

draft Minutes
Guilford Inland Wetlands Commission
Regular Meeting
August 12, 2015 at 7:30 P.M.
Guilford Community Center – Faulkner Room
32 Church Street

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: E. Besmer, S. Williams, K. Clark & R. Meier
Members Absent: W. Corbiere, P. Mei,
Alternates Present: D. Williams, J. Parker, Calvin Page
Alternates Absent:
Staff: Kevin Magee, Environmental Planner
Regina Reid, Inland Wetlands Enforcement Officer
Michelle C. Nazario, Recording Secretary

Chairman Scott Williams opened the meeting at approximately 7:34 P.M.

Appointment by Chair of members sitting for this meeting: E. Besmer, S. Williams, K. Clark, R. Meier, J. Parker & C. Page

A. APPROVAL OF AGENDA

August 12, 2015

Upon a motion by Cmsr. S. Williams and seconded by Cmsr. K. Clark, it was voted unanimously to approve the agenda.

B. APPLICATIONS

1. Elmer Benton, 151 Race Hill Rd, Map 11, Lot 8B & 8A, Zone R-8, Permit to conduct Regulated Activity; installation of 25'x14' bridge including concrete footings on either side of West River within the 100' upland jurisdictional review area. Tabled 7/8/15.

Present for applicant: No one

Upon a motion by Commissioner R. Meier and seconded by Commissioner K. Clark it was unanimously voted to table this application to the next meeting.

2. Douglas Williamson, 920 Hoop Pole Rd, Map 106, Lot 54-1, Zone R-8, Permit to conduct Regulated Activity, roof water discharge, driveway and retaining wall within 100' upland jurisdictional review area.

Present for applicant: No one

Upon a motion by Commissioner S. Williams and seconded by Commissioner C. Page it was unanimously voted to table this application to the next meeting.

3. Thomas Dahl, 3730 Durham Rd, Map 63, Lot 4, Zone R-8, Permit to conduct Regulated Activity, new garage within 100' upland jurisdictional review area of Lake Quonnipaug.

Present for applicant: No one

Commissioner S. Williams refreshed the commission of the property. Csmr. S. Williams read Denis Johnson, Heath Director of Town of Guilford report into the record.

Csmr. S. Williams made the following motion

VOTED: That the Guilford Inland Wetlands Commission approves a Regulated Activity, to 3730 Durham Rd, Guilford, Ct, Map 63, Lot 4, Zone R-8, Construct a new garage within 100' upland jurisdictional review area shown on "3730 Durham Rd - Dahl Map" dated 7/19/15 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. 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.

4. Karen Johnson, 25 White Birch Drive, Map 59, Lot 40, Zone R-3, Permit to conduct Regulated Activity, to add a 3 car garage and new septic system within 100' upland jurisdictional review area.

Present for applicant: Archie Bailey,

Csmr. S. Williams read the note from Denis Johnson, Heath Director of Town of Guilford report into the record.

Archie Bailey stated that he bumps up the septic by one room, but the house is a 4 bedroom house. The new system is going into the old systems place.

Csmr. S. Williams asked about the garage and the material

Archie Bailey stated that there will not be any machinery in the wetland area.

Csmr. S. Williams asked about the run off.

K. Magee that it doesn't matter if there is gutters or not, but asked about which direction the roof will be facing to determine if a French drain would work.

Archie Bailey stated the roof will be facing the woods and indicated that he could install storm galleries to handle the roof drains.

Csmr. S. Williams made the following motion

VOTED: That the Guilford Inland Wetlands Commission approves a Regulated Activity, to 25 White Birch Drive, Guilford, Ct, Map 59, Lot 40, Zone R-3, to add a 3 care garage and new septic system within 100' upland jurisdictional review area shown on "25 White Birch Drive – Karen Johnson" dated 7/1/15 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. Installation of galleys for storm water retention for garage to be approved by staff
4. 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.

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

OPPOSED: None

ABSTAINED: J. Parker

This motion carries 6-0-1

5. Matthew Davison, 1206 Durham Rd, Map 91, Lot 5003, Zone R-5, Permit to conduct Regulated Activity, Construction of a 12x13 sunroom with poured concrete foundation extending one foot beyond the footprint of an existing deck with existing deck that is approximately 50 ft (field measurement) from the edge of a floodplain wetland associated with the West River within 100' upland jurisdictional review.

Present for applicant: Matthew Davidson

Matthew Davidson refreshed the commission of his plan.

Csmr. S. Williams asked if he is taking out the whole deck

Matthew Davidson stated that it is just a section that will be excavated out.

Csmr. K. Clark asked about erosion control

Matthew Davidson stated that it is well vegetated.

