

APPROVED 6-24-15
TOWN OF NORTH HAVEN, CONNECTICUT
MINUTES

Inland Wetlands Commission

Minutes of the Inland Wetlands Commission meeting held on Wednesday, May 27, 2015 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 7:30 PM
Steven J. Nugent, Secretary, left at 8:35 PM
Joseph L. Tenedine
Anna Garsten
Frank H. Bumsted, Alternate, sitting
Pamela Sletten, Alternate, sitting
Steven Miller, Alternate, sitting

ABSENT MEMBERS:

Peter Tenedine, Vice Chairman
Pat Libero
Cheryl A. Juniewicz

TOWN STAFF:

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

AGENDA:

Mr. Nugent, acting Chairman, called the meeting of the Inland Wetlands Commission to order at 7:00 PM and introduced the Commission and town staff. Then Mr. Nugent asked if there were any changes to the agenda. Mr. Fredricksen stated that there were none.

PUBLIC HEARINGS:

Mr. J. Tenedine, acting Secretary, read the call for the first Public Hearing.

1. #I15-05 Application of TPA Design Group, Applicant, O.F. Mossberg & Son, Inc., Owner, relative to 7 Grasso Avenue, (Map 36, Lot 32), seeking Subdivision Referral. Plan Entitled: Subdivision Map, Land of O.F. Mossberg & Sons, Inc., Prepared by Clarence Blair Associates, Inc. Dated 4/22/2015. Scale 1" = 100'. IL-80 and IG-80 Zoning Districts.

Mr. John Zyrlis of TPA Design Group submitted a site plan as Exhibit A then presented the application for a Subdivision Referral, with no regulated activity proposed. The site is a 20.96 acre parcel proposed to be subdivided into two (2) lots of approximately 11.8 and 9.2 acres each. If approved, the westernmost, 11.8 acre, lot would contain the one structure on the property, the O.F. Mossberg gun factory. Then he reviewed staff comments with the Commission and asked that the boundary amendment requirement be waived. The Commission asked questions and Mr. Zyrlis and Mr. Fredricksen responded.

Mr. Nugent asked for Public comment.

Public comment:

1. Paula Miller, 90 Sackett Point Road, asked what type of development is being proposed for this site.

There being no further questions, the Public Hearing was closed.

Mr. Trojanowski assumed his role of Chairman at this point.

Mr. J. Tenedine, acting Secretary, read the call for the second Public Hearing.

2. #I15-06 Application of Philip Doyle, Applicant, Gaylord Wellness Assoc., LLC and Crossroads Medical Center, LLC, Owners, relative to 8 Divine Street and 158 State Street, (Map 51, Lots 6 and 7), seeking a Permit to Conduct Regulated Activity and Site Plan Referral. Plan Entitled: Phase 3 Medical Office Building, Lot 6, 8 Devine Street, Lot 7, 158 State Street, North Haven, CT 06473. Prepared by LADA, P.C. Dated: 01/27/11. Scale 1" = 40'. CB-40 and O-12 Zoning Districts.

Mr. Philip Doyle of LADA, P.C. presented the application to modify the Permit to Conduct Regulated Activity and Positive Site Plan Referral most recently granted by the Commission on 28 November 2012 (#I12-10). The modifications proposed by this application are intended to permit the construction of the previously approved Building 2 as a two story structure with both stories containing a medical office use.

The previous approval was for two stories but only one story was intended for medical office use. Additional parking is being proposed to the west of the area between buildings 1 and 3 which requires a small amount of regrading in the upland review area. Additional buffer plantings are proposed as well. Additional parking is proposed in upland areas, as well as additional landscaping in many areas throughout the property. Any approval of this application should require the revising of the existing \$72,000 bond for applications #I11-03, #I12-03 and #I12-10 to include the work of this application. The Commission asked questions and Mr. Doyle responded.

Ms. Katie Bednaz, Soil Scientist of Freshwater Wetland Services, described the wetlands on the site and the erosion and control measures. Then she answered questions from the Commission. Mr. Kevin Clark, P.E. of Clark Engineering located in Granby, Connecticut, described the stormwater management system. The Commission asked questions and Mr. Clark responded. Then Mr. Doyle distributed a response letter pertaining to town staff comments and a revised site plan. The Commission asked a few more questions and Mr. Doyle responded.

Mr. Trojanowski asked for public comment.

Public comment:

1. Jay Bard, 24 Sherwood Drive, spoke regarding modifications made to the previous application in regards to the berm and lighting. He asked about lighting in the new parking area and what will happen to the part of the berm that is being removed.

There being no further questions, the Public Hearing was closed.

