

**TOWN OF EAST HAVEN
INLAND WETLANDS AND WATERCOURSES COMMISSION
MINUTES OF REGULAR MEETING
JULY 14, 2021**

**HELD IN PERSON AT:
EAST HAVEN SENIOR CENTER
91 TAYLOR AVENUE, EAST HAVEN**

PLEASE NOTE: The minutes contained herein have not been approved or accepted by the subject agency and are not intended to be a full transcript of the agency's proceedings. Therefore, the minutes may contain errors or omissions as to form or substance. Subsequent filed minutes of the agency should be reviewed to confirm the agency's approval/acceptance of the content of these minutes. A recording of the agency's proceedings may also be available for review.

Chairman Richard Poulton called the regular meeting to order at 7:00 p.m.

- I. He then called the roll for the Commission as follows:

Richard Raffone - Present

Gerald Jaffe - Present

Also in attendance:

Jennifer Coppola - Assistant Town Attorney

Jonathan Bodwell - Town Engineer

Genevieve Bertolini, Stenographer

- II. Pledge of Allegiance was recited by all

- III. Approval of minutes of May 14, 2021 with one amendment.

Mr. Poulton requested one amendment on page 3, One Road should be Warner Road.

Mr. Raffone made motion to approve the minutes of May 14, 2021 as amended.

Mr. Jaffe seconded the motion.

Motion passed unanimously.

- IV. New Business

A. Application #2021-2

Application to conduct a regulated activity within an upland-review area at the property known as 270 Half Mile Road.

Mr. Poulton inquired as to whether the applicant was present. The applicant replied.

James Dimeo, Special Engineer at Juliano Associates, 405 Main Street, Wallingford, Connecticut. The application is to construct a five-bedroom house with associated patio, pool, all the associated grading and driveway. All these aforementioned activities are outside the upland-review area. However, there are two areas that are within. The first being detention basin which essentially is going to capture the roof runoff and hold it in the detention basin and then flow out to the wetlands. The closest grading activity to the wetlands in that area is ten feet and total disturbance in the upland-review area is going to be about four thousand square feet.

The post septic system is on the eastern side of the property. We had to dig twenty-five test pits on the property and this is the only location where we could find a code-compliant area; so this is where we're proposing the septic system. The closest grading for the septic system is going to be about twenty-five feet from the wetlands and the total disturbance in the upland-review area is just over three thousand, three hundred and fifty-five square feet. The only other activity that will be done within the upland-review area is the proposed well. Aside from that there are no disturbances being proposed inside the wetlands. It's all in the upland-review area.

Mr. Jaffee inquired about vernal pools. Mr. Dimeo responded that he did not know but did not believe that there were any. Mr. Jaffee asked if there was an architectural rendering of what the finished property will look like. Mr. Dimeo responded that there is for the house. He asked if it was in the packet and responded that it was submitted in the zoning packet. Mr. Jaffee asked if they could get a copy and Mr. Dimeo responded yes. He responded it is a little over 15,000 square feet.

Mr. Raffone inquired regarding the detention pond. Mr. Dimeo responded that his calculation of the basin with assumption all impervious area was going to. Mr. Raffone inquired regarding sheet water flow and saturation of ground water. Mr. Dimeo agreed that it would be minimal. Mr. Raffone asked if upland-review area would be restored so it will not be a permanent intrusion into the upland-review area. Mr. Dimeo responded yes, it will be seeded and finished. Inquiries were made about the existing deck.

Mr. Dimeo estimated approximately five trees to be taken down; one or two in the detention basin, but there are none in the septic area.

Mr. Bodwell stated he had no questions, but just would like one condition of approval be that East Shore District Health gives final okay. Mr. Dimeo stated that's standard code.

Mr. Raffone stated this is well-engineered, well-designed and everything we need is right here. He thanked Mr. Dimeo for that. He stated that Town Engineer had no problem and Mr. Jaffe stated that he had none but would like to go see the property. Mr. Raffone said that is not a problem.

Discussion is closed on 270 Half Mile Road. Mr. Jaffe wanted to delay it, take it in for review and hold for thirty days.

