



MINUTES

December 8, 2011

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

ALSO PRESENT: Patricia Sesto, Director of Environmental Affairs; Liz Larkin, Recording Secretary; Jim Murphy, Gregory & Adams; Jeff Gordon, Codespoti & Associates; Robert Wheway, Codespoti & Associates; Otto Theall, Soil & Wetland Science; Matt Popp, Environmental Land Solutions; Ed Schenkel, Gregory & Adams; John McCoy, JFM Engineering; Kate Throckmorton, Environmental Land Solutions

ABSENT: Frank Wong (notified of intended absence)

I. CALL TO ORDER

Mr. Hall called the meeting to order at 7:29 p.m.

II. PUBLIC HEARINGS

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

Ms. Sesto read the new documents into the record. Mr. Murphy handed out materials to support his presentation.

Mr. Murphy reminded the commission that this is their last meeting to discuss the project. He noted that most of the team is present and each member will speak to the issues and questions that were raised at the last hearing in hopes of answering any outstanding questions so that they could move forward with the new car showroom.

Mr. Gordon pointed out the additional plantings on the revised plan. The plantings are intended to discourage parking in the buffer. He noted that boulders were considered but they would prefer to install a river stone strip along the edge of the lot. He provided a picture of this installation at another location. The stones would have tall grasses interspersed for aesthetics and extra protection from any run-off. In other areas, Mr. Gordon has suggested a meadow seed mix which will be kept in its native state and mowed 2 times per year.

Mr. Murphy provided staff with an amended application which includes the adjacent lot, where minor work has been proposed. This property is owned by the same company, 190 Danbury Road Associates.

Mr. Murphy spoke to the extent of disturbance from the last meeting where the commission wanted to find out what previous permits have been issued to make sure all permits are in line with the other. Mr. Murphy confirmed that they checked the former Inland Wetland permit from February 2000 and the Planning and Zoning permit from June 2000 where the gravel parking area was approved. The net disturbance is less with this application, as 2,950 sq. ft. of pavement is being eliminated.

Mr. Popp reported on the invasive species management plan. He confirmed that the invasives will be cut and treated three times per season. He added that they would supply a report after five years of treatment which is customary. Mr. Hall asked what is used to spray the invasives to which Mr. Popp responded, Round-Up.

Ms. Craig inquired about the Norway Maple that is slated to be removed as this is a substantial tree. Mr. Popp responded that it is a 24 inch tree and that there are large amounts of seeds dropped from the tree that can be spread through the watercourse and catch basins. He added that these trees do not allow other plants to grow underneath them so they would prefer to replant with an oak tree. Ms. Craig noted that the trees in the buffer look great but they are more understory trees. She asked Mr. Popp if he had put any thought into planting more shade trees on the property. Mr. Gordon stated that the nature of the business does not allow for larger trees as damage and bird droppings would become a factor.

Mr. Wheway reported on the revised calculations for current conditions and provided the pervious concrete maintenance plan. Ms. Sesto questioned how to keep the maintenance schedule on track so that future property management professionals are aware of the schedule and process. Mr. Wheway noted that there is a manual and the burden is on the owner to keep the pavement in good condition. He added that they have installed small signs near the storm management areas to avoid unauthorized work.

Mr. Murphy confirmed that all car washing will take place inside the building which was a question during the last meeting.

Mr. Popp commented on the vegetative matrix in the buffer area. He stated that there will be meadow grasses that will be mowed 2 times per year. He confirmed that there will be no fertilizer or pesticide applications at any time in this area. Ms. Sesto inquired about a deer management plan for the installed shrubs. Mr. Popp responded that they will be sprayed with deer repellent.

Mr. Murphy provided a draft of an easement. This will be reviewed by town counsel. Mr. Murphy confirmed that the deed will be completed once the as-built survey is completed.

With no further questions or comments, Mr. Hall closed the Public Hearing.

B. WET#2060(S) – LEE– 15 Walnut Place – additions to residence within a regulated area including B100a (cont.)

Ms. Sesto read the new documents into the record, including the staff report in its entirety.

Mr. McCoy reminded the commission that there was a difference of opinion at the last hearing. He waited for a third party review per the commission but it never came to that point as they changed the plan to be more sensitive to the watercourse and buffer.

Mr. McCoy explained that they removed two of the large additions proposed on the original application. The deck addition and addition noted as #2 have been removed. They propose a permeable patio in the back of the house where the existing deck is in disrepair. He added that this construction is a one-time event and there will be no maintenance associated with this as there would be with the wooden deck.

Mr. McCoy described addition #3 as staying the same as the original plan with the driveway being shifted away from the watercourse. Addition #4 has grown to accommodate the space the family needs but the overall additional square feet of this new proposal is less than the original.

Mr. McCoy spoke to the concern of the commission at the last meeting whereas the rain garden was too close to the home. They have moved the rain garden to a lawn area outside of the existing buffer. The rain garden is still sized for a portion of the roof leaders. The previous plan had a trench drain but they are changing the grade of the driveway and a 2 ft. sump which will help with this purpose. The driveway will be gravel to assist with infiltration as well.

Mr. Hall asked if the proposed path around the house is still included with this new plan. Ms. Throckmorton confirmed that it is similar but reconfigured for the new rain garden location. There will be a larger free-flowing lawn area instead of the former proposed path. It will be approximately 10 ft. around the house with plantings added closer to the watercourse. Ms. Sesto asked if the plantings in the swale are still included. Ms. Throckmorton confirmed that these were removed and added that they have decided to concentrate the plantings surrounding the pond. Mr. McCoy added that the buffer area in the previous plan had 2,900 sq. ft. of plantings. This new plan has 2,500 sq. ft. of plantings. The area has been elongated to the south of the property to assist with the rain garden.

