

APPROVED 11-19-14
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES

Inland Wetlands Commission

Minutes of the Inland Wetlands Commission meeting held on Wednesday, September 17, 2014 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
Peter Tenedine, Vice Chairman
Steven J. Nugent, Secretary
Joseph L. Tenedine
Anna Garsten
Frank H. Bumsted, Alternate, sitting
Steven Miller, Alternate, sitting

ABSENT MEMBERS:

Pat Libero
Cheryl A. Juniewicz
Pamela Sletten, Alternate

OTHERS:

Alan Fredricksen, Land Use Administrator
Jonathan Bodwell, Town Engineer
Jennifer Coppola, Town Counsel
Charles Andres, Town Counsel
Genevieve Bertolini, Stenographer
Sandra Lion, Clerk

AGENDA:

Mr. Trojanowski, Chairman, called the meeting of the Inland Wetlands Commission to order at 7:14 PM and introduced the Commission and town staff. He explained the procedure for the Public Hearing and Mr. Fredricksen, Land Use Administrator, stated that application #I14-11, 333 State Street, is postponed to the October 22, 2014 meeting.

PUBLIC HEARINGS:

1. #I14-11 Application of Berchem Moses & Devlin, P.C., Applicant, Hawthorne Realty LLC, Owner, relative to 333 State Street, (Map 35, Lot 1), seeking Subdivision Referral. Plan Entitled: Resubdivision Plan, Mersick Industrial Park, 333 State Street, North Haven, CT. Prepared by Godfrey Hoffman Associates. Dated: 5-28-14. Scale 1" = 60'. IL-30 Zoning District.

This application is postponed to the October 22, 2014 meeting.

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

2. #I14-12 Application of John Taylor, Applicant and Owner, relative to 44 & 54 Pond Hill Road, (Map 76, Lots 1 & 2), seeking Subdivision Referral. Plan Entitled: Pond Hill Road Subdivision, 44 & 54 Pond Hill Road, North Haven, 1100 Clintonville Road, Wallingford. Prepared by Milone & MacBroom. Dated July 28, 2014. Scale 1" = 40'. R-40 Zoning District.

Mr. Daniel Kroeber, P.E. of Milone & MacBroom presented the application for a Subdivision Referral, with no regulated activity proposed. The site consists of two (2) parcels in North Haven, #44 Pond Hill Road and #54 Pond Hill Road, approximately 2.24 and 14.85 acres respectively. A third parcel which is located in Wallingford is also a part of this subdivision.

This application, if approved, would result in six (6) residential building lots, two (2) of which contain existing single family residences (Lots 2 and 6). Lot 1 will lie roughly 90% in Wallingford and will be a new residential building lot. Lots 3, 4, & 5 are proposed as new residential building lots in North Haven. Lot 6, which contains Mr. Taylor's residence, is proposed with an approximately 25' x 300' access strip to the approximately 10 acre land area farthest east on the combined properties which contains the existing pond and dam and the majority of the wetland soils. The Commission asked questions and Mr. Kroeber responded.

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

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

3. #I14-13 Application of CWRE Management, LLC, Applicant, CMB Capital Appreciation, LLC, Owner, relative to Half Mile Road, (Map 24, Lot 24 and Map 31, Lots, 35, 36 & 45), seeking Site Plan Referral. Plan Entitled: Indian Ridge, Proposed Residential Development, Half Mile Road & Benedict Drive, North Haven, Connecticut. Prepared by Milone & MacBroom, Dated August 18, 2014. Scale 1"= 40'. R-40 Zoning District.

Attorney Neil Marcus of Cohen and Wolf presented the application intended to permit the development of this approximately 42 acre site with 149 residential dwelling units. The plan is intended to comply with the terms of the Settlement Agreement between CMB Capital Appreciation, LLC and the Town's Planning and Zoning Commission, dated 8 September 2011.

Mr. Darin Overton, P.E. of Milone & MacBroom further described the existing conditions of the property and the proposed development. He also described the wetlands and topography of the site. Attorney Marcus explained that a portion of the unused land will be left undeveloped and managed by the Association. Only the members of the development will have access to the open space at this time. The Commission asked questions and Attorney Marcus, Attorney Charles Andres, Town Counsel, and Mr. Overton responded.

