

**Approved Minutes
Guilford Inland Wetlands Commission
Regular Meeting
June 8, 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: D. Williams, P. Mei, R. Meier, R. Meier, K. Clark, S. Williams, E. Besmer

Member Absent: C. Page

Alternates Present: J. Parker, S. Anderheggen

Alternates Absent:

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, S. Anderheggen, R. Meier, K. Clark, S. Williams and E. Besmer

A. APPROVAL OF AGENDA

June 8, 2016

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

B. APPLICATIONS

- 1. Sunset Creek, 914 Nut Plains Rd, Map 92, Lot 15-5, Zone R-4, Regulated Activity, Construction of septic system for 3 bedroom house within 100’ upland jurisdictional review zone.**

Present for applicant: Jim Goodridge of Sunset Creek

Jim Goodridge explained to the commission the changing of the location of the septic is not possible because of the ledge.

Csmr. S. Williams read the letter from Dennis Johnson, Health Director into the record.

Csmr. K. Clark read the letter from Michael Harkins of Harkin Engineering, LLC into the record.

Csmr. S. Williams made the following motion

VOTED: That the Guilford Inland Wetlands Commission approves a regulated activity for 914 Nut Plains Rd, Map 92, Lot 15-5 Zone R-4, Construction of septic system for 3 bedroom house within 100' upland jurisdictional review area shown on "Site Development Plan Lot #5 "Sunset Meadow" Little Meadow Road, Step Stone Hill Rd and Nut Plains Road Guilford, Connecticut" dated April 10, 2016 and updated May 16, 2016 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 not be created within 100 feet of regulated inland wetland and watercourse areas.
4. 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.
5. 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.
6. 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.
7. 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.
 8. 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.
 9. 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.
 10. 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.
 11. 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.
 12. 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 developer shall enter into an agreement with the Guilford Inland Wetlands Commission to place a bond in the form of a passbook savings account with the Guilford Savings Bank in the amount as established by the Inland Wetlands Enforcement Officer,

- c. Such passbook savings account shall be in the name of the developer and shall be held as a bond entered into agreement with the Guilford Inland Wetlands Commission 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 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.
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 Csmr. R. Meier and was unanimously voted to be approved.

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.

Present for applicant: Kara Cerino

Kevin Magee updated the commission on the clearing on the ledge and hill by the Rollwood Condo complex. The applicant dropped trees wetlands and the commission was concerned with soil erosion on the steep slope. Kara has met with a landscaper and has a planting plan. Her landscaper will remove the debris and logs by hand out of the wetlands and haul it away.

Csmr. R. Meier asked about how many trees/material where deposited in.

Kevin Magee approximately 10 trees

Kara Cerino stated some planting are on the ledge

Kevin Magee said there is revegetation

Kara Cerino also stated that there are Iris and other plantings coming up

Csmr. S. Williams asked if it will be removed in approximately 2 months?

Csmr. S. Williams asked if any equipment will be brought in and how it will be worked out from top down?

Kara Cerino indicated that the wood may be winched up the hill side for removal.

Csmr. K. Clark asked if some of the brush can be left due to habitation of animals.
Kevin Magee said some piles can be left

Csmr. S. Williams made the following motion

VOTED: That the Guilford Inland Wetlands Commission approves a After the Fact and an regulated activity to 271 Stonehouse Lane, Guilford, Ct, Map 34, Lot 31, Zone R-3, Remove trees and brush that fell onto wetland within 100' upland jurisdictional review area shown on "Site Development, Soil Erosion and Sedimentation Control Plan Sheet 1 of 2 and prepared by Hendricks Associates Nov. 27, 1987 and revised to February 3, 1988 with the following conditions:

1. 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.
2. 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.
3. Modification of approved plan needs to come back to IWC
4. Any stock piles to be contained with E & S and seed disturbed area in spring
5. Call staff when brush and plantings removal is to start
6. Three to four small brush piles maybe left for wildlife

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, S. Anderheggen, K. Clark, S. Williams, E. Besmer

OPPOSED: None

ABSTAINED: P. Mei

This motion carries: 6-0-1

3. Mark Minuit, 748 Nut Plains Road, Map 86 Lot 28, Regulated Activity, Placement of fill and footing drain outlet within 100' jurisdictional review zone.

