



MINUTES
INLAND WETLANDS COMMISSION MEETING
August 12, 2010
7:30 P.M.

DATE: August 12, 2010
PLACE: Town Hall, Meeting Room A
TIME: 7:30 p.m.

PRESENT: Franklin Wong, Chair; Syd Gordon, Phil Verdi, Jill Alibrandi, John Hall.

ALSO PRESENT: Patricia Sesto, Director of Environmental Affairs; Liz Larkin, Recording Secretary; Larry Kluetsch, Mutual Housing Association of SWCT; Joseph Perugini, Weston & Sampson; Clarissa Canevino, Gregory and Adams; Eric Lindquist, Tighe and Bond; Kate Throckmorton, Environmental Landscape Solutions; James Evans, James Evans Associates

I. CALL TO ORDER

Mr. Wong called the meeting to order at 7:33 p.m.

II. PUBLIC HEARINGS

- A. WET#1973(S) – SOUND MANAGEMENT GROUP – 21 Trails End Road**– restoration of construction and landscaping in and adjacent to wetlands, and;
- B. WET#1974(S) – SOUND MANAGEMENT GROUP – 3 Trails End Road** – construction of tennis courts and restoration of landscaping activity within wetlands and buffers.

Ms. Sesto reported that the applicant is working on the requests made by the commission at the last meeting and has requested an extension of the hearing time frame in order to continue the application.

Frank Wong made a MOTION to grant an extension of the public hearings for WET#1973 and WET#1974 and continue the hearings to the next meeting seconded by Jill Alibrandi and carried 5-0-0.

- C. WET#1975(S) – MUTUAL HOUSING ASSOCIATION OF S.W. CT – a.k.a. WILTON COMMONS – 21 Station Road** - installation of affordable assisted living housing with

associated development within regulated areas.

Ms. Sesto read the List of Documents into the record. Mr. Kluetsch spoke about previous permit and that the 51 proposed units represents a reduction of units from the plans previously approved in WET#1552.

Mr. Evans, architect showed the site plan with the reduced footprint and explained the significant downsize. This 28% reduction will reduce the storm water management system in the buffer area. There was also a revision in the retention system which will result in a smaller area of disturbance.

Mr. Perugini, professional engineer with Weston & Sampson showed his plans. There are no design changes to the erosion and sediment control plan. There is a 4-phase construction sequence including standard measures per guidelines. The catch basins have deep sumps and debris hoods which discharge the water directly to a water quality structure followed by the isolator row that precedes the detention facility. The water quality unit is sized for the first flush of runoff and there are other back-up measures in the isolator row. These chambers can be inspected and cleaned. The overflow goes to a weir and the discharge then goes to a plunge pool, decreasing the velocity into the water quality swale. The underground detention has a stone bottom to reduce the peak flow via infiltration.

Mr. Perugini addressed the memo from staff by providing an updated plan with alternatives, including impacts within the buffer area and overall site mitigation.

In her memo, Ms. Sesto recommended the special conditions of WET#1552 labeled 2-9 remain in place and that condition 1 should be satisfied as part of this application. At the applicant's request, biologist Sigrun Gadwa looked at the special condition. She suggests updating the mitigation plan as it has been 4 years since the previous approval was granted. Mr. Perugini conveyed Ms. Gadwa's suggestion to keep the special condition as is with the additional allowance to refine the mitigation plan after another site visit.

A letter of Confirmation from Ms. Gadwa was submitted into record. They hope to start the plan in March, 2011.

Mr. Verdi asked for the alternatives as there was no change in location from the original despite the smaller footprint. Mr. Perugini responded that the second layout has less impacted area, but the topography was unusual and consequently drove development placement. Mr. Verdi also asked if there are streets between the buildings and there are not. It is one structure. Ms. Sesto stated that alternatives presented with the previous application should be incorporated into this application.

Ms. Sesto inquired about the water quality to confirm that it will meet the same standards as previously approved. Mr. Perugini stated that the same standards will be met, although since there is a reduction in the building coverage there is corresponding change in water quality structures. They want to differentiate the structure for cleansing which is typically designed for bigger buildings. The swirl design works with impervious areas like driveways and Ohio University test was completed on the same model.

Mr. Wong asked if the roof runoff is included in the system and it was confirmed.

Mr. Hall stated there is a much smaller area impacted and the flow is reduced. The regulations have not substantively changed since the last approval. Mr. Hall also inquired if the first plans included analysis for treatment. Mr. Perugini confirmed that the first flush of 1 inch is still treated. The sandy soil is ideal for infiltrating and the base elevation of the infiltration area is determined by the depth to ledge. Previously there were separate water quality treatment areas, including a portion under the parking lot, but now the system has been condensed.

