

APPROVED 2-27-13
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES
Inland Wetlands Commission

Minutes of the Inland Wetlands Commission meeting held on Wednesday, November 28, 2012, at the North Haven Memorial Library, 17 Elm Street, in the Community Room at 7:00 PM.

MEMBERS PRESENT:

Mark R. Trojanowski, Chairman
Peter Tenedine, Vice Chairman
Steven J. Nugent, Secretary
Matthew M. Jermine
Pat Libero
Stephen F. Darley
Frank H. Bumsted, Alternate
Steven Miller, Alternate, sitting for Cheryl A. Juniewicz

ABSENT MEMBERS:

Cheryl A. Juniewicz
Pamela Sletten, Alternate

OTHERS:

Alan Fredricksen, Land Use Administrator
Jonathan Bodwell, Town Engineer
Genevieve Bertolini, Stenographer
Sandi Lion, Clerk

AGENDA:

Mr. Trojanowski, Chairman, opened the meeting at 7:05 p.m. and introduced the Commission and town staff. Then he explained the procedure for the Public Hearings and asked Mr. Fredricksen, Land Use Administrator, if there were any other items to come before the Commission. Mr. Fredricksen stated that there were none.

Mr. Trojanowski asked that the item under "Other" be heard first due to the anticipated length of the following applications. All were in favor.

OTHER:

48 Marlen Drive

Mr. John Wilcox, owner, spoke regarding the proposed utility lines. Mr. David Lord, Soil Scientist, conducted an onsite investigation of this site to assess the potential for any adverse impacts to the wetland resources from the proposed installation of a sewer line and a water service line.

Mr. Lord found in his investigation that no inland wetlands or watercourse resources would be directly impacted from this proposed installation. He stated that the proposed work will be conducted 30' from the wetlands itself. Photographs of the property were submitted, Exhibit A.

Mr. Bumsted moved to approve the installation of the utility lines at 48 Marlen Drive with a condition that a report be submitted at the end of the project. Also, the pipes being installed must meet all applicable building and safety codes; Mr. Tenedine seconded the motion. The Commission voted as follows:

Trojanowski – aye Nugent – aye Tenedine – aye Jermine – aye Libero – aye Darley – aye Bumsted – aye

PUBLIC HEARINGS:

Mr. Nugent read the call for the first Public Hearing.

1. #I12-09 Application of David Sessions, Applicant, Crossroads Medical Center, LLC, Owner, relative to 158 State Street, (Map 51, Lot 7), seeking to Amend Wetland Boundary Map. Plan Entitled: Wetland Declassification, Medical Office Building, Lot 6: 8 Devine Street, North Haven, CT 06473 Lot 7: 158 State Street, North Haven, CT 06473. Prepared by LADA, P.C. Dated 10/25/12. Scale 1" = 40'. O-12 Zoning District.

Mr. Philip Doyle of LADA, P.C. presented the application to amend the wetland boundary relative to 158 State Street. The application is intended to amend the wetlands boundary in the northwest corner of the property, altering the previous delineation approved by the Commission on September 24, 1997. The removal of the invasive species from these areas has left a vegetative void that the applicant is seeking to remedy. The Commission asked questions and Mr. Doyle responded.

Mr. Nugent read the call for the second Public Hearing.

2. #I12-10 Application of David Sessions, Applicant, Crossroads Medical Center, LLC, Owner, relative to 158 State Street, (Map 51, Lot 7), seeking Permit To Conduct Regulated Activity and Site Plan Referral. Plan Entitled: Medical Office Building, Lot 6: 8 Devine Street, North Haven, CT 06473, Lot 7: 158 State Street, North Haven, CT 06473. Prepared by LADA, P.C. Dated 01/27/11, rev. 10/25/12. Scale 1" = 40'. O-12 Zoning District.

Mr. Philip Doyle of LADA, P.C. presented the application to permit the construction of a large earth berm (150' x 28') with additional landscaping to help screen the new building from neighbors to the north and west. Any approval of this application is intended to supercede applications #I11-03 and #I12-03. The Commission asked questions and Mr. Doyle responded. All of the conditions of approval from those two prior applications remain in effect and any approval of this application should require the revising of the bond for applications #I11-03 and #I12-03 to include the work of this application. The Commission asked questions and Mr. Doyle responded.

Mr. Trojanowski asked for public comment.

Public comment:

1. Sherman Katz, 40 Sherwood Drive, spoke in favor of the berm.
2. Mary Lewandowski, 16 Sherwood Drive, spoke in favor of the berm.
3. Jay Bard, 24 Sherwood Drive, stated that the applicant for this project has been very considerate of the neighbors.

There being no further public comment, the Public Hearings were closed.

Mr. Nugent read the call for the third Public Hearing.

3. #I12-11 Application of Pharmacia & Upjohn Company, LLC, Owner and Applicant, relative to 41 Stiles Lane, (Map 43, Lot 34), seeking Permit To Conduct Regulated Activity and Site Plan Referral. Plan Entitled: East Side Remedial Components Construction, Pharmacia & Upjohn Company LLC Site, 41 Stiles Lane, North Haven, Connecticut. Prepared by Brown and Caldwell. Dated October 29, 2012. Scale: 1" = 120'. IG-80 Zoning District.