Reggie Reid stated Mark Minuit is working on the maps with Todd Anderson.

Upon a motion by Cmsr. S. Williams and seconded by Cmsr. K. Clark, it was voted to table the application until July 13, 2016 meeting.

4. Eric Alberghini, 4613 Durham Rd, After the Fact, Regulated Activity, to clear, grub, regrading and leveling within 100' jurisdictional review zone. (Request to table/extension to July 13, 2016)

Reggie Reid updated the commission on the property. She indicated that Rich Snarsky flagged the wetlands and indicated that the work was not conducted in the wetlands. Todd Anderson will be returning to the site to pick up Rich Snarsky's flags.

Cmsr. D. Williams indicated that there are logs and brush in the wetlands

Kevin Magee indicated that the approved wetlands line needs to be staked out by the surveyor.

Kevin Magee stated that the land can be walked if ready in July.

Cmsr. K. Clark asked if the hay bales have been installed at the base of the slope. Reggie Reid indicated that Mr. Alberghini thought he could not install them until after he received approval. The commissioners discussed that he was notified at the walk to have the hay bales installed before the meeting and when asked at the May meeting, Mr. Alberghini indicated that he had hay bales ordered and he waiting for them to be delivered in the next couple of days. The commission discussed if it there is a need to institute fines for noncompliance.

Upon a motion made by Commissioner R. Meier to have hay bales put on the edge of the wetlands by Monday, June 13, 2016. A fine of \$150 per day will be fined to the applicant

It was seconded by Commissioner P. Mei was unanimously voted to be approved.

Upon a motion made by Commissioner R. Meier and seconded by Commissioner S. Anderheggen, it was voted to table the application to July 13, 2016.

5. 350 Goose Lane Guilford LLC, 350 Goose Lane, Map 75 Lot 1, Zone MU/C3, Regulated Activity, Site Plan Referral, Subdivision Referral, Construction of Low Impact Development Cottage Style Single Family Residential Development within 100' jurisdictional review area. (Set public hearing for July 13, 2016 – 30 day extension submitted)

Upon a motion made by Commissioner S. Williams and seconded by Commissioner R. Meier, it was unanimously voted to except the 30 day extension and set a public hearing date for Wednesday, July 13, 2016.

Present for applicant: Kevin Magee updated the commission that a request for proposals went out to the third -party Engineering Firms which included Nathan Jacobson & Associates, GEI Consultants, Westcott & Maps, HAKS Engineers, and Dewberry Engineers. All five firms submitted proposals for review.

Kevin Magee explained each Firms proposal both pros and cons.

Commissioner J. Parker asked if there is any experience with Low Impact Development.

Kevin Magee indicated that the wetlands specialist with Nathan Jacobson & Associates noted experience in this area.

Commissioner K. Clark asked the storm water management and it requires a higher level of expertise.

Commissioner S. Williams asked what makes this a low impact development.

Commissioner K. Clark asked if there will be enough time to research questions and get back to us.

Csmr. D. Williams asked if Engineering Firm are being picked today

Kevin Magee will need some justification to applicant on why the commission picked a firm, and what qualifications they based it on, not the money.

Upon a motion made by Commissioner K. Clark and seconded by Commissioner S. Williams, it was voted to pick Jacobson for the third part consultation based on their qualifications.

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

OPPOSED: None

ABSTAINED: P. Mei

This motion carries: 6-0-1

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: Reggie Reid

Reggie Reid reviewed the application and additional information that was sent to her regarding the size of the pump, hours per day and number of days per week of operation.

Commissioner R. Meier made the following motion

VOTED: That the Guilford Inland Wetlands Commission approves an regulated activity to 30 Point Arrowhead Rd., Guilford, Ct, Map 63, Lot 14C, Zone R-3, Pumping water from Lake Quonnipaug including the installation of a pump within 100' upland jurisdictional review area shown on. With the following conditions;

1. The pumps operates no longer than 1 hour per day.
2. The pump be operated between the months of May and October.
3. No more than 1,200 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 1.5 horse power pump.
6. The pumping is for the watering of the lawn and gardens.
7. A flow gauge should be installed on the pump.
8. 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.
9. 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. D. Williams and was unanimously voted to be approved.

