



MINUTES

September 8, 2011

**PRESENT:** Frank Wong, Chair, John Hall, Elizabeth Craig, Dennis Delaney, Jill Alibrandi, Elisa Pollino, Rich Reiter

**ALSO PRESENT:** Patricia Sesto, Director of Environmental Affairs; Liz Larkin, Recording Secretary; Jim Murphy, Gregory & Adams; Ed Schenkel, Gregory & Adams; Jeffrey Gordon, Codespoti & Associates; Robert Wheway, Codespoti & Associates; Eric Schaefer, Resident; Steve McAllister, McChord Engineering; Kevin Quinlan, Kevin Quinlan Architecture, LLC

**I. CALL TO ORDER**

Mr. Wong called the meeting to order at 7:37 p.m.

Mr. Wong opened the meeting by thanking Ms. Alibrandi for her 7 years of service on the commission as this was her last meeting. Her contribution will be missed.

**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 until the next meeting on September 22, 2011.

**B. WET#2053(S) – 190 DANBURY ROAD ASSOCIATES – 190 Danbury Road** – construct new car showroom in an upland review area

Ms. Sesto read the list of documents in the record. Mr. Wong, Ms. Craig, Mr. Reiter, Ms. Alibrandi, Ms. Pollino, and Mr. Delaney all indicated they visited the site.

Mr. Murphy introduced himself as the attorney handling this hearing on behalf of Mr. Healy who could not be present due to a recent injury.

Mr. Gordon explained the history of the property with a new owner that came in three years ago. He stated that GM has new mandates to upgrade and meet the service demands of today's car

sales. This requires that they add service bays and a new-car showroom.

He described that Bryant's Brook is in the rear of the property, offsite and that they are a commercial zone that abuts a residential zone. They will keep the existing curb cuts, but need to ensure their car carriers can enter and negotiate the site. This will require the current canopy to be removed. There is a sanitary sewer and drainage easement that enables all the existing stormwater to drain to the wetland without any renovation.

Mr. Gordon stated that the current zoning regulations encourage capitalizing on retrofitting drainage opportunities, so they are proposing a pervious concrete pavement. This will allow the stormwater to percolate so there is no runoff, improving the site. There was mention of various protocols for landscaping and they will provide details at a later time. They plan on replanting an area on-site and closer to Bryant's Brook. He reported that there are some invasives in that back area that will be removed.

Mr. Gordon briefly described the three alternatives that are included in the application. Alternate 1 has the same design, but more conventional drainage. Alternate 2 shows the building further away from the regulated resource but there are paving and regulatory issues with this plan. Alternate 3 has a smaller building footprint but creates access problems and operational limitations.

Mr. Gordon described the bio-filtration basin from plan SP3. They propose to remove the asphalt around the catch basin and create a grass swale that will be closed on both ends. This will allow the water to sit in the basin and drop sediments prior to discharging to the wetland. Roof drainage will also be directed to the basin. Ms. Sesto noted the inlet and outlet are too close to promote renovation. The applicant is looking to see if they can connect it in the back area to elongate the flow path.

Mr. Hall pointed out that the plans the commission has with the application are different than the ones Mr. Gordon was describing in the meeting. There were missing pieces that seemed to have dropped off with the copying. Mr. Gordon will work on getting clearer copies and the sequence of construction will be enhanced on the new plans.

Mr. Gordon described the intent of the proposed building as the new car showroom with a minor repairs area. The existing building will be dedicated to certified, pre-owned cars and major repairs. Mr. Hall inquired about the number of service bays and asked why they need to make more in the new building. Mr. Gordon responded that GM Corporate is pushing to separate the two completely. Mr. Hall stated that the wetlands commission does not take corporate initiatives into consideration when permitting an activity in a regulated area.

Ms. Sesto noted that the previous commission worked diligently to keep the 50 ft. distance from the wetlands when the gravel storage lot was approved. She added that porous pavement does not mean it is okay to encroach on the wetland buffer.

A discussion ensued relating to the space needed for the trucks to deliver and maneuver through the driveway.

The commission discussed alternate sites for parking cars. Mr. Gordon stated that customer car parking, and inventory parking has specific rules. Mr. Wong mentioned that he has seen other

auto sales companies storing cars off-site or even in a multi-tiered parking area. Mr. Gordon stated that they have seen a decline in inventory recently as they are required to pay a rate for the storage of the car on-site so they are not keen on keeping cars on the site unnecessarily. This incites them to propose the smallest storage area practical.

