



MINUTES

July 14, 2011

PRESENT: John Hall, Acting Chair, Elizabeth Craig, Richard Reiter, Jill Alibrandi, Elisa Pollino, Dennis Delaney

ALSO PRESENT: Liz Larkin, Recording Secretary; Patricia Sesto, director of environmental affairs; Tom Nelson, McChord Engineering, Jason and Rachael Leinberger, Homeowners

ABSENT: Frank Wong, Chair (notified of intended absence)

I. CALL TO ORDER

Mr. Hall called the meeting to order at 7:34 p.m.

II. PUBLIC HEARINGS

A. WET#2040(S) – MCDONAGH – 11 Woodway Lane – installation of pool within an upland review area

Ms. Sesto read a letter from Gregory & Adams requesting a continuation for this Public Hearing.

Ms. Sesto read the documents into the record and read her staff comments that were sent to the applicant's attorney. All six commissioners present indicated that they visited the site.

B. WET#2041(S) – KADDIS – 499 Danbury Road – “emergency” replacement for a failing septic

Ms. Sesto read the application documents into the record and went on to describe the failing septic and confirmed that it was an emergency. Staff previously issued a temporary permit, and the work is now complete.

With no questions from the public, Mr. Hall closed the Public Hearing.

Ms. Alibrandi MOVED to APPROVE WET#2041, SECONDED by Mr. Delaney and CARRIED 6-0-0.

C. WET#2044(S) – TOWN OF WILTON – Merwin Meadows – dredge swimming pond

Ms. Sesto read the documents into the record. All commissioners present indicated they visited the site.

Mr. Nelson described the property as 12.77 acres with the pond in the floodplain near the Norwalk River and Comstock Brook. There has been a deposition of sediment with reduced clarity and function. The maintenance solution is to dredge this accumulation.

The plan is to first de-water the pond by initially removing the wooden planks in the spillway. To finish the de-watering a pump surrounded by gravel will be installed. The discharge will be piped to a dirt bag of filter fabric surrounded by hay bales. The pond will not be enlarged. Once the dredging has been done, a layer of white beach sand will be deposited.

The dredged material will be removed from the site as soon as it is dried. It will be removed by truck and brought to the Department of Public Works material yard at Allen's Meadows.

Ms. Sesto inquired about the depth of the pond. Mr. Nelson confirmed that it is about 10 ft and they are planning to excavate an additional 3 ft. Mr. Hall asked if the pond is treated to which Mr. Nelson responded he was not sure. Mr. Hall then asked how the pond is being re-filled. Mr. Nelson explained that the water table and well point on site will facilitate the filling.

Ms. Craig raised concern relating to the dredged material possibly going back into the pond if there is a storm event during the drying period. Mr. Nelson confirmed that the material is granular and will dry easily. As soon as it is able to be removed, it will be. He estimated 2 – 4 weeks. The work is planned for late September or early October, after the busy summer season.

Mr. Hall asked about clean sand being installed at the site. Mr. Nelson noted 100 to 150 cubic yards will be replaced. Ms. Craig inquired about the park remaining open during the site work as there are events scheduled there for the fall. Ms. Sesto noted that Department of Public Works will coordinate with Parks and Recreation.

Mr. Delaney raised concern about the dredged material being hazardous. Ms. Nelson stated that it is only beach sand being removed and it is not hazardous. Mr. Delaney stated he is more comfortable testing the sediment and run-off for heavy metals such as copper, lead, and zinc. He suggested sampling the material prior to dredging to avoid bringing up anything that may be unsafe.

Mr. Hall confirmed that the main reason for the dredging is to increase the clarity of the water so life guards can see well.

With no further questions from the public or commissioners, Mr. Hall closed the public hearing.

Ms. Alibrandi MOVED to APPROVE WET#2044, with the General and normal Special Conditions and an additional condition that the dredged spoils and discharge water be tested to ensure no heavy metals are present. SECONDED by Mr. Reiter, and CARRIED 6-0-0.

III. APPLICATIONS READY TO BE REVIEWED

A. WET#2045(I) – LEINBERGER – 72 Ruscoe Road – solve drainage issues

Ms. Sesto, Ms. Craig, Mr. Reiter, Ms. Pollino, and Mr. Delaney indicated that they visited the site.

Mr. Nelson, McChord Engineering, was present with the homeowners, Jason and Rachael Leinberger. Mr. Nelson described the property as 2.04 acres with drainage issues. The northeast corner of the property has a pond. Adjacent to the south end of the property, there are catch basins with dry wells at the low point of Ruscoe Road. When the catch basins overflow, stormwater fills in the low end of the property and floods the central portion before flowing down the driveway to the garage as it is the low spot.

Mr. Nelson noted that there is a trench drain in front of the garage which drains to the pond. The issue is when the pond swells, the trench drain backflows. Mr. Nelson explained the proposed designs to solve the drainage problem.

An option is to manage the overflow from Ruscoe Road at the southern end of the property by constructing a vegetated basin – a rain garden. The rain garden will accommodate the first inch of run-off which will infiltrate. Mr. Nelson confirmed that the perc tests showed good soil which functions nicely for this option. The overflow outlet for the rain garden will be a domed grate inlet to a 15 in. pipe. The pipe will be installed across the lot and will discharge on the far side of the driveway, upgradient to the wetlands.