C. MINOR MODIFICATIONS

None

D. EXTENSION AND TRANSFER OF PERMIT

None

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

None

F. APPLICATIONS TO BE RECEIVED (Walk July 9, 2016)

(APPLICANTS NEED NOT ATTEND RECEIPTS)

1. Donna & Scott Tosta, 39 Gamma Ave, Map 57, Lot 174, Zone R-3, Regulated Activity, Install silt fence. Demolish the existing non-compliant system and abandon the existing well. Installation of new code complying septic system and well approved by the Guilford Health Department. Construction of 278 sq.ft. addition to the north side of the existing home within 100' jurisdictional review zone.
2. Robert Mitchell, 5 Durham Rd, Map 80, Lot 22, Zone I-1, Regulated Activity, Rehabilitation of existing bituminous asphalt parking lot and addition of 15 parking spaces outside of the regulated area within 100' jurisdictional review zone.
3. Linda and John Van Steenberg, 191 Flag Marsh Rd., Map 79, Lot 43-31, Zone R-5, Regulated Activity, to put in new driveway within 100' jurisdictional review zone.
4. Arc Fund One, LLC, 95 Hart Rd. Map 106, Lot 20, Zone R- 8, Regulated Activity, to add a one car garage and replace septic system within 100' jurisdictional review zone.
5. 2730 Boston Post Rd, LLC, (David Dupuis) 2730 Boston Post Rd, Map 83, Lot 24, Zone T-3, Regulated Activity and After the Fact, Mulch, aggregate sales facility, reset concrete blocks in regulated area within 100' jurisdictional review zone.
6. Massimo Liguori, 52 Thirsty Lake Rd, Map 85, Lot 57, Zone R-5, Boundary Clarification, Division of existing property into two lots. One lot will have existing house and the other lot will be a new building lot. No proposed construction at this time, within 100' jurisdictional review zone.
7. Irene Roman, 59 Lakeside Drive, Map 59, Lot 76, Zone R-3, Regulated Activity, Pumping water from Guilford Lakes for garden and lawn within 100' upland jurisdictional review zone.
8. Kathleen and William Faller, 77 Beech Rd, Map 59, Lot 87, Zone R-3, Regulated Activity, Add sand back to the beach 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 applications 1-6 and 8 and set a walk date of July 9, 2016.

G. BILLS

1. Shore Publishing – \$ 60.31(May)
2. Public Hearing - \$26.00 (1st public hearing posting for June)

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

INFAVOR: D. Williams, R. Meier, S. Anderheggen, K. Clark, S. Williams, E. Besmer and P. Mei
OPPOSED: None
ABSTAINED: R. Meier

This motion carries: 6-0-1

H. CORRESPONDENCE / OTHER BUSINESS

1. Michael D. Estrom, 29 Jacobs Lane – Discussion with commission to pull permit

The commission would like to receive an application.

I. MANDATORY REFERRAL

1. CT DEEP – Permit Application for the Use of Pesticides in State Waters – 188 Janeway Drive – Treatment of small residential pond

The commission was advised of the work and took no action.

J. AUTHORIZED AGENT APPROVALS

1. Kameron & Charlotte Shahid (CK Architects-Russell Campaigne) -480 Clapboard Hill Rd- enlarge existing porch and additional porch on opposite side of house
2. Rachel Dove & Tony Ho – 591 Lake Drive – replace septic system tank
3. Amy & Steve Eppler-Epstein – 90 Sugarloaf Rd – kitchen addition on sono tubes
4. Henry & Amanda Robinson – 368 Durham Rd – Shed
5. Joseph J. Morro – 81 Three Mile Course – removal of tank
6. Jason Deshefy – 28 Lisa Court – above ground pool

R. Reid reviews the approvals with commission

K. APPROVAL OF MINUTES

1. May 11, 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. June 4, 2016, 2016 – walk meeting

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

INFAVOR: D. Williams, R. Meier, S. Anderheggen, K. Clark, S. Williams, E. Besmer and P. Mei
OPPOSED: None
ABSTAINED: R. Meier

This motion carries: 6-0-1

Then, with no further business before it, upon a motion by Csmr. R. Meier and seconded by Csmr. S. Williams it was unanimously voted to adjourn the meeting of the Guilford Inland Wetlands Commission at approximately 9:10 P.M.

Respectfully submitted,

Michelle C. Nazario