Mr. Delaney asked why GM would consider getting rid of the gravel parking area and adding impervious areas, as this is not a great solution for this commission. In his opinion, Alternate 2 is a better plan. He stressed that the commission needs to understand the impact on the wetlands, which has not been considered on the plans.

Mr. Wheway reported on the proposed stormwater management system. He noted that the topography details are included on the plan labeled SP3. He added that the flow is in an easterly direction. There are 2 catch basins and the rest is gravel.

Mr. Wheway noted that they could use detention basins but the soil and topography at this generally flat site was found conducive for porous concrete. This application is endorsed by the Environmental Protection Agency as a Best Management Practice for green development. The pervious pavement allows ground water to recharge which leads to a reduction in heavy metals. He explained that porous concrete is considered active mitigation and is designed to handle rainfall and runoff from the roof of the adjacent existing parking area.

Mr. Wheway described the installation of the porous pavement as 12 in. of broken stone with 6 in. of porous concrete poured on top. The void in between the two materials creates a reservoir system and filters runoff, infiltrating to the underlying soils and ground water. The 2 to 50 year storm shows no runoff as the stormwater is fully contained in the reservoir. The 100 year storm shows some excess volume that leaves the reservoir however, this still equates to 50% less runoff than what stands today.

Ms. Craig raised a question of the life span of the pervious pavement. Mr. Wheway responded that it is no different than conventional concrete. She was concerned about how this pavement compares to the vegetated buffer. Mr. Wheway noted that they are no hard numbers, but the University of Rhode Island did complete a study on the porous pavement. He noted that this study showed porous pavement does not pollute ground water. It infiltrates the runoff and recharges it removing any pollutants that are inside. He noted that oils will get caught up and will break down with this system.

Mr. Hall inquired about the maintenance of the porous pavement so that that porous nature is not diminished. Mr. Wheway stated that a leaf-blower, power vacuum, or power wash are all appropriate. He added that there is no need to de-ice or sand this pavement as any snow will melt and go through the pavement which is an improvement to the site, especially in the winter months when sand could affect the brook.

Mr. Wheway responded to the staff report relating to drainage inside the building. He noted 4 floor drains are in the building for periodic wash downs. This runoff goes to the oil/water separator and is discharged into the municipal system.

Ms. Sesto noted that this property falls in a flood zone. Mr. Wheway stated that the elevations have yet to be determined by FEMA. Ms. Sesto stated that this cannot be ignored simply because FEMA does not report on it. The commission needs to understand what the response

will be to flooding in a porous area. Mr. Wheway stated that the building elevation is 37.5 ft and Bryant's Brook is 33 ft. in elevation.

Mr. Wheway responded to the memo from the Conservation Commission by stating that they cannot put water through the oil/grit separator, the storage is 100% contained, they will comply with Town Engineer Ahern's Memo, and reported that safeguards will be in place during site work. All excavated material will be removed after construction. Ms. Sesto requested the biofiltration basin be depicted. She added that the inlet to the basin needs to be shown with the bio-filtration drain coming in.

Mr. Hall inquired about the porous cement on broken stone as he has concerns of compaction. Mr. Wheway confirmed that there are specific requirements during installation, such as a 6 in. lift so there is minimal compaction.

Mr. Reiter noted that the trees shown on plan SP4 may impact the swing of the truck so he does not think this is a feasible alternative. He noted that he was not satisfied with any of the alternatives. Mr. Gordon noted that they were trying to find alternatives that move the building away from the wetlands. Ms. Sesto noted it is not just the building, but the limits of parking that are of concern and suggested that they lessen the impact per the consensus of the commission.

Mr. Schaefer, of 43 Sharp Hill Road, explained that he is a neighbor of the property and has concerns relating to changes in water flow that may affect him. Ms. Sesto invited him to stop by the office to inspect the plans.

Mr. Wong noted that this hearing will be continued until the next meeting on September 22, 2011.

### **III. APPLICATIONS READY TO BE REVIEWED**

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

Mr. McAllister submitted new details to the commission from their requests at the previous meeting. He has submitted a wetland crossing detail which includes a single 8 in. diameter sleeve that will be 50 ft. long. He showed photos of the site including where the leaching fields are proposed and there are no understory trees.

