

Inland Wetlands Agent's Report

November 30, 2020

Public Hearings:

081120A Shane Pollock-Applicant/BLB, LLC-Owner, Louise Berry Drive, Map 19, Lot 19, RA Zone; Construction of 51 Single Family Condominium Units with activity in the upland review area.

Date of receipt: 8/11/2020. The application was submitted on 7/14/2020. The date of receipt of this application was the date of the next regularly scheduled meeting, which was 8/11/2020, even though that meeting was cancelled.

Deadline to schedule a public hearing: 10/15/2020.

The public hearing opened on 10/13/2020.

Deadline to close public hearing if no extensions are given: 11/17/2020.

A 35-day extension was granted on 10/22/2020, extending the deadline to close public hearing if no further extensions are given to Tues., 12/22/2020.

On 11/27, the maximum 65-day extension was granted. The deadline to close the public hearing is 1/21/2021.

090820A Square 1 Building Associates; Tripp Hollow Road, Map 7, Lot 12-1, RA Zone; 4-Lot Subdivision; Residential building construction consisting of houses, driveways, wells, septic systems and associated grading.

Date of receipt: 9/3/2020

Deadline to schedule a public hearing: 11/7/2020.

On 10/13, the public hearing was scheduled for 11/10/2020. The 11/10 meeting was cancelled due to quorum issues. Bob DeLuca of CLA, sent the following email on 11/3/2020:

“On behalf our client, we request that the time for opening the public hearing be extended to the December 1, 2020 meeting for the above referenced project.”

The extension should be calculated from the date the hearing should have begun, 11/7/2020, to 12/1/2020. I calculate that period to be 24 days, not counting Nov. 7th as a day in the extension period but including the hearing date. The applicant has used up 24 of the total of 65 days available for extensions if the hearing commences on 12/1/2020. Hopefully, the applicant will not have the need to seek further extensions in excess of a total of 41 days for the conclusion of the hearing, and/or the issuance of a decision.

New business:

36 Paradise Drive - Edward L. Branciforte violation

On 10/22, I issued a Notice of Violation and Cease & Desist Order (NOV/C&DO) due to apparent wetlands filling visible from the road, requiring the owner to stop all site work in the Upland Review Area (Buffer Zone) and in the wetlands, to install double-staked hay bales at the toe of the slope of the fill that has been deposited, to call me for a re-inspection when this had been done, and to attend the 11/10 Webex IWWC meeting.

On 10/29, Mr. Branciforte called me and said that he wants to fill more wetlands and make a bigger area to store his paving equipment. I told him he needs a permit to do that, and sent him a revised NOV/C&DO, requiring him to do the same things as in the first order, as well as to submit an application for a wetlands permit by 11/23 and to attend the 12/1 IWWC meeting. I had to send a revised order due to the cancellation of the 11/10 meeting.

On 11/24, I inspected with Resident State Trooper Steve Corradi. The inspection report and photos are attached to the agenda.

**120120A Gary McMahon; Woodward Road, Map 10, Lot 25-5 RA Zone;
Proposed residential home with driveway, well and septic system.**

Date of submission to the Commission: 11/18/2020.

From the Brooklyn IWWC Regulations: "Date of receipt shall be the day of the next regularly scheduled meeting of the Commission, immediately following the day of submission to the Commission or its agent of such application, or thirty-five

days after such submission, whichever is sooner.” Date of next regularly scheduled meeting: 1/12/2021. Date of receipt: Wed., 12/23/2020.

117 Tatnic Road complaint – Terence Veazie. On 11/30/2020, I received a complaint from an abutter, which is attached to the 12/1 agenda.

Other Business:

101320A Ken and Mary Switzer, 41 Bailey Woods Road, Map 23, Lot 32-13, RA Zone; 3 car garage with storage above, driveway and minor grading.

I inspected, took photos and issued the Duly Authorized Agent Approval on 11/4/2020.

29 Tripp Hollow Road – Andrew Kausch.

I inspected and took photos on 11/9. The limits of work had been far exceeded. Logs, brush and boulders had been pushed closer to wetlands than the silt fence shown on the plan. The silt fence had not been installed. Much site work had been done, including clearing, grubbing and construction of much of the driveway. Many yards of fill were onsite for the driveway. Much of the buffer zone, depicted on the plan as beyond the limit of disturbance, had been piled high with stumps, logs and boulders. Logs were piled high 25 feet from Wetland Flag 11, fifteen feet beyond the limit of disturbance where the silt fence was shown on the approved plan.

I wrote out an inspection report, representing a Notice of Violation, and Andrew signed it. It read: “Andrew Kausch is required to 1) remove all wood and stumps and boulders from beyond the limit of disturbance show on the plan and 2) install the silt fence at the limit of disturbance before doing any further site work. AK must call for an inspection as soon as silt fence has been installed. This form represents a written Notice of Violation.” Andrew Kausch signed the inspection form on 11/9.

On 11/24, I inspected and took photos. The majority of the woody debris and boulders had been removed, although some remained. The silt fence had been installed. I contacted Mr. Kausch to let him know his cooperation was appreciated.