvin Page & Jeff Parker
Alternates Absent: None
Staff: Kevin Magee
Reggie Reid

Chairman Scott Williams opened the meeting at approximately 7:30 P.M.

Appointment by Chair of members sitting for this meeting D. Williams, P. Mei, R. Meier, K. Clark, S. Williams, J. Parker and E. Besmer

A. APPROVAL OF AGENDA

February 10, 2016

Upon a motion by Csmr. S. Williams and seconded by Csmr. D. Williams, it was voted to unanimously to approve the agenda.

B. APPLICATIONS

- 1. Jerome A. Silbert, 155 White Birch Dr., Map 58, Lot 41, Zone R-3, Regulated Activity, Pumping water from the lower Guilford Lake to water residential lawn within 100’ upland jurisdictional review area.**

Present for applicant: Jerome Silbert - homeowner

Jerome Silbert updated commission on the pumping that he is looking to do. He handed out a information sheet explaining what he plans are.

Csmr. S. Williams asked about maximum hours and gallons being pumped.

Csmr. D. Williams asked who did the calculations and who checked them.

Csmr. S. Williams made the following motion

VOTED: That the Guilford Inland Wetlands Commission approves an regulated activity to 155 White Birch Drive, Guilford, Ct, Map 58, Lot 41, Zone R-3, Pumping water from Guilford Lakes with the following conditions;

1. The pumps operates no longer than 4 hours per day.
2. The pump to be operated between the months of April and October.
3. No more than 900 gallons be pumped per a day.
4. That in periods of severe drought as reported by the weather service or like agency no pumping can occur.
5. The approval is for a 7 horse power pump.
6. The pumping is for the watering of the lawn and gardens.
8. A flow gauge should be installed on the pump.
7. Any changes in operation of the pump not limited to pump size, hours of the day, and gallons per day would require a modification of the permit.
- 8 This permit is good for 5 years.

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 Csmr. R. Meier and was unanimously voted to be approved.

- 2. Mack Management, LLC, 299 Long Hill Rd, Map 73, Lot 10, Zone I-2, Regulated Activity, Deposit, storage and removal of stone, earth, loam, broken asphalt & concrete and soil mixed with other materials within 100' upland jurisdictional review area.**

Present for applicant: Michael Harkins of Harkins Engineering, LLC and Mark Larkins of Mack Management

Michael Harkins updated the commission on the plan for the lot. Mike Larkin put in a large entrance and exit for the trucks to come in and out over. He has put in a 18x24 settling pond to capture silt run off that overflows to the wetlands. There is a concern for the settling pond area. It is designed according to the guidelines from the state and DEEP erosion control manual. There is silt fencing around the whole area.

Rick Snarsky has flagged the wetlands

There will be stakes placed in the settling pond to measure the depth of the height of the water level.

Csmr. D. Williams asked about the excess water and where it will go

Csmr. K. Clark asked about the wetland boundary

Michael Harkins stated that the West River is a natural wetland boundary.

Csmr. S. Williams asked about the maintenance schedule

Michael Harkins said it will be cleaned out after ½ in of rain and a monthly inspection report will be filed.

Csmr. S. Williams asked about the silt fencing and the distance to the standing water, will it be left alone

Mark Larkins stated that all he did was cut the underbrush and put down wood chips. He will do whatever works

Csmr. J. Parker asked about detail on the diversion ditch

Michael Harkins explained it as well as pointing out the detail on the map

Csmr. K. Clark asked if he will be overseeing this project

Csmr. R. Meier asked if the fill is clean and nothing is added to it?

Michael Harkins stated that it is clean fill.

Csmr. S. Williams made the following motion

VOTED: That the Guilford Inland Wetlands Commission approves an regulated activity to 299 Long Hill Rd, Guilford, Ct, Map 73, Lot 10, Zone I-2, Deposit storage and removal of stone, earth, loam, broken asphalt & concrete and soil mixed with other materials within 100' upland jurisdictional review area shown on "Schematic Site Plan(Material Processing & Storage)prepared by Harkin

Engineering, LLC dated January 25, 2016 and revised to February 9, 2016 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. Modification of approved plan needs to come back to IWC
4. Maintenance indicated on site plan be logged and maintained on site
5. Meadow mix to be planted in spring time between silt fence and moat and to be cut in annually in April.
- 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 Csmr. R. Meier and was unanimously voted to be approved.

3. **David Vieau, 521 State St., Map 80, Lot 107&107B, Zone R-5, Boundary Clarification, Modify permit granted on 1/8/14 to construct an in ground pool, pool equipment shed, outdoor fireplace, pergola, construct a chimney on the existing garage, relocated corn crib, installation of underground utilities and a retaining wall partially within the 100' upland jurisdictional review area.**

Present for applicant: Thomas A. Stevens, Professional Land Surveyor

Tom Stevens updated the commission on the plan for the in ground pool, pool equipment shed, outdoor fireplace, pergola, construct a chimney on the existing garage, relocated corn crib, installation of underground utilities and a retaining wall partially.