Mr. Hall MOVED to approve the plan with the special conditions that, at the time of construction, they flag the wetland and sleeve the pipe for a distance of 10 ft on either side of the wetland, SECONDED by Mr. Wong, and it CARRIED 7-0-0.

#### **B. WET#2051(I) – BROWN – 544 Nod Hill Road – “corrective action” to remove fill in a wetland**

Mr. Brown was not present at the time of the review so the commission decided to move forward with the remainder of the agenda.

#### **C. WET#2054(I) – ABI-KARAM – 21 Crofoot Road – building additions 33 ft. from wetlands**

Ms. Sesto notified the commission that the applicant has requested a continuation. This review will take place at the next meeting on September 22, 2011.

**D. WET#2055(I) – HENESY – 79 Glen Hill Road** – building additions and B-100a in an upland review area

Mr. Quinlan started his presentation by noting that Jim Palmer completed the drawing. The applicant is proposing a small addition for the kitchen, family room and deck. The existing house was built in 1968 and has a septic in front with 36 ft. of galleries.

Mr. Quinlan worked with Roger Stalker and John Williams to gain a better understanding of the slopes, soils and well location. The green leaching system is proposed in area with 16% – 17% slopes. Mr. Quinlan noted that he is aware that the regulated area is extended due to this slope. There is 120 cu. yards of fill proposed and 40 cu. yards would encroach on the wetlands. The B100-a is for feasibility only as the home will remain at five bedrooms. The extension of the home will be eight feet from existing. Mr. Quinlan reported that the deck will be on sonotubes to minimize the excavation and disturbance in that area.

Mr. Wong MOVED to approve WET#2055 with general and normal special conditions in addition to special condition to include a revised map be submitted at the time of construction that shows grading details, construction access details, and a restoration of disturbed areas, SECONDED by Ms. Alibrandi, and CARRIED 7-0-0.

**IV. APPLICATIONS TO BE ACCEPTED**

**A. WET#2056(I) – CUNNINGHAM – 14 Snowberry Lane** – installation of septic in new location for building additions

**B. WET#2057(I) – RAMADANI – 10 Center Street** – installation of removable doors and windows in existing roofed patio area

**C. WET#2058(S) – PALMA – 16 Lynlee Lane** – solve flooding issues and new addition adjacent to a watercourse

Mr. Wong MOVED to accept all new applications, SECONDED by Mr. Hall and CARRIED 7-0-0.

**V. OTHER APPROPRIATE BUSINESS**

**A. WET#2051(I) – BROWN – 544 Nod Hill Road** – “corrective action” to remove fill in a wetland

Ms. Craig recused herself.

Mr. Brown had not returned and the commission discussed various means to handle the situation.

Ms. Sesto noted that she attended a meeting at the property with the Assistant Sanitarian

to delineate the limit of fill adjacent to the leaching fields as required by the health code. At the site, Mr. Brown had staked a limit of fill he desired; this limit exceeded that which was necessary to protect the leaching field. Ms. Sesto directed him to provide a plan at the meeting but as he was not present, the commission was not able to review it. Ms. Sesto showed some photos that were taken during this recent visit where the lines were marked with stakes and paint.

Mr. Hall suggested tapering the fill into the wetland to reduce the amount that needs to be removed. Ms. Sesto confirmed that there is roughly 2.5 ft. of fill. She added that there is no current restoration plan which will be required prior to resolution. The commission directed Ms. Sesto to prepare a plan showing the limit of fill as required by the health code and a restoration plan consistent to others they have approved.

With the continued absence of Mr. Brown and lack of other business, the commission held the discussion of the application over to the next meeting. Ms. Sesto will contact Town Counsel for next steps as the commissioners noted their frustration.

**VI. APPROVED MINOR ACTIVITIES - None**

**VII. CORRESPONDENCE - None**

**VIII. APPROVAL OF MINUTES – August 11, 2011**

Mr. Wong MOVED to APPROVE the minutes from August 11, 2011, SECONDED by Mr. Hall, and CARRIED 7-0-0.

**IX. ADJOURN**

Mr. Wong MOVED to ADJOURN at 9:58 p.m., SECONDED by Mr. Reiter, and CARRIED 7-0-0.

Respectfully Submitted,  
Liz Larkin  
Recording Secretary