Ms. Sesto asked Mr. McCoy about the roof leaders on this plan. Mr. McCoy confirmed that they have not changed. Mr. McCoy confirmed that the trench drain is being removed and the driveway will be regraded which reduces run-off.

Mr. Reiter raised concern on the construction of the rain garden. He wanted to confirm that it would work properly in the new area they are proposing. Mr. McCoy confirmed that the elevation is above the pond and the hydraulics push it through. There was a discussion about the elevations noted on his new plan differ from Ms. Throckmorton's plan. The engineer's plan has the correct information.

Ms. Sesto noted a generator pad and propane that are new on the plan. Mr. McCoy confirmed the change. Ms. Sesto also inquired about the direct discharge to the swale and asked if there is an opportunity to make this better from a storm water management perspective. Mr. McCoy responded that they were not in favor of cutting back the leader pipes in order to avoid disrupting the forsythia. They would recommend installing extra filtering. Ms. Sesto asked if they would be amenable to putting the plantings back in this area and they are.

The applicant requested a continuation of the Public Hearing until the next meeting on January 12, 2012.

Mr. Delaney moved to ACCEPT the extension, SECONDED by Mr. Reiter, and CARRIED 5-0-0.

C. WET#2066(S) – GUERON – 24-30 Cannon Road – rehabilitation of Cannondale Village, construction of 22 new residential units, and other associated site work within regulated areas at Cannondale Village

The applicant provided a letter to the commission withdrawing the application.

III. APPLICATIONS READY TO BE REVIEWED

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

Mr. Delaney noted that the applicant's team did a great job of addressing all of the concerns that have been raised. Ms. Sesto agreed that the outstanding issues and questions have been addressed and also confirmed that the limits of this application's activities are in line with previous permits.

A discussion ensued relating to the conditions of approval the commission would like. The items discussed were the construction sequence, an as-built survey, boulders favored over river rock strip, maintenance on the plantings, replacement of the Norway Maple, adding shade trees to the buffer planting plan, deer browse management, and an annual report of cleaning the pavement and catch basins.

Mr. Delaney MOVED to direct staff to draft an approval for WET#2053 with General and normal Special conditions and the additional Special Conditions to provide the details of construction of the pervious pavement, utilize large boulders with grasses in front in lieu of the smaller stones, 1 to 1 replacement for the removal of trees, inclusion of additional shade trees, a deer browse management plan, an annual report on cleaning the pavement and catch basins and provide an as-built survey at the completion of the project, SECONDED by Ms. Pollino and CARRIED 5-0-0.

IV. APPLICATIONS TO BE ACCEPTED

A. WET#2071(S) – CHANDRA – 32 Crosswicks Ridge Road – construction of retaining wall and other site improvements within a regulated area

B. WET#2074(S) – WILTON PLAZA CONDO ASSOCIATION – 13-15 Danbury Road – removal of contaminated soil adjacent to the Norwalk River

C. WET#2075(I) – ARENAS – 14 Own Home Avenue – building addition within 50 ft. of wetlands

Mr. Delaney MOVED to ACCEPT these new applications, SECONDED by Ms. Pollino and

CARRIED 5-0-0.

V. APPROVED MINOR ACTIVITIES

- A. WET#2069(M) – ROSEN – 11 Bristol Place** – generator installation within a regulated area
- B. WET# 2070(M) – ROSSI – 195 Mather Street** – installation of generator and above ground LP tank within 30 ft. of the wetlands

Ms. Sesto provided a brief description of the above minor activities that have been approved by staff since the last meeting.

VI. CORRESPONDENCE

- A. WET#1712(S) – 118 Old Ridgefield Road** – 5 year permit extension request

Ms. Sesto noted that this permit for building construction is expiring in July of 2012. The applicant has requested a 5-year extension which will allow the owners to complete the work by July of 2017. Ms. Sesto noted there have been no changes to the property or technology that would affect the property.

Mr. Delaney MOVED to APPROVE the requested extension, SECONDED by Ms. Pollino, and CARRIED 5-0-0.

- B. WET#1509(S) – AHMED – 155 Catalpa Road** – corrective action delay

Ms. Sesto reported that the property owners have not complied with their wetlands permit. Staff sent a Notice of Violation in August of this year. The owner's agent was in contact with staff on October 21, 2011 and was provided with a deadline to submit a corrective action permit. Subsequent conversations have also been unsuccessful in yielding a response. The applicant has not responded to deadline and is in violation of the directives of the town.

The commission discussed what actions can be taken at this time. Ms. Sesto confirmed that they would be eligible for a citation and this could be turned over to town counsel. The commission agreed that both of these actions should take place at this time.

VII. OTHER APPROPRIATE BUSINESS

A. Elections

Mr. Delaney MOVED to nominate Mr. Wong for another term as Chair, Mr. Hall for another term as Vice Chair, and Elisa Pollino for Secretary, SECONDED by Mr. Reiter and CARRIED 5-0-0.

B. Meeting Schedule 2012

The commission received the 2012 meeting schedule and discussed adding special meetings, if needed, especially during the summer and holidays. Mr. Delaney MOVED to ACCEPT the schedule, SECONDED by Mr. Reiter, and CARRIED 5-0-0.

VIII. APPROVAL OF MINUTES

Mr. Delaney MOVED to APPROVE the October 27th and November 10th meeting minutes, as drafted, SECONDED by Ms. Craig, and CARRIED 5-0-0.

IX. ADJOURN

Mr. Hall MOVED to ADJOURN at 8:58 p.m., SECONDED by Mr. Delaney, and CARRIED 5-0-0.

Respectfully Submitted,
Liz Larkin
Recording Secretary