Csmr. S. Williams made the following motion

VOTED: That the Guilford Inland Wetlands Commission approves a Regulated Activity, to 1206 Durham Rd, Guilford, Ct, Map 91, Lot 5003, Zone R-5, Construction of a 12x13 sunroom with poured concrete foundation extending one foot beyond the footprint of an existing deck with flood plain wetland associated with the West River

within 100' upland jurisdictional review area shown on "The Davidson Residence 1206 Durham Rd Guilford Connecticut" dated 7/1/15 with the following conditions;

1. Unless dictated by staff, 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. 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 seconded by Csmr. R. Meier and voted to be approved.

6. P. Cody Christensen, Durham Rd., Map 113, Lot 35, Zone R-8, After the Fact, Permit to conduct Regulated Activity and Permit Use As of Right for 4200 sq. ft. green house for production of Agricultural Crops within 100' upland jurisdictional review area (Request to table to 9/9/15)

Kevin Magee stated that the soil report is done, but the applicant requested to be tabled until September 9, 2015.

Upon a motion by Commissioner S. Williams and seconded by Commissioner C. Page it was unanimously voted to table this application to the next meeting.

7. Anthony Diglio dba Country Farms, 3049 Boston Post Rd, Map 83, Lot 3, Zone R-7, Permitted Use As Of Right, Construct a 30' x 84' greenhouse behind existing 30' x 84' greenhouse within 100' upland jurisdictional review area.

Present for applicant: Anthony Diglio

The commission asked what does this fall under, As of Right or Regulated Activity.

K. Magee asked what type of plants will you be growing.

Anthony Diglio stated any seasonal plants mums, poinsettias, etc.

Commissioner K. Clark asked about the nitrogen when watering the plants due to the slope down to the wetlands.

K. Magee suggested putting in a 2ft deep trench for run off from the green house floor.

Anthony Diglio stated that he uses drip irrigation – drip tubes

Commissioner S. Williams mad the following motion

VOTED: That the Guilford Inland Wetlands Commission approves a Permitted Use As Of Right for 3049 Boston Post Road, Guilford, Ct, Map 83, Lot 3, Zone R-7, Construct 30' x 84' greenhouse behind existing 30' x 84' greenhouse within 100' upland jurisdictional review area shown on "3049 Boston Post Road Guilford, Connecticut Map" dated 5/11/15. This application is approved based upon the finding that the proposed greenhouse and use is a Permitted Use as of Right in accordance to the Inland Wetlands and Water Course Regulations Section 271-10 (A) Grazing, farming, nurseries, gardening and harvesting of crops and farm ponds of three acres or less essential to the farming activity. The greenhouse for raising and harvesting agricultural and horticultural commodity along with the sale of agricultural or horticultural commodity as an incident to ordinary farming activity meets the definition of agriculture and farming as defined by Connecticut General Statues Section 1-1(q).

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

C. MINOR MODIFICATIONS

None submitted

D. EXTENSION AND TRANSFER OF PERMIT

1. Diane Auger Esposito, 5051 Durham Rd, Map 129, Lot 1, Zone R-8, Use as of Right, Install a grassed waterway with woodchip collection area to protect water quality of the unnamed tributary located on property. The grassed waterway will be constructed by contouring the existing grade to achieve the necessary elevation within 100' upland review area.

Kevin Magee updated the commission that the title to the properties now belongs to Diane Auger Esposito and the application should be transferred to her name.

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

1. Mr. & Mrs. Jerome Silbert, 155 White Birch Drive, Map 58, Lot 41, Zone R-3.
Possible violation; pumping water from Guilford Lake within 100' upland review area.

Jerry Silbert provided information to the commission indicating that 375 gallon per minutes pump to water his yard. Jerry indicated that if he uses the pump for a maximum of 4 hours he would withdraw 900 gallons of water which is less than two thousand of an inch draw down of the lake.

2. Mr.& Mrs. Gordon A. Terwilliger, Jr., 47 White Birch Drive, Map 59, Lot 37, Zone R-3.
3. Possible violation; pumping water from Guilford Lake within 100' upland review area.

Gordon and Marie Terwilliger indicated that they use the lake water for irrigation of the yard. They indicated that the pump was with the house when they purchased it in 1993 and that they use the 3.75 gal/minutes pump no more than 2 hours per day during dry periods.

3. Mr. Gregory P. Terwilliger, 103 White Birch Drive, Map 58, Lot 46, Zone R-3.
Possible violation; pumping water from Guilford Lake within 100' upland jurisdictional review area.

Gregory Terwilliger indicated that his pump was installed in 1990 and is currently attached to an underground sprinkler system. The system has an accompanying rain gauge and will only activate under dry conditions. The irrigation pump flows 10 gal/minute or 600 gal/hour. The pump is timed to run 1 hour per day.