The applicant proposes a 12 in. culvert in the front yard under the driveway to relieve the ponding in the central portion of the front yard. This inlet will be enhanced with a vegetative strip in the existing lawn. Mr. Nelson also proposed a pump system to handle any additional flow that reaches the garage.

Mr. Delaney asked what caused this ponding situation. Mr. Nelson stated that this has always been an issue. Mr. Delaney suggested changing the grade of the driveway or possibly using pervious pavement. Mr. Nelson stated that they would like to keep the asphalt driveway and that the drainage issue is not stemming from the run-off on the site, it's from the road.

Ms. Sesto asked if there is a planting plan associated with this application. Mr. Nelson confirmed that this is being generated and will include the rain garden. He noted that there will be a vegetative strip from the inlet to the culvert for filtering stormwater run-off prior to entering the wetlands. He also confirmed that only two maple trees will be removed from the property.

Mr. Reiter inquired about the maintenance of the rain garden to ensure things keep moving. Mr. Nelson responded that most of the sediment from the road will accumulate behind the check dam prior to reaching the rain garden. Ms. Sesto notified the homeowners that they can call Department of Public Works to remove the sand from the catch basin as typical maintenance.

Mr. Reiter inquired why the rain garden is drained toward the wetland; could it be moved further south. Mr. Nelson explained that they want to work off of the existing swale and avoid cutting

healthy trees to the south.

Mr. Delaney MOVED to approve WET#2045, with General and normal Special Conditions and additional Special Conditions to provide planting details and a maintenance plan for the rain garden, an erosion blanket must be placed at the outlet, and only 2 trees are to be removed. Ms. Sesto wanted clarification, asking the Commission if it is sufficient to only bond for plantings, to which there was an affirmative response and instruction to also include the plantings of the vegetative strip, SECONDED by Ms. Alibrandi, and it CARRIED 6-0-0.

B. WET#2008(S) – TEACHERS INSURANCE & ANNUITY ASSOC. OF SW CT – 10 Westport Road – construction of surface parking spaces within a regulated buffer (cont.)

Ms. Sesto explained the verbiage of the draft permit and how there is an issue with the construction already taking place under WET#1977. From her perspective, the best option is to void the previous permit and start new with WET#2008. Ms. Sesto will work with Casey Healy, Esq., to ensure all wording is adequate on this new permit to avoid conflicts.

Mr. Reiter noted that staff approval should be included on special condition #4. He also suggested adding wording to specify roof run-off per Mr. Wong's concern.

IV. APPLICATIONS TO BE ACCEPTED

A. WET#2048(I) – ASML – 77 Danbury Road – bridge repair over the Norwalk River

B. WET#2049(I) – HIRSCH – 2 Quiet Lake Lane – two lots to be combined and subdivided into three lots

Ms. Alibrandi MOVED to accept all new applications, SECONDED by Mr. Reiter and CARRIED 6-0-0.

V. APPROVED MINOR ACTIVITIES

A. WET#2042(M) – SLOUGH – 6 Wilton Acres – installation of propane tank and generator 55 ft. from a watercourse

B. WET#2046(M) – TOWN OF WILTON – Wilton Center – installing gas main extension through Wilton Center adjacent to wetlands and watercourses

VI. CORRESPONDENCE - None

VII. OTHER APPROPRIATE BUSINESS

A. WET#1900(S) – PPKASMAS – 103 Twin Oaks Lane - “corrective action” to remove retaining walls and fill material within a regulated area and to restore the disturbed regulated area

Ms. Alibrandi asked for an update on this corrective action permit. Ms. Sesto noted that she would follow up on this issue.

B. WET#2029(S) – RUDDY – 95 Old Boston Road – 2-lot subdivision including activities

adjacent to man-made watercourse

Ms. Sesto reported that the Department of Public Works did not agree with the plan for this property. They want to re-route the watercourse on the adjacent property or get rid of the well for the garage. In lieu of these choices, the stormwater run-off from the driveway will not be discharged to the rain garden, rather it will run to a level spreader which will flow overland to the existing stone wall. Ms. Craig confirmed that no further trees will be cut.

It was the consensus of the commission that the changes are in keeping with the intent of their permit.

C. WET#1983(I) – BROWN – 544 Nod Hill Road – “corrective action” to extend lawn and add additional plantings

Ms. Sesto noted that she had been in court this violation. The Brown’s will submit an application to remove the fill by July 27. The Brown’s have asked that the application fee be waived which is at the discretion of the commission. Mr. Brown will appear at the next meeting for this purpose.

VIII. APPROVAL OF MINUTES – June 23, 2011

Ms. Alibrandi MOVED to APPROVE the minutes from June 23, 2011, SECONDED by Mr. Delaney, and CARRIED 6-0-0.

IX. ADJOURN

Mr. Reiter MOVED to ADJOURN at 8:51 p.m., SECONDED by Ms. Alibrandi, and CARRIED 6-0-0.

Respectfully Submitted,
Liz Larkin
Recording Secretary