



Inland Wetlands and Watercourses Agency

TOWN HALL * PO BOX 150 * 1019 MAIN ST. * BRANFORD, CT 06405
203-315-0675 * FAX 203-889-3172 * inlandwetlands@branford-ct.gov



REGULAR MEETING MINUTES

Inland Wetlands and Watercourses Commission

Thursday, December 12, 2024 at 7:00 PM

This meeting was held remotely, via ZOOM.

CALL TO ORDER: Meeting was called to order at 7:00 pm by Chairman P. Bassermann

ROLL CALL: Chairman P. Bassermann, Commissioners S. Botta, M. Papantones, J. Meinsen, and C. Begemann. Also present was IWEO J. Frederick and IW Associate K. Blanchette

Commissioner M. Ormrod joined the meeting at 7:06 pm and was seated.

1) **MINUTES FOR APPROVAL:**

- a) November 14, 2024 Regular Meeting Minutes-Commissioner S. Botta requested some additional information from the meeting be included in the minutes, including the requested alternative analysis without building 4, in response to G. Logan's claims that the wetland is not valuable, the state of CT does not provide for distinction between quality of wetlands, and in regards to the sewers, there needs to be a finding of fact that sewers are better than septic systems to substantiate claims. IW Associate Blanchette will make the requested revisions and bring minutes back to the commission at the January 9, 2025 meeting.

2) **PUBLIC HEARINGS:**

- a) IW#24.09.02 | 1, 2,3,4,5,6,7,9,11,15,17 Beacon Hill Rd and Beacon Hill Rd | Age Restricted Housing Development-**Commissioner M. Ormrod recused himself from this matter.** Attorney Timothy Lee for the applicant presented an overview of the plan. There were questions at the last meeting about prudent and feasible alternatives analysis and wetland mitigation. George Logan, soil scientist, went over the proposed permanent impacts and mitigation. The plan calls for 9,637 sq ft of permanent wetland impacts, and 19,000 sq feet of mitigation, which is more than the required 2:1 ratio for mitigation. The current proposed areas of mitigation focus more on enhancing/restoring the current wetland areas rather than creating more wetland areas. The current mitigation plan is to pull out some phragmites infested soils from the wetland area and dispose of the properly offsite, and then go in and replant the areas with beneficial wetland plants to enhance the area. Using the detention basin for mitigation is no longer on the table and it will just be planted with a wetland seed mix. Commissioners indicated that there should be a documented cutting schedule for the basin, so that when it gets turned over to the association there is no question about what needs to be done. The commission emphasized that documented clarity is critical with dealing with annotated plans to avoid having future property owners needing to come back before the commission because of mistakes. Attorney Tim Lee and property representative Douglas Anderson indicated that the property needs 22 units in order to make the project economically feasible, so removing a building is not a prudent and feasible alternative. Commission would like the applicant to develop a public offering statement/stormwater management document for property transfer, for both the mitigation areas and the stormwater management areas. Public hearing was continued to the January 9 meeting.

3) ENFORCEMENT:

- a) CC#24.07.01 | 1, 5 and 7 Beacon Hill Rd | vegetation removal & earth disturbance within wetland and adjacent upland area
 - i) Continuation of show cause hearing-No discussion. Continued to the January 9, 2025 meeting.
- b) CC#24.09.01 & NOV | 9 High Plains Rd & 40 Hickory Hill La | regrading resulting in sedimentation of the pond located on property known as 40 Hickory Hill Lane
 - i) Continuation of Show cause hearing-IWEO stated that both she and IW Associate K. Blanchette both went out to the site during the heavy rainfall, and the ponds looked clear. Soil scientist George Logan does not yet have the turbidity data, however from visual inspection it appears as though the fine sediments have settled out and do not appear to be resuspended at this time. Continued the discussion to the January 9, 2025 meeting to hopefully receive more data.
- c) CC#24.09.02 | 170-182 Leetes Island Rd | clearing and earth disturbance without a permit
 - i) Continuation of Show cause hearing-IW Agent J. Frederick indicated that she had been contacted by Attorney Janet Brooks who was retained by the property owner, and they do not have the materials requested yet, and asked to continue the discussion to the January 9, 2025 meeting.
- d) CC#24.12.01 | 175 Cherry Hill Rd, 167 Cherry Hill Rd and Hosley Rd | Non-compliance with sedimentation and Erosion Control Plan from IW#22.07.05 resulting in sedimentation into the watercourse-Show cause hearing-This application was a subdivision without regulated activity that was approved back in 2022. There were no requirements in the permit for weekly monitoring and there was no required bond. Applicant stated that the breaches in erosion controls was due to unprecedented rainfall. Commission requested that the Cease and Correct order be Upheld and modified with the following modifications: Work with the engineering firm to ensure the site has the sediment and erosion control setup that it needs based on current site conditions. The engineering firm should make a site inspection to provide recommendations. Recommendations should be submitted to the IW office and implemented as soon as possible to prevent further impacts. The stockpile soil composition should be identified and reported to the IW office for review by the Commission at the January 9, 2025 meeting. This information should be considered in the engineering firm's recommendations. Reports of sediment and erosion controls shall be submitted to the IW office within 24 hours of any rain event of 0.5" or more. This timeframe and storm intensity were selected based on CT DEEP General permit inspection requirements. In addition, the road needs to be swept prior to December 16, 2024. Motion was made by Commissioner S. Botta and seconded by M. Papantones. Motion carried unanimously.

Commissioner S. Botta left the meeting at 9:44 pm.

4) APPLICATIONS FOR REVIEW:

- a) IW#24.11.02 | 183 Cherry Hill Road Extension | New Single-Family Residence-there was discussion amongst the commission regarding whether they felt it would be appropriate to be done as an agent approval. However, given the current issues of the development as a whole (see item 3d), the commission does not feel comfortable at

this time designating this as an Agent Approval application. Commission will discuss further at the January 9, 2025 meeting.

5) **APPLICATIONS FOR RECEIPT:**

- a) IW#24.11.03 | 191 Cherry Hill Road Extension | New Single-Family Residence
 - i) Possible Agent Review -IW Agent J. Frederick indicated that this application was for receipt during the meeting. Again, a possible Agent review was discussed for the application, and the commission deemed that the application needed to come back to the commission while the issues in the subdivision are rectified. Will discuss again at the January meeting.

6) **AGENT APPROVALS:** none

7) **OTHER BUSINESS:** none

8) **CORRESPONDENCE AND ANNOUNCEMENTS:**

- a) CACIWC meeting – brief highlights/take aways from attendees
- b) Announcement: CT Land Use Law for Municipal Land Use Agencies, Boards and Commissions Webinar – March 22, 2025

9) **ADJOURNMENT:** Chairman P. Bassermann adjourned the meeting at 10 pm.

Respectfully submitted,

Katy Blanchette

IW Associate