Csmr. S. Williams stated that the wetlands are isolated by the stone walls.

Csmr. D. Williams asked about where the stock piles will be stored as well as equipment.

Csmr. R. Meier concerned about all of the work being done and the building being used as a rehab facility.

Tom Stevens stated that it is for his own personal use with his family.

Csmr. S. Williams read the report from Dennis Johnson, Director of Health for the Town of Guilford into the record.

Csmr. S. Williams made the following motion

RESOLVED: That the Inland Wetland boundary as shown on map titled "Inland Wetlands Boundary Clarification Map, Property of Subsurface Sewage Disposal system Design & Inland Wetlands Boundary Clarification Plan, Guilford, Conn." dated is substantially correct.

The motion was seconded by Csmr. D. Williams and was unanimously voted to be approved.

Csmr. S. Williams made the following motion

VOTED: That the Guilford Inland Wetlands Commission approves a modification to an Inland Wetland Approval for regulated activity at 521 State St, Guilford, Ct, Map 80, Lot 107 & 107B, Zone R-5, Modify permit granted on 1/8/14 to construct an in ground pool, pool equipment shed, outdoor fireplace, pergola, construct a chimney on the existing garage, relocated corn crib, installation of underground utilities and a retaining wall partially within the 100' upland jurisdictional review area as shown on "Subsurface Sewage Disposal System Design & Inland Wetlands Boundary Clarification Plan prepared for David Vieau and prepared by Thomas A. Steven & Associates, dated 2-1-16 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. Modification of approved plan needs to come back to IWC
4. That unless an extension is granted,
 - a. Construction must begin within three 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 was no reasonable or prudent alternative in completion of this project.

The motion was seconded by Csmr. R. Meier and was unanimously voted to be approved.

4. Town of Guilford – Engineering Department, Area of 1831 Great Hill Road Map 122 Lot -, Zone R- 8 Regulated activity, To replace culvert under Great Hill Road 300 feet west of Route 77 with a new box culvert within the wetlands and 100’ upland jurisdictional review area.

Present for applicant: Mark Damiani- Assist. Engineer for Town of Guilford

Mark Damiani showed the commission photos of the culvert under Rt77 that needs to be replaces. As of now it is secured by boulders. They would like to move the culvert approximately 300 ft to the west. The water is coming through and hitting the wall and swale.

Csmr. K. Clark asked how are you determining the size of the culvert.

Mark Damiani is looking at the water flow and the change of velocity.

Csmr. R. Meier will this fill some of the wetlands and what will you be filling the wetlands in with.

Csmr. D. Williams asked on the north side of the road is the culvert active.

Mark Damiani stated that if it is not repaired it will be more dangerous than it already is.

Csmr. J. Parker asked about preventing of water during construction

Mark Damiani stated with hay bales, silt fencing and concrete blocks

Csmr. K. Clark asked when you will be looking to do this work

Mark Damiani stated July and August

Csmr. J. Parker asked the size of the box

Mark Damiani indicated that it will be a 9 x 10 box culvert

Csmr. R. Meier asked how long it will take to repair and do you have a backup plan

Mark Damiani stated a couple of weeks have to take into consideration the weather.

Csmr. D. Williams asked about type of material

Mark Damiani stated rip rap will be used

Csmr. S. Williams read a letter from Sara Williams of Land Trust into the record

Csmr. S. Williams made the following motion

VOTED: That the Guilford Inland Wetlands Commission approves a regulated activity for Great Hill Rd, Map 122, Lot -, Zone R-8, To replace culvert under Great Hill Road 300 feet west of Route 77 with a new box culvert within 100' upland jurisdictional review area shown on "Reconstruction of Culvert Great Hill Road/Route 77, Guilford, CT Site Plan pages 1-3", prepared by Town of Guilford Engineering Department dated December 2015 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. Modification of approved plan needs to come back to Inland Wetland Commission
4. Cofferdam or semi-permanent diversion in place before box culvert excavation and installation
5. Knotweed remediation per Guilford Land Conservation Trust letter.

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 Csmr. R. Meier and was voted to be approved.

INFAVOR: D. Williams, R. Meier, E. Besmer, S. Williams, K. Clark and Paul Mei

OPPOSED: J. Parker

ABSTAINED: None

This motion carries: 6-1-0

5. Phillip T. Cronan, Flat Meadow, Map 85, Lot 16, Zone R-5, Regulated activity, proposed 3-Bedroom house, septic system and driveway in 100' review zone, less than 50' from wetlands. No activity in the wetland is proposed.

Present for applicant: Mark Young, Land Surveyor from

Mark updated the commission regarding the plan for the 3 bedroom house that is proposed near the wetlands. The wetlands were flagged. There is question on how the house will be built on the property with adding the well and the leeching fields. The applicant will bring in about 250ft of water piping to eliminate a well system. There is no record of a leeching field on the adjacent lot. They have spoken about moving the house in various spots, but it wouldn't flow right and would bring the house 10ft closer to the wetlands.

