

APPROVED 2-25-15
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES

Inland Wetlands Commission

Minutes of the Inland Wetlands Commission meeting held on Wednesday, January 28, 2015 at the Mildred A. Wakeley Community and Recreation Center, 7 Linsley Street, in Room #2 at 7:30 PM.

MEMBERS PRESENT:

Mark R. Trojanowski, Chairman
Peter Tenedine, Vice Chairman
Steven J. Nugent, Secretary
Pat Libero
Cheryl A. Juniewicz
Joseph L. Tenedine
Anna Garsten
Frank H. Bumsted, Alternate
Pamela Sletten, Alternate
Steven Miller, Alternate, left at 9:03 PM

ABSENT MEMBERS: None

OTHERS:

Alan Fredricksen, Land Use Administrator
Jennifer Coppola, Town Counsel
Laura Magaraci, Zoning Enforcement Officer
Genevieve Bertolini, Stenographer
Sandra Lion, Clerk

AGENDA:

Mr. Trojanowski, Chairman, called the meeting of the Inland Wetlands Commission to order at 7:35 PM and introduced the Commission and town staff. Then Mr. Trojanowski asked if there were any changes to the agenda. Mr. Fredricksen stated that there were one.

PUBLIC HEARINGS:

1. #I14-15 Application of the Town of North Haven, Applicant & Owner, relative to 55 Bailey Road, (Map 45, Lot 117), 221 Elm Street, (Map 44, Lot 7), 40 Sackett Point Road, (Map 37, Lot 70), and 251 Elm Street, (Map 45, Lot 24) seeking a Permit to Conduct Regulated Activity. Plan Entitled: Renovations and Additions to North Haven Middle School, 55 Bailey Road, North Haven, Connecticut. Prepared by Perkins Eastman. Dated: 11/26/14. Scale 1" = 50'. R-20 Zoning District.

Mr. Gary Johns, Chairman of the Middle School Building Committee, Mr. Joseph Costa, LEED AP Principal of Perkins Eastman and Mr. Andy Bevilacqua, P.E. of Diversified Technology Consultants presented the application for a Permit to Conduct Regulated Activity to permit an addition to and the renovation of the existing Middle School, located together with the High School on an approximately 63 acre site located generally between Elm Street, Bailey Road and Sackett Point Road. The regulated activity proposed only includes sitework in the wetland buffer, with no work in the wetlands areas. The total buffer disturbance is proposed to be less than one third of an acre.

Mr. Costa discussed the proposed layout of the school and Mr. Bevilacqua identified the wetlands on the site and spoke regarding the storm water management system and the regulated activity. The Commission asked questions and Mr. Bevilacqua responded. Mr. Bevilacqua submitted reports regarding synthetic fields, Exhibits, A, B, C. Then Mr. Gary Johns answered questions pertaining to synthetic fields and Mr. Costa spoke of other options for the Middle School project and why they were not feasible. Then Mr. Costa, Mr. Fredricksen, Mr. Bodwell and Mr. Bevilacqua answered further questions from the Commission

Mr. Trojanowski asked for public comment.

Public comment:

1. Benjamin Loebic, 8 Forest Avenue, has concerns with the impact on wildlife and zinc from the synthetic turf running into the wetlands and vernal pools. He also has concerns with surface runoff and asked if salt put down in the winter could be removed in the spring.
2. Patricia Catra, 12 Forest Avenue, asked about the location of the fields and the demolition of sidewalks.
3. Salvatore Ferrigno, 91 Bailey Road, asked about the main use of the athletic fields.

Mr. Johns and Mr. Bevilacqua responded to the public comment.

There being no further public comment, the Public Hearing was closed.

2. #I14-16 Application of F & F Mechanical, Applicant, 2 Dwight Street Associates, LLC, Owner, relative to 2 Dwight Street, (Map 100, Lot 2), seeking Site Plan Referral. Plan Entitled: Proposed Site Plan, 2 Dwight Street, North Haven, CT. Prepared by John Paul Garcia & Associates. Dated: 11-3-14. Scale 1" = 40'. IL-80 Zoning District.

Mr. John Paul Garcia of Garcia and Associates presented the application to permit the construction of a 9,750 square feet, single story addition to the north side of this existing building and an exterior "lay down area" to the east of this existing building to store duct work.

