

APPROVED 05/27/09
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES
Inland Wetlands Commission

Minutes of the Inland Wetlands Commission meeting held on Wednesday, April 22, 2009 at the Mildred A. Wakeley Community and Recreation Center, 7 Linsley Street, in Room #2 at 7:00 PM.

MEMBERS PRESENT:

Mark R. Trojanowski, Chairman, arrived at 8:00 PM
Edward T. Bruce, Vice Chairman
Leroy C. Gould, Acting Secretary
William Leiserson
Steven J. Nugent
Pamela Sletten
Frank H. Bumsted, Alternate

ABSENT MEMBERS:

Stephen F. Darley
John A. Gilchrist, Alternate

OTHERS:

Alan Fredricksen, Land Use Administrator
Jonathan Bodwell, Town Engineer
Arthur Hausman, Zoning Enforcement Officer
Lisa Raccio, Stenographer
Sandra Lion, Clerk

AGENDA:

Mr. Bruce, Acting Chairman, called the meeting of the Inland Wetlands Commission to order at 7:06 PM and introduced the Commission and town staff. He then explained the procedure for the public hearings. Mr. Bruce asked Mr. Fredricksen, Land Use Administrator, if there were any changes to the agenda. Mr. Fredricksen stated that he would like to add to the agenda the application of 320 Kings Highway for Subdivision Referral and scheduling of a public hearing.

Mr. Gould read the call for the first public hearing.

1. #I09-01 Application of Bernard A. Pellegrino, Applicant, G. Capasso & Sons, LLC, Owner, relative to 81 McDermott Road, (Map 6, Lot 33), seeking Permit To Conduct Regulated Activity and Site Plan Referral. Plans Entitled: Site Development Plan, 81 McDermott Road, North Haven, CT. Prepared by Nafis & Young Engineers, Inc., Dated 12-15-08. Scale 1" = 20'. IL-30 Zoning District.

Attorney Gregory Gallo with the Pellegrino Law Firm presented modifications to and additional information regarding this application to permit construction and construction activity in the wetland buffer area for a proposed new two story 7,400 square feet retail/office building on this 1.8 acre site.

Mr. John Harriman, P.E, with Nafis & Young, further described the revised plans that now include sidewalks. Mr. Harriman also described the construction of the retaining wall near the wetlands. Mr. Nugent is concerned with disturbing the wetlands during the construction of the retaining wall. Mr. Bodwell, Town Engineer, felt that there will be no permanent damage to the wetlands. The Commission would like the trash monitored and a trash receptacle added.

Mr. David Lord, Soil Scientist with Resource Consultants, distributed to the Commission the Storm Water Wetland Basin and Planting Detail Plan and photographs of the planting areas. He then described the revised wetland plantings plan. Mr. Fredricksen then addressed the Commission with a few more questions and Mr. Harriman concluded the presentation.

Mr. Bruce asked for public comment. There was no public comment so the public hearing was closed.

Mr. Gould read the call for the second public hearing.

2. #I09-02 Application of Bernard Pellegrino, Applicant, Quinnipiac University, Owner, relative to 328 Bassett Road, (Map 91, Lot 19), seeking Permit To Conduct Regulated Activity and Site Plan Referral. Plan Entitled: Spoil Area Restoration, Quinnipiac University, Anthem Campus, North Haven, Connecticut. Prepared by Nathan L. Jacobson & Associates, Inc. Dated February 27, 2009. Scale 1" = 40'. LO Zoning District.

Attorney Bernard Pellegrino, Jr. with the Pellegrino Law Firm presented the application to permit the restoration of the existing spoil area on the southern portion of the Quinnipiac University property. A buffer area will be recreated and extended and buffer plantings will be added.

Mr. Howard Pfrommer, engineer, further described the modified plans and Mr. Richard Snarski, Soil Scientist, described the wetland buffer plantings. The Commission asked questions and Mr. Snarski and Mr. Harriman responded. Mr. Gordon Binkhorst with the Alta Environmental Group described the different types of soil testing that were conducted on the site. Mr. Fredricksen asked about the boundary amendment. Mr. Pellegrino explained that they would file a boundary amendment after approval of the application and at the time of the as-built.