Csmr. D. Williams asked if any test pits were done.

Mark Young stated 3 test pits were done to determine the water level. He also stated that the Mantis system would be used for the septic.

Mark Young asked to table the application to the next Inland Wetlands meeting in March so they can have time to meet with the health department.

Csmr. E. Besmer asked if a 2 bedroom house would it make a difference

Mark Young stated it would not and the resale value would not be good.

Kevin Magee asked if the commission would like to re-walk the property without snow to conduct the Boundary Clarification. Csmr. S. Williams indicated that he would like to re-walk the property

Csmr. S. Williams made the following motion to table the application to March 9, 2016 meeting.

The motion was seconded by Csmr. K. Clark and was voted unanimously to be approved.

6. Oleg Melentyev, 30 Point Arrowhead Rd, Map 63, Lot 14C, Zone R-3, Regulated Activity, Pumping water from Lake Quannipaug within 100' upland jurisdictional review zone.

Present for applicant: No one

Csmr. S. Williams made a motion to table the application to March 9, 2016 and seconded by Csmr. R. Meier, it was unanimously approved.

C. MINOR MODIFICATIONS

None

D. EXTENSION AND TRANSFER OF PERMIT

1. Town of Guilford, Jacobs Lane, Map 31, Lot -, Zone R-3. Extension of permit for Regulated activity, road storm water system maintenance. Replace storm water culvert under road in kind. Pipe is collapsing within the wetland 100' jurisdictional review originally approved on March 10, 2014.

Upon a motion made by Csmr. S. Williams and seconded by Csmr. R. Meier it was unanimously approved to approve the extension and to start within 2 years and to expire in 3 years and to have all previously noted conditions apply.

2. John Knuff – DDR, LLC 1919 Boston Post Rd, Map 79, Lot 34,35,36A, Zone SCW, Extension of permit.

Review of the extension granted October 10, 2012 that the Inland Wetland Commission approved an extension to the permit for regulated activity- retail development, associated parking and septic system within 100' jurisdictional review area which would expire December 12, 2021, due to Wetlands Regulations there are no more extension to be granted beyond this date.

E. INVESTIGATION/ ENFORCEMENT ACTION (Muddy Boot Patrol Report from IWEO):

1. Mr. & Mrs. Pasquale Cerino – 271 Stone House Lane - Violation

R. Reid explained to the commission that a letter was sent out and applications should be submitted additional letters were also sent to adjacent properties of:

- Mr. Peter Furmonavicius – 9 Rollingwood Dr. – Violation
- Mr. Edward Lim – 262 Stonehouse Lane – Violation
- Mr. Arthur Fisher – 222 Stonehouse Lane - Violation

F. APPLICATIONS TO BE RECEIVED (Walk March 5, 2016)
(APPLICANTS NEED NOT ATTEND RECEIPTS)

1. Louise and Rick Odermatt, 50 Huckleberry Court, Map 22, Lot 65-13, Zone R-5, Permitted Use As Of Right, Control/elimination of invasive vines principally bur cucumber, also common reed, stilt grass, oriental bittersweet, multi-flonarose within 100’ upland jurisdictional review zone.
2. Kara and Pat Cerino, 271 Stonehouse Lane, Map 34, Lot 31, Zone R-3, Regulated activity, After the Fact, Remove trees and brush that fell on to wetlands within 100’ jurisdictional review zone.

Upon a motion by Csmr. S. Williams and seconded by Csmr. R. Meier, it was unanimously voted to receive the application above and set a walk date of March 5, 2016.

G. BILLS

1. Shore Publishing – \$32.55 (January)

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

H. CORRESPONDENCE / OTHER BUSINESS

1. DDR site inspection report

R. Reid explained to the commission the plan for the detention basin at exit 57. Al Levy didn’t plant material in the basin and now other vegetation is growing and it has not been maintained. Al Levy will start in April and replace the plantings and maintain the area.

I. MANDATORY REFERRAL

1. Michael Strait – 68 White Birch Dr.- DEEP form for dam repair.

The commission was advised of the dam work.

J. AUTHORIZED AGENT APPROVALS

1. Karen Hersher, 4 Chelwin Lane – 12x16 Shed

R. Reid discussed the approval with commission

K. APPROVAL OF MINUTES

1. January 9, 2016 – regular meeting

Upon a motion by Csmr. R. Meier and seconded by Csmr K. Clark, it was voted to unanimously approve the minutes.

2. February 6, 2016 – walk meeting

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

INFAVOR: D. Williams, P. Mei, K. Clark, S. Williams, J. Parker and E. Besmer

OPPOSED: None

ABSTAINED: R. Meier

This motion carries: 6-0-1

Then, with no further business before it, upon a motion by Csmr. S. Williams and seconded by Csmr. R. Meier, it was unanimously voted to adjourn the meeting of the Guilford Inland Wetlands Commission at approximately 9:30 P.M.

Respectfully submitted,

Michelle C. Nazario