A wetlands boundary amendment was approved for this property on 31 January 2003, (#I03-24). Also, a Positive Subdivision Referral was approved by this Commission on 25 April 2012. (#I12-02). The subdivision was never executed and the property remains whole. The Commission asked questions and Mr. Garcia responded.

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

INFORMAL: None

OTHER: None

DELIBERATIONS:

1. #I14-15 Application of the Town of North Haven, Applicant & Owner, relative to 55 Bailey Road, (Map 45, Lot 117), 221 Elm Street, (Map 44, Lot 7), 40 Sackett Point Road, (Map 37, Lot 70), and 251 Elm Street, (Map 45, Lot 24) seeking a Permit to Conduct Regulated Activity.

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

Trojanowski – aye P. Tenedine – aye Nugent – aye Libero – aye Juniewicz – aye J. Tenedine – aye Garsten – aye

The application was approved with appropriate conditions.

2. #I14-16 Application of F & F Mechanical, Applicant, 2 Dwight Street Associates, LLC, Owner, relative to 2 Dwight Street.

Mr. P. Tenedine moved to approve the application and send a positive Site Plan Referral to the Planning & Zoning Commission with the condition that the applicant work with the town engineer to correct drainage and ponding issues (drywells); Mr. J. Tenedine seconded the motion. The Commission voted as follows:

Trojanowski – aye P. Tenedine – aye Nugent – aye Libero – aye Juniewicz – aye J. Tenedine – aye Garsten – aye

The application was approved with appropriate conditions.

BREAK: 9:03 – 9:14 PM

ENFORCEMENT ACTION:

480 Valley Service Road

Mr. David Lord, Soil Scientist and Environmental Consultant of Soil Resource Consultants, submitted a site plan and an Upland Review Zone Remediation Plan Exhibits, A & B. Then Mr. Lord explained to the Commission what had transpired with the applicant, Mr. Neubig, since the last meeting. Mr. Lord stated that he had met with town staff on December 23, 2014 to discuss emergency controls and the preparation of an emergency remediation plan.

Mr. Trojanowski asked Mr. Lord if he had read the DEEP report and if he had met with adjacent land owners. He stated that he had not seen the report and has not met with the adjacent land owners. Mr. Lord stated that he did not test materials on the site and only the areas of sedimentation and upland review zone areas were examined. Mr. P. Tenedine stated that he would prefer seeing a survey depicting existing conditions of the site along with the remediation plan.

Mr. Fredricksen read an e-mail dated December 30, 2014 from Attorney Loughlin which stated that Mr. Neubig has selected a contractor for the emergency sedimentation and erosion control measures. Mr. Trojanowski stated that there has been activity on this site since the Cease & Desist Order that was issued on December 3, 2014. Attorney Jennifer Coppola, Town Counsel, suggested that Mr. Lord review the DEEP report because the materials deposited on the site may affect the remediation plan. Mr. Lord also stated that he has not been instructed by Mr. Neubig to prepare restoration plans for the adjacent properties. Mr. Bodwell asked Mr. Lord if Mr. Neubig's excavation activities created wetlands. Mr. Lord said he would have to look into that situation.

Mr. P. Tenedine asked how many cubic yards have been removed from the site and would like to have that information on the survey. Attorney Jennifer Coppola asked about borings. Mr. Lord stated that borings would not be necessary for this remediation plan. Attorney David Monz, representing Rabina Properties, stated that they are still waiting to be contacted for remediation of the disturbed wetlands on the Rabina property.

EXTENSIONS: None

PERMITTED USES AS OF RIGHT: None

BOND RELEASES & REDUCTIONS: None

CORRESPONDENCE: - DEEP Approval Letter

Mr. Bodwell reviewed the correspondence with the Commission.

MINUTES:

-November 19, 2014

Mr. P. Tenedine moved to approve the November 19, 2014 meeting; Mr. Libero seconded the motion. The Commission voted as follows:

Trojanowski – aye P. Tenedine – aye Libero – aye Juniewicz – aye J. Tenedine – aye
Garsten – aye Bumsted – aye

-December 10, 2014

Mr. P. Tenedine moved to approve the December 10, 2014 meeting with his and Mr. Trojanowski's revisions; Mr. Bumsted seconded the motion. The Commission voted as follows:

Trojanowski – aye P. Tenedine – aye Libero – aye J. Tenedine – aye Bumsted – aye
Sletten – aye

ADJOURN:

Mr. J. Tenedine moved to adjourn the meeting; Ms. Sletten seconded the motion. The meeting was adjourned at 10:30 PM.