INFORMAL: None

OTHER: None

DELIBERATIONS:

1. #I15-05 Application of TPA Design Group, Applicant, O.F. Mossberg & Son, Inc., Owner, relative to 7 Grasso Avenue.

Mr. Bumsted moved to send a positive Subdivision Referral to the Planning & Zoning Commission; Ms. Garsten seconded the motion. The Commission voted as follows:

Nugent – aye J. Tenedine – aye Garsten – aye Bumsted – aye Sletten – aye Miller – aye

The application was approved with appropriate conditions.

2. #I15-06 Application of Philip Doyle, Applicant, Gaylord Wellness Assoc., LLC and Crossroads Medical Center, LLC, Owners, relative to 8 Divine Street and 158 State Street.

Mr. Bumsted moved to approve a Permit to Conduct Regulated Activity and 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 J. Tenedine – aye Garsten – aye Bumsted – aye Sletten – aye Miller - aye

The application was approved with appropriate conditions.

ENFORCEMENT ACTION:

480 Valley Service Road

Mr. Nugent recused himself from this item.

Mr. Lord, Soil Scientist and Environmental Consultant of Soil Resource Consultants, submitted a Wetland Remediation–Upland Review Zone Restoration Plan dated May 26, 2015 and discussed the implementation of the remediation plan with the Commission. The Commission asked questions and Mr. Lord, Mr. Bodwell, Town Engineer, Mr. Fredricksen, Land Use Administrator and Attorney Coppola, Town Counsel, responded. Attorney Coppola stated that the owner is not allowed to perform work on the property due to a Cease and Desist Order remaining in place. Attorney Coppola asked who installed the silt soxx and Mr. Lord stated that Mr. Neubig installed them and that the breach was now fixed. Attorney Coppola also asked about the check dams and Laura Magaraci, Inland Wetlands Enforcement Officer, asked about the location of the silt soxx. Mr. Lord stated that Mr. Bodwell recommended the location.

Ms. Magaraci stated that she is concerned with wildlife being endangered due to a vacuum process being proposed to remove sedimentation. Mr. Lord stated that it will also be hand removed. Mr. Fredricksen stated that he was not comfortable with machinery such as a “bobcat” being used in the wetlands and upland areas. Mr. Bodwell suggested a large back hoe with an extended arm be brought to the breached area on the east side that could be extended to reach the material and remove it. Mr. Fredricksen stated that he would like to have an area designated and staked out that would clearly specify where equipment and people are allowed to go. Ms. Magaraci asked Mr. Lord to describe the erosion and control matting being used because she has concerns with wildlife becoming entangled in this type of netting.

Mr. Bumsted asked about returning the grade level to 50’ in the upland review area and Mr. Fredricksen asked about re-establishing the vegetation in that area. Mr. Bumsted asked where the fill would be coming from and how it will be monitored. Mr. Lord stated that the SRC and Mr. Bodwell will approve the material prior to entering the site. Mr. Trojanowski stated that a contractor, not Mr. Neubig, should bring fill to this site and there should be a monitoring plan in place. Mr. Trojanowski, again, requested that Mr. Neubig and his attorney attend the Inland Wetlands Commission meetings. Then he asked about the method Mr. Neubig used to install the silt soxx. Mr. Lord stated it was done by hand. Mr. Trojanowski stated that Mr. Neubig is not supposed to be working at this site and he is now in violation of the Cease and Desist Order. Attorney Coppola asked about the remediation status of the properties to the north and south. She stated the Mr. Neubig is not allowed to work on these properties and if there is a proposal they need to be informed of it. Mr. Trojanowski asked how long it would take to revise and prepare the remediation plan. Mr. Lord stated that he does not have a timeframe for the grading plan and for the calculation of fill; however, he could have the rest of the plan prepared within one to two weeks.

EXTENSIONS: None

PERMITTED USES AS OF RIGHT: None

BOND RELEASES & REDUCTIONS: None

CORRESPONDENCE: -Connecticut Association of Conservation and Inland Wetlands
Commissions, Inc., Newsletter
-CT Department of Energy & Environmental Protection, Flyer

MINUTES:

April 22, 2015

Mr. Bumsted moved to approve the April 22, 2015 meeting; Mr. Miller seconded the motion. The Commission voted as follows:

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

April 29, 2015, Special Information Meeting

Mr. Bumsted moved to approve the April 22, 2015 meeting; Mr. Miller seconded the motion. The Commission voted as follows:

Trojanowski – aye J. Tenedine – aye Bumsted – aye Miller - aye

ADJOURN:

Mr. Bumsted moved to adjourn the meeting; Ms. Sletten seconded the motion. The meeting was adjourned at 10:12 PM.