Mr. Jermine recused himself from this application and Mr. Bumsted sat.

Attorney John Parese presented the application to permit the installation and maintenance of the US Environmental Protection Agency and Connecticut Department of Energy and Environmental Protection approved final site clean up of shallow groundwater at the east side of the Pharmacia & Upjohn Company property.

Mr. Randy White of Golder Associates gave an overview of the site-wide remedy, primary objectives and the future use vision. Mr. Keith Bogatch, P.E. of Brown and Caldwell discussed components of the remedial project. Mr. Bill Romaine, Soil Scientist, described the wetland areas on the site and the ecological enhancements proposed. He stated that 1.9 acres of wetlands will be disturbed and 6.5 acres of inland wetlands will be created. Also proposed is the creation of 2.2 acres of upland meadow. Then the powerpoint presentation was submitted, Exhibit A. The Commission asked questions and Mr. White, Mr. Bogatch and Mr. Romaine responded. Mr. Fredricksen, Land Use Administrator, requested monitoring reports for the project. Mr. Russell Downey of Pfizer spoke regarding monitoring and maintenance of the project.

Mr. Trojanowski asked for public comment. There being no public comment, the Public Hearing was closed.

Mr. Nugent read the call for the fourth Public Hearing.

4. #I12-12 Application of 200 Sackett Point Road, LLC, Owner and Applicant, relative to 300 Elm Street and 200 & 144 Sackett Point Road, (Map 36, Lots 3, 8, & 18), seeking Permit To Conduct Regulated Activity and Site Plan Referral. Plan Entitled: Proposed Soil Stockpile Permit, 200 Sackett Point Road, LLC, 300 Sackett Point Road, North Haven, Connecticut. Prepared by Milone & MacBroom, Dated Oct. 25, 2012. IL-80 Zoning District.

Mr. Jonathan Bodwell, Town Engineer, recused himself from this application. Comments regarding this application were submitted by Lynn Sadosky, P.E., Director of Public Works.

Attorney Bernard Pellegrino, Jr. presented the application to permit the stockpiling of approximately 90,000 cubic yards of fill from off site in an area on the west side of this parcel. He stated that it will take 80 working days to deposit fill and the hours of operation will be from 7:00 am to 5:00 pm. Mr. Bill Root, Soil Scientist, of Milone and MacBroom described the wetlands on the site. Mr. Tom Daly of Milone and MacBroom described the site and the proposed project. The Commission asked questions and Mr. Tom Haynes of Haynes Construction Company and Mr. Daly responded.

Mr. Trojanowski asked for public comment.

Public comment:

1. Dr. Katrina Wright, 180 Sackett Point Road, has drainage, erosion and contamination concerns.
2. Richard Donahue, 511 Elm Street, asked that trucks do not enter and exit on Elm Street which is an already congested road.
3. Jerry Remillard, 511 Elm Street, Association, asked if this application only allows fill to be brought on site. He feels that the large quantity of fill will impact drainage and may cause the flood plain zone to change for Quail Run Village. He is also concerned with dust control and asked if the pile would be capped. He is also concerned with dust contaminating the wetlands and asked how this project would be monitored.
4. Lucille Hines, 500 Elm Street, feels 7:00 a.m. is too early to start working on this project. She is also concerned with the health of the elderly due to dust.
5. Miriam Brody, 500 Elm Street, has health concerns from dust. She asked what type of fill is being brought in and from where and how long will fill remain on site. She asked about the timeframe of the project and if the fill would be inspected before it is deposited.

Attorney Pellegrino and Mr. Tom Daley responded to the public comment. There being no further public comment, the Public Hearing was closed.

BREAK: 10:02 – 10:10 PM

Mr. Nugent read the call for the fifth Public Hearing.

5. #I12-13 Application of North Haven Business Park, LLC, c/o William Leonardo, Owner and Applicant, seeking Permit To Conduct Regulated Activity and Site Plan Referral. Plan Entitled: Property Located at Leonardo Drive, North Haven, Connecticut. Prepared by Criscuolo Engineering, LLC. Dated 10/26/12. Scale 1" = 100'. Il-80 Zoning District.

Mr. Jim Pretti, P.E. of Criscuolo Engineering and Mr. William Leonardo, owner, presented the application to permit the construction of a new 9,600 square feet building for an office/warehouse use. The Commission asked questions and Mr. Pretti responded.

Mr. Trojanowski asked for public comment. There being no public comment, the Public Hearing was closed.

INFORMAL: None

DELIBERATIONS:

PUBLIC HEARINGS:

1. #I12-09 Application of David Sessions, Applicant, Crossroads Medical Center, LLC, Owner, relative to 158 State Street (Map 51, Lot 7), seeking to Amend Wetland Boundary Map.