Mr. Trojanowski asked for public comment.

Public comment:

1. Marge Quinn, 11 Deer Run Lane, asked how many acres will be developed and about the cul-de-sacs proposed near Benedict Drive. She also asked if there was anything proposed for Half Mile Road.
2. Mary White, 67 Summer Lane, asked if the driveway on Half Mile Road is near the wetlands and if it will impact the wetlands. She also asked if there will be blasting and will it affect the wetlands.

Mr. Overton and Attorney Marcus responded to the public comment. There being no further questions, the Public Hearing was closed.

INFORMAL: None

OTHER: None

DELIBERATIONS:

PUBLIC HEARINGS:

2. #I14-12 Application of John Taylor, Applicant and Owner, relative to 44 & 54 Pond Hill Road, (Map 76, Lots 1 & 2), seeking Subdivision Referral.

Mr. Bumsted moved to approve the application and send a positive Subdivision Referral to the Planning & Zoning Commission with the condition of placing inland wetland markers at 75' intervals; Mr. P. Tenedine seconded the motion. The Commission voted as follows:

Trojanowski – aye Nugent – aye P. Tenedine – aye J. Tenedine – aye Garsten – aye
Bumsted – aye Miller - aye

The application was approved with appropriate conditions.

3. #I14-13 Application of CWRE Management, LLC, Applicant, CMB Capital Appreciation, LLC, Owner, relative to Half Mile Road, (Map 24, Lot 24 and Map 31, Lots, 35, 36 & 45), seeking Site Plan Referral.

Mr. Nugent moved to approve the application and send a positive Subdivision Referral to the Planning & Zoning Commission with a finding that the plan contains no regulated activities in North Haven and that it requires no Permit to Conduct Regulated Activity; Mr. P. Tenedine seconded the motion. The Commission voted as follows:

Trojanowski – aye Nugent – aye P. Tenedine – aye J. Tenedine – aye Garsten – aye
Bumsted – aye Miller - aye

The application was approved with appropriate conditions.

The Commission offered the following referral comment to the Planning and Zoning Commission:

1. The Commission requests that they be permitted the opportunity to review and comment on any potential Conservation Easement or other Land Use Deed Restriction that may be required, offered or otherwise agreed upon.

ENFORCEMENT ACTIONS: None

EXTENSIONS: None

PERMITTED USES AS OF RIGHT: None

BOND RELEASES & REDUCTIONS: None

CORRESPONDENCE: None

MINUTES:

August 27, 2014

Mr. P. Tenedine moved to approve the minutes of the August 27, 2014 meeting; Mr. Bumsted seconded the motion. The Commission voted as follows:

Trojanowski – aye P. Tenedine – aye Nugent – aye Garsten – aye Bumsted – aye
Miller – aye

EXECUTIVE SESSION:

Mr. Nugent read items #1 and #2 into the record and then recused himself from the Executive Session. Then the Commission took a break from 8:39 p.m. to 8:46 p.m.

1. Discuss the status of the pending litigation and proposed settlement in Robert P. Neubig v. Inland Wetlands & Watercourses Commission of Town of North Haven, and possible action relating to same.
2. Consider whether to convene in executive session to discuss the status of pending litigation and proposed settlement in Robert P. Neubig v. Inland Wetlands & Watercourses Commission of Town of North Haven.

Mr. P. Tenedine moved to enter Executive Session at 8:46 PM; The Commission invited Jennifer Coppola, Town Counsel, Mr. Alan Fredricksen, Land Use Administrator, and Mr. Jonathan Bodwell, Town Engineer, into Executive Session. Mr. Bumsted seconded the motion. The motion was unanimously approved.

Mr. P. Tenedine moved to exit Executive Session at 9:40 PM; Mr. Bumsted seconded the motion. The motion was unanimously approved.

ADJOURN:

Mr. Nugent moved to adjourn the meeting; Mr. P. Tenedine seconded the motion. The meeting was adjourned at 9:41 PM.