Atty. Coppola inquired if it meets the criteria for a public hearing regarding the regulated activity. Mr. Raffone stated it is not significant enough to call it regulated activity as far as he was concerned. Mr. Bodwell stated he is fine with the activity. Atty. Coppola stated that needs always to be our first step when you're determining whether or not public hearing is necessary. If everybody agrees, we move on.

Mr. Raffone inquired of Mr. Jaffe whether he wanted to delay it for thirty days. Mr. Dimeo stated that they would like to get started. Mr. Jaffe stated he did not want to hold them up but would like to see the property and if necessary, a special meeting could be called. Mr. Bodwell stated it's not like a wooded area where you're going to be doing a lot of disturbance. The disturbed area will be restored and I don't see the need for it. I would go ahead with it, but it's up to the Commission. Mr. Jaffe stated his concern is that nobody on this Commission has seen the property including the town engineer, if I'm correct. He stated it would be prudent if somebody saw the property.

Mr. Poulton made a motion to approve.

Mr. Raffone seconded the motion.

Mr. Jaffe abstained.

Motion passes with one abstention.

Mr. Bodwell stated motion should be amended. Mr. Raffone asked for a motion to amend motion for 2021-2 approval to show final approval depends on East Shore Health District's approval of the septic tank and leeching fields.

Mr. Poulton made a motion to amend his motion.

Mr. Jaffe seconded the motion.

Motion passes unanimously.

Attorney Coppola asked for a new motion to approve 2021-2 with the amendment.

Mr. Raffone asked for a motion to approve 2021-2 as a whole as it was amended to include East Shore Health District's approval

of the septic tank and leeching fields on the revised plans of April 2, 2021.

Mr. Jaffe seconded the motion.

Motion passes unanimously.

V. Enforcement Actions

A. 1309 North High Street

Mr. Bodwell stated there has been no activity. Mr. Raffone stated he thought there was a different family there now. Atty. Coppola proposed given what Mr. Raffone has indicated that perhaps I should do a title search and see what is going on with status of property. Sometimes we will have counsel send a letter to the violator, to the property owner and I will try to figure out if she is no longer living there.

B. 161 and 167 Saltonstall Parkway

Mr. Bodwell indicates Water Authority has been very responsive. Water Authority indicated what they are going to be doing to correct disturbance on their property. Mr. Bodwell went by there in the morning and there is silt fence up. He indicated he wasn't able to get behind the house to the private owner who did the actual work. Mr. Bodwell indicated that the Water Authority put a cease and desist on the home for doing damage to their property. The Water Authority actually has easement through the same area that was disturbed on property owner's property. Mr. Poulton inquired of Attorney Coppola if an enforcement action could be done by the town ordinance 14-72 and bring him in and have a meeting and set the fine.

There was discussion regarding Mr. Bodwell gaining access to the property and going to check what needs to be addressed at this property. Mr. Bodwell said he will do some investigating with Water Authority and do a quick site walk and determine status of property.

VII. Extensions - None

VIII. Permitted Uses as of Right - None

IX. Reductions and Releases - None

X. Correspondence

A. Correspondence received from the Society of Soil Scientists of Southern New England. Mr. Bodwell said that it's basically a list of where you can find soil scientists and it's online if you wanted to see it.

B. Correspondence regarding 128 Maple Street, East Haven. Mr. Bodwell suggested that we can't actually pinpoint, so with the Commission's approval I

will draft a letter to the resident and notify them that we got a report from DEEP and ask them to stop doing it. Everyone is in agreement that Mr. Bodwell write a letter.

Mr. Bodwell reported that he did get a letter from DEEP in reference to 2017 wanting to know why there was no reporting forms submitted in 2017. After checking records Mr. Bodwell reported we had no meetings for ten months and the other two had no official action. Mr. Jaffe replied that they still want a report with zero on it. Mr. Bodwell stated it happened before he was there.

Mr. Raffone made a motion to adjourn.

Mr. Jaffe seconded the motion.

Motion passes unanimously.

Meeting adjourned at 7:56 p.m.