Mr. Bruce asked for public comment. There was no public comment so the public hearing was closed.

INFORMAL: None

Mr. Leiserson moved to go into deliberations; Mr. Bumsted seconded the motion. All were in favor.

DELIBERATIONS:

1. #I09-01 Application of Bernard A. Pellegrino, Applicant, G. Capasso & Sons, LLC, Owner, relative to 81 McDermott Road.

Mr. Bumsted moved to approve the application and send a positive referral to the Planning and Zoning Commission; Mr. Leiserson seconded the motion. The Commission voted as follows:

Bruce – aye Leiserson – aye Gould – aye Nugent – aye Sletten – aye Bumsted – aye

The application was approved with appropriate conditions.

2. #I09-02 Application of Bernard Pellegrino, Applicant, Quinnipiac University, Owner, relative to 328 Bassett Road.

Mr. Bumsted moved to approve the application and send a positive referral to the Planning and Zoning Commission; Mr. Nugent seconded the motion. The Commission voted as follows:

Bruce – aye Leiserson – aye Gould – aye Nugent – aye Sletten – aye Bumsted – aye

The application was approved with appropriate conditions.

OTHER:

309 Mill Road

Mr. Andrew Mayshar, owner of the farm pond at 309 Mill Road, asked to speak to the Commission regarding removal of material from the pond.

Election of Secretary to the Commission

Mr. Bruce moved to elect Mr. Leroy C. Gould as Secretary to the Commission; Mr. Leiserson seconded the motion. The Commission voted as follows:

Trojanowski – aye Bruce – aye Leiserson – aye Gould – aye Nugent – aye Sletten – aye Bumsted – aye

441 State Street, Tire Pond

Mr. Trojanowski, stated that Public Works Director, Lynn Sadosky, was able to visit the tire pond site. Mr. Trojanowski explained that if there was another request for a proposal to fill that he would like the applicant to come before the commission for approval. Also, the Commission wants to speak with Fuss and O'Neill to have questions answered. The Commission would like to visit the site before their next meeting and spoke of holding a special meeting to have further questions answered regarding this project.

Mr. Leiserson spoke regarding the second RFP. He asked about a permit requirement for the second RFP because it's a regulated activity. Mr. Leiserson would like the opportunity to ask engineering and technical questions regarding Phase I of the project. Mr. Steve Nugent will replace Mr. Ron Penton on the Tire Pond Subcommittee.

320 Kings Highway

Mr. Bruce moved to accept the application for subdivision referral and require the scheduling of a public hearing; Mr. Leiserson seconded the motion. The Commission voted as follows

Trojanowski – aye Bruce – aye Gould – aye Leiserson – aye Nugent – abstained
Sletten – aye Bumsted - aye

BOND RELEASES & REDUCTIONS: None

MINUTES:

March 25, 2009

Mr. Leiserson moved to approve the minutes of the March 25, 2009 meeting;
Mr. Gould seconded the motion. The Commission voted as follows:

Bruce – aye Leiserson – aye Gould – aye Nugent – aye Sletten – aye Bumsted - aye

ENFORCEMENT ACTIONS:

Mr. Hausman, Zoning Enforcement Officer, discussed wetlands violations with the Commission.

2989 Ridge Road – Mr. Farooq Khan

The Town Attorney has become involved with this violation and on May 19, 2009 a final Cease and Desist will be ordered if there is no response from Mr. Khan. The violation consists of wood chips encroaching on the wetlands and clearing of trees.

59 Lancelot Drive – Mr. Richard Maiocco

The violation involved clearing and excavating to relocate a septic system without knowing the location of the wetland area. On April 21, 2009, a Notice of Violation was sent to Mr. Maiocco.

EXTENSIONS: None

PERMITTED USES AS OF RIGHT: None

CORRESPONDENCE: -State of CT DEP letter dated March 19, 2009
-CFL News, April 2009
-Planter's Choice, Native Solutions, A Natural Choice Booklet
-CACIWC, Winter 2009

ADJOURN:

Mr. Leiserson moved to adjourn the meeting; Mr. Nugent seconded the motion. The meeting was adjourned at 9:00 PM.