Mr. Nugent moved to approve the application; Mr. Tenedine seconded the motion. The Commission voted as follows:

Trojanowski – aye Nugent – aye Tenedine – aye Jermine – aye Libero – aye Darley – aye Miller- aye

The application was approved with appropriate conditions.

2. #I12-10 Application of David Sessions, Applicant, Crossroads Medical Center, LLC, Owner, relative to 158 State Street, (Map 51, Lot 7), seeking Permit To Conduct Regulated Activity and Site Plan Referral.

Mr. Tenedine moved to approve the Permit to Conduct Regulated Activity and to send a positive Site Plan Referral to the Planning & Zoning Commission; Mr. Darley seconded the motion. The Commission voted as follows:

Trojanowski – aye Nugent – aye Tenedine – aye Jermine – aye Libero – aye Darley – aye Miller- aye

The application was approved with appropriate conditions.

The following referral comment was offered to the Planning & Zoning Commission:

1. The Planning & Zoning Commission should consider requesting a permanent, deeded conservation easement for the area that was declassified as inland wetlands.
3. #I12-11 Application of Pharmacia & Upjohn Company, LLC, Owner and Applicant, relative to 41 Stiles Lane, (Map 43, Lot 34), seeking Permit To Conduct Regulated Activity and Site Plan Referral.

Mr. Darley moved to approve the Permit to Conduct Regulated Activity and to send a positive Site Plan Referral to the Planning & Zoning Commission; Mr. Bumsted seconded the motion. The Commission voted as follows:

Trojanowski – aye Nugent – aye Tenedine – aye Libero – aye Darley – aye Bumsted – aye Miller - aye

The application was approved with appropriate conditions.

4. #I12-12 Application of 200 Sackett Point Road, LLC, Owner and Applicant, relative to 300 Elm Street and 200 & 144 Sackett Point Road, (Map 36, Lots 3, 8, & 18), seeking Permit To Conduct Regulated Activity and Site Plan Referral.

Mr. Tenedine moved to approve the Permit to Conduct Regulated Activity and to send a positive Site Plan Referral to the Planning & Zoning Commission; Mr. Bumsted seconded the motion. The Commission voted as follows:

Trojanowski – aye Nugent – aye Tenedine – aye Libero – aye Darley – aye Bumsted – aye Miller - aye

The application was approved with appropriate conditions.

5. #I12-13 Application of North Haven Business Park, LLC, c/o William Leonardo, Owner and Applicant, seeking Permit To Conduct Regulated Activity and Site Plan Referral.

Mr. Tenedine moved to approve the Permit to Conduct Regulated Activity and to send a positive Site Plan Referral to the Planning & Zoning Commission; Mr. Miller seconded the motion. The Commission voted as follows:

Trojanowski – aye Nugent – aye Tenedine – aye Jermine – aye Libero – aye Darley – aye Miller – aye

The application was approved with appropriate conditions.

MINUTES:

July 25, 2012

Mr. Tenedine moved to approve the minutes of the July 25, 2012 meeting; Mr. Jermine seconded the motion. The Commission voted as follows:

Tenedine – aye Nugent – aye Jermine – aye Bumsted – aye Miller – aye

August 22, 2012

The August 22, 2012 meeting minutes could not be approved this month due to the lack of a quorum.

ENFORCEMENT ACTIONS: None

EXTENSIONS:

#I05-28, 1941 Hartford Turnpike

Mr. Tenedine moved to approve a five (5) year extension for application #I05-28, 1941 Hartford Turnpike; Mr. Darley seconded the motion. The Commission voted as follows:

Trojanowski – aye Nugent – aye Tenedine – aye Jermine – aye Libero – aye Darley – aye Miller - aye

#I11-05, 480 Valley Service Road

Mr. Tenedine moved to continue and refer to Town Counsel the extension request for application #I11-05, 480 Valley Service Road; Mr. Darley seconded the motion. The Commission voted as follows:

Trojanowski – aye Nugent – aye Tenedine – aye Jermine – aye Libero – aye Darley – aye Miller – aye

PERMITTED USES AS OF RIGHT: None

BOND RELEASES & REDUCTIONS:

#B2000-37R, 200T Elm Street Extension

Mr. Tenedine moved to release the entire bond for application #B2000-37R, 200T Elm Street Extension, in the amount of \$20,000.00; Mr. Bumsted seconded the motion the Commission voted as follows:

Trojanowski – aye Nugent – aye Tenedine – aye Jermine – aye Libero – aye Darley – aye Miller – aye

#I10-05, 480 Valley Service Road

Mr. Tenedine moved to deny the release of the bond for application #I10-05, 480 Valley Service Road, in the amount of \$15,000.00; Mr. Darley seconded the motion. The Commission voted as follows:

Trojanowski – aye Nugent – aye Tenedine – aye Jermine – aye Libero – aye Darley – aye Miller – aye

CORRESPONDENCE: - CT DEEP Letter Dated August 29, 2012
- The Habitat Newsletter, Fall 2012
- Pfizer Quarterly Progress Report

ADJOURN:

Mr. Tenedine moved to adjourn the meeting; Mr. Darley seconded the motion. The meeting was adjourned at 10:42 PM.