The commissioner reviewed the definition of a regulated activity and determined that withdraw of water from a lake or stream meets the definition. Tabled Investigation/ Enforcement action item numbers 1-3 for information from staff about how other towns regulate water with drawl.

4. Mr.& Mrs. Timothy Chamberlain, 107 Dohm Ave, Map 86, Lot 34 B-2, Zone R-5.
Possible violation; grading for lawn with out permit within 100' upland jurisdictional review area.
5. William Reiss, 173 Middle Rd, Map 60, Lot 44, Zone R-3. Fill installed behind house within 100' upland review area.

R. Reid, IWEO explained the violations to the commission.

F. APPLICATIONS TO BE RECEIVED (*Walk August 29, 2015*)

(APPLICANTS NEED NOT ATTEND RECEIPTS)

1. Ian C. Perry, 452 East River Road, Map 75, Lot 30, Zone R-5, Permit to conduct regulated activity, construct a new 3 car attached garage and convert existing garage to living space within 100' upland jurisdiction review area.
2. Sunset Creek /Jim Goodridge, 920 Nut Plains Rd, Map 92, Lot 15-4, Zone R-4, Permit to conduct regulated activity, construction of single family house, sanitary system, driveway and grading within 100' upland jurisdictional review area.
3. The Cottage at Lake Quonnipaug, 286-300 Lake Dr., Map 62, Lot 11, Zone R-3, Permit to conduct Regulated Activity and Boundary Clarification, Excavation, grading and construction of an accessory apartment and construction of a driveway within 100' upland jurisdictional review area.
4. Bob Scott, Shoreline Home Building, LLC, 40 Edwin Court, Map 93, Lot 49, Zone R-8, Permit to conduct Regulated Activity. Construction of septic system and swimming pool in the 100' upland jurisdictional review area. (application alters a site plan previously approved by IWC by relocating the reserve leaching system area and adding a swimming pool)
5. Elizabeth A. P. Schioppo, 240 Maupas Road, Map 97, Lot 060, Zone R-7, Permit to conduct Regulated Activity; Replace an existing barn with a new one within 100' upland jurisdictional review area.
6. Frank & Carol Cavallaro, 396 North River St, Map 53, Lot 31, Zone R-1, Permit to conduct Regulated Activity and Subdivision Referral, Construction of new house, driveway, sanitary system and storm water within 100' jurisdictional review area.
7. Stephen & Julie Etes, 353 Step Stone Hill Rd, Map 92, Lot 15, Zone R-4, Permit to conduct Regulated Activity, Install in ground swimming pool and a 14x20 shed within 100' jurisdictional review area.
8. Tracy Ghantous, 3 Sleepy Hollow, Map 89, Lot 10-5, Zone R-7, Permit to conduct Regulated Activity, Install a in ground 18' x 36' swimming pool and associated grading within 100' upland jurisdictional review area.

Upon a motion by Cmsr. S. Williams and seconded by Cmsr. C. Page, it was unanimously voted to receive the applications above and set a walk date of August 29, 2015.

G. BILLS

1. Shore Publishing – \$ 46.44 (July)

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

H. CORRESPONDENCE / OTHER BUSINESS

1. DDR site inspection report –
2. Guilford High School weekly reports –
3. The Habitat

Upon a motion by Csmr. S. Williams and seconded by Csmr. C. Page, it was unanimously voted to receive the correspondence.

I. MANDATORY REFERRAL

None Received

J. AUTHORIZED AGENT APPROVALS

1. Stephen Brody – 53-57 Woodland Rd, Map 57, Lot 166 - repair leaching fields

R. Reid, IWEO explained the approvals.

K. APPROVAL OF MINUTES

1. July 8, 2015 regular meeting

Upon a motion by Cmsr. C. Page and seconded by Cmsr. D. Williams, it was voted to approve the minutes.

INFAVOR: S. Williams, R. Meier, E. Besmer, C. Page and D. Williams

OPPOSED: None

ABSTAINED: K. Clark

This motion carries 6-0-1

2. August 8, 2015 walk meeting

Upon a motion by Cmsr. D. Williams and seconded by Cmsr. C. Page, it was voted to approve the walk minutes.

INFAVOR: S. Williams, R. Meier, E. Besmer, C. Page and D. Williams

OPPOSED: None

ABSTAINED: K. Clark

This motion carries 6-0-1

Then, with no further business before it, upon a motion by Cmsr. S. Williams and seconded by Cmsr. R. Meier, it was unanimously voted to adjourn the meeting of the Guilford Inland Wetlands Commission at approximately 9:05 P.M.

Respectfully Submitted,

Michelle C. Nazario
Recording Secretary