A new landscape plan was entered into the record. Mr. Hall confirmed that the Town of Wilton can get a biologist to check this new plan.

Mr. Verdi MOVED to approve WET#1975 with the General Conditions, standard Special Conditions, and the additional Special Conditions that post construction storm water quality monitoring take place, the mitigation plan be revised to reflect current conditions and approved by staff, and that Special Conditions 2-9 from WET#1552 be included. The MOTION was seconded by John Hall and passed 5-0-0.

D. WET#1977(S) – TEACHERS INSURANCE AND ANNUITY ASSOCIATION OF AMERICA – 10 Westport Road – construction of surface parking spaces on the property, some of which are located in a regulated buffer. (cont.)

New plans and calculations were received from Attorney Clarissa Canevino, Gregory and Adams. The request is for 1 parking space per 250 square feet of office space to satisfy the real estate market. The current Planning & Zoning requirement is 1 parking space per 350 square feet.

10 Westport Road is a 217,000 sq.ft. building with 497 spaces of its own, plus 159 at 20 Westport Road used pursuant to an easement. 20 Westport Road is 350,000 sq.ft. with 1,139 parking spaces, less the 159 eased to 10 Westport Road. 20 Westport Road would like full use of their parking and the easement terminated.

Eric Lindquist, a professional engineer with Tighe and Bond answered some of the questions posed in the staff comments. For comment #2 – 88.6 % of sediment will be removed from pre-treatment to post treatment, exceeding the state minimum of 80%. He also noted that the nitrogen issues have been updated and the tables reflect these updates. Staff comments raised the issue of a bacteria-based TMDL for the Norwalk River, where this property drains to. The primary bacteria inducers are trash, septic and animal droppings; sources not typically associated with parking lots. Even so, ABTECH devices are proposed in a portion of the proposed parking where infiltration is not feasible. With respect to overall storm water quantity concerns, the revised document includes volume calculations. The northern lots are over good soil and the large pipes will facilitate ample infiltration. Overall, there will be a reduction in volume flow for the 10-year storm. When viewed in total, the volume of water leaving the site is lower post-development than pre.

Ms. Sesto expressed her concern that if the upper two lots (phase 2) are never built, then the overall quality and quantity storm water cannot meet the proposed levels since the larger, lower lot (phase 1) does not meet these standards as a stand-alone project. Each parking area needs to

be reviewed independently.

Following on with staff comments, Mr. Lindquist described how they have repositioned the level spreader closer to the watercourse and off the steeper portions of the hill. It is flat so the water will infiltrate or go over the wall that forms the stream bank.

Mr. Lindquist reviewed the alternatives of pervious parking, noting the alternatives provided do not make sense volumetrically. The underground storm water management system of the upper two lots fully infiltrates the storm water quantity they generate, so impervious pavement is redundant.

Kate Throckmorton further reviewed the level spreader configuration and noted 19 shrubs will be planted below the spreader. There will be some evergreens removed and relocated to another area of the property. She noted that there will be no direct wetland impact as the watercourse is channelized and the adjacent area is being mitigated with erosion controls. The spillover will dissipate to a level area and the stone-lined channel of the receiving watercourse is slightly taller than the adjacent landscape which will encourage infiltration.

Ms. Sesto asked for the rationale for placing the spreader in front of the stone wall versus the back side. Ms. Throckmorton responded that they are not opposed to this but the topography behind the wall is not as flat. There is a 5' – 6' flat section behind the wall on the survey that could be used if the commission preferred.

Mr. Wong asked why there is a need for additional space as there is no zoning requirement for it. Ms. Canevino offered that the 1990 P&Z permit approving the 20 Westport Road development on what was 10 Westport Road did not account for the spaces that were removed for the building of 20 Westport Road.

Mr. Gordon calculated 3 spaces per 1,000 square feet at 10 Westport Road, noting this meets current zoning requirements. Ms. Sesto recounted her understanding of how the P&Z approval process works and believed that in order to receive a permit to subdivide and consequently build 20 Westport Road, the parking needs for both parcels would have had to be met. It is likely the easement was used to satisfy P&Z requirements.

Prior to 20 Westport Road being built, the parking on the property was for the 10 Westport Road employees. 20 Westport was built over this parking and as of now, people are parking between the 2 buildings.

Ms. Alibrandi confirmed that the proposed parking is 70 ft. from the watercourse. The paved area is 1.5 acres.

Mr. Wong inquired about the thermal impacts and the engineer stated that this will be mitigated by the infiltration and the level spreader.

Mr. Hall asked how many spaces are currently at 20 Westport Road; there are 1,139 in the parking garage. Up to 159 spaces of this garage parking are included in the easement in favor of 10 Westport Road. 10 Westport Road has 497 spaces not including the 159 and they should have 638 spaces.

Mr. Hall suggested keeping the easement and not building the lower, phase 1 parking area. Ms. Canevino countered that the back parking of phase 2 is farther for employees and guests to walk.

Mr. Wong asked if they have considered a covered parking facility. Mr. Lindquist responded that the DEP may not allow this at the site since flows coming from the covered parking area would have to go to a sanitary sewer.

Mr. Hall suggested that 10 Westport Road not release the easement and put in the top lot only. He questioned what has changed since the 1990 permit as he thought he was “missing something”. Ms. Caravino stated that the current economic state has made it difficult for the owners to rent the building space without parking as the market dictates. The Commission noted that they are not able to make decisions based on the economic times.

Ms. Sesto noted that property of 20 Westport Road should be included in the alternative consideration as they are putting the burden on 10 Westport Road. A reasonable alternative to solving 20 Westport Roads issues could be on their property and away from wetlands and healthy buffers. Terminating the easement is only one alternative to meet their parking needs. She asked for more information on the easement and its initial purpose.

Mr. Wong confirmed that there is not enough mitigation for phase 1 of the project. Mr. Hall summarized that as of today, there are 3.02 spaces per 1,000 square feet. If they added the lot from the top of their plan, they would have 3.46 spaces per 1,000 square feet. They have 94 spaces noted for the bottom lot which would still be under the desired 4 spaces at 3.9.

The size of the spaces is determined by zoning and they are as small as possible. Ms. Sesto noted her concern about compromising a healthy portion of the buffer given the amount of buffer loss already sustained on-site. Mr. Hall asked that they come back with a plan including infiltration on the other side and attempt to continue the existing easement.

In order to continue the hearing, the applicant requested an extension of the public hearing time period. Chairman Wong made a MOTION to extend the period to hold a public hearing to the next meeting, Seconded by Phil Verdi and approved 5-0-0.

III. APPLICATIONS READY TO BE REVIEWED

None

IV. APPLICATIONS TO BE ACCEPTED

Chairman Wong made a MOTION to add WET#1987 and WET#1988 to the agenda, Seconded by Phil Verdi, and passed 5-0-0.

Chairman Wong made a MOTION to accept the following applications, Seconded by Syd Gordon, and passed 5-0-0.

- A. WET#1987(S) – BOCCAROSSA – 107 Twin Oaks Lane
- B. WET#1988(S) – PASTAORELLO – 84 Raymond Lane

- C. WET#1983(I) – BROWN – 544 Nod Hill Road
- D. WET#1984(I) – THERATTIL – 102 Range Road
- E. WET#1985(S) – MCCHORD ENGINEERING/VOLLMER – 137 Olmstead Hill Road
- F. WET#1986(S) – DRISCOLL – 149 Wolfpit Road

V. APPROVED MINOR ACTIVITIES

- 1. **WET#1981 - Lanzi** - 250 Linden Tree Road – Construction of a deck within regulated areas.
- 2. **WET#1982 - Silver Hills Hospital** – installation of an above ground oil tank adjacent to the Silvermine River.

VI. CORRESPONDENCE

None

VII. OTHER APPROPRIATE BUSINESS

A. Show Cause Hearings 3 and 21 Trails End Road

Chairman Wong made a MOTION to add “show cause” hearings for Cease and Desist Orders issued to Sound Management Group for activities at 3 and 21 Trails End Road, Seconded by John Hall, and carried 5-0-0.

Ms. Sesto read the elements of the Orders into the record.

With no information presented to counter the Orders, Phil Verdi made a MOTION to UPHOLD the Cease and Desist Orders, Seconded Jill Alibrandi, and carried 5-0-0.

Mr. Hall directed staff to follow this action with the appropriate citations.

B. Violations

- 1. Pastorello – 84 Raymond Lane
- 2. Hollett – 94 Raymond Lane
- 3. Papakasmas – 103 Twin Oaks Lane
- 4. Boccorossa – 107 Twin Oaks Lane

Applications for 1, 2, & 4 were received earlier in the meeting. Papakasmas remains unchanged.

VIII. APPROVAL OF MINUTES – July 22, 2010

Mr. Wong MOVED to APPROVE the minutes of the July 22, 2010 meeting as amended, Mr. Hall and carried 5-0-0.

IX. ADJOURN

Mr. Wong MOVED to ADJOURN at 9:17 p.m., Seconded by Mr. Hall, and carried 5-0-0.

