



MINUTES

August 9, 2012

PRESENT: John Hall, Acting Chair, Nick Lee, Dennis Delaney, Elizabeth Craig

ALSO PRESENT: Patricia Sesto, Director, Environmental Affairs

ABSENT: Frank Wong, Elisa Pollino, Don Pastorello (notified of intended absences)

I. CALL TO ORDER

Mr. Hall called the meeting to order at 7:45 p.m.

II. PUBLIC HEARINGS - None

III. APPLICATIONS READY TO BE REVIEWED

A. WET#2122(S) – FOSTERHOUSE – 122 Olmstead Hill Road – restoration of existing pond, restoration and expansion of existing wetlands, and replacement of aged septic system with B100a

Ms. Sesto confirmed that staff prepared and distributed a resolution of approval per the request from the last meeting on July 26, 2012. Ms. Sesto noted that she reviewed the contents of the file and would like to make some suggestions for additional Special conditions that were not included in the draft resolution. She stated that the commission may want to add a condition to provide a project schedule with the duration of each phase included. She also suggested that the commission require that the applicant provide a plan showing the limits of mowing and add a physical demarcation feature for this purpose. She added that a declaration to maintain the buffer as a healthy meadow, without mowing, would be preferred. There should also be a monitoring plan for 5 years, instead of the drafted 3 years to ensure viable plantings. The bond would be structured in 2 pieces; the first piece to be eligible for release at the end of second full growing season, and the second piece would be eligible for release at the end of the fifth year.

Ms. Sesto asked the commission to clarify their request on a third party monitor. Mr. Hall confirmed that the commission would like to have the property owner pay for a third party expert to monitor the site. Ms. Sesto noted that the applicant would need to submit qualifications for monitors and operators of the machines due to the nature of the project.

Ms. Sesto reviewed her memorandum in response to Mr. Cordes' last communication on July 26th. She disagrees with the open water and water quality standards comment, as fully vegetated water is not a bad thing. The applicant is proposing to create a marsh which, by definition has vegetation. The Connecticut Storm Water Manual attached to her memo talks about different construction techniques to manage storm water, including what is being asked in this case. She stressed that there are benefits to storm water management, and additional consideration is being made to bring in habitat. Ms. Sesto added that the existing pond sits out there naked, and there is no better flushing than what is being proposed. Ms. Craig asked if Ms. Sesto had concerns with the fields. Ms. Sesto stated that it is not any different than what is there now.

Mr. Hall commented that Mr. Cordes' opinion confirms the property is not a decimated wetland. He added that its soil profiles have acquired a wetland function aspect so going in and disturbing this natural function can change the quality of the run-off. Mr. Lee added that the house and pond were built in the 1960's which is not enough time to create a wetland. Mr. Hall was not convinced that bringing in engineers would make it better.

Ms. Craig noted that she is uncomfortable with the scale of the project and raised concerns on mowing in the future. Ms. Sesto stated that the commission can add a condition to show the limit of mowing to avoid differences from the approved plan. Ms. Sesto also stated that she was struck by the testimony relating to projects for municipalities as they would be issued by a grant to complete the work. She added that it is odd that a homeowner is doing this; but not to let the fact that it is a private request make the decision making process any different.

Mr. Delaney suggested obtaining a long term plan to preserve the health of surface water citing the Connecticut Water quality standards. He stated that they should be building something superior to what exists today. He called what they are proposing a water treatment plant as the water takes sediments and puts it into a tiered wetland which, he stated, is better than what is there today. He confirmed that Mr. Cordes' letter stated that the water quality will change and the engineers on the project believe it is going to be better. Mr. Hall stated that they cannot compare other water bodies as every site is different. Ms. Sesto stated that staff can arrange to test the water prior to any activity to get a baseline. Mr. Delaney noted that Mr. Cordes did not share data from Pope's Pond which would have been helpful. Ms. Sesto added that the water coming into the site can't be any cleaner than water coming off the site.

Mr. Delaney stated that the Draft Monitoring Plan was not a quality report as the testing is mentioned, but with no indication of what they are testing for. Ms. Sesto confirmed that the commission should require a water quality monitoring plan prior to any activities, with inlet and outlet testing for PH, turbidity, nitrates, and phosphates as the current report only provided outlet information.

Ms. Sesto reiterated the conditions that were just discussed: the requirement of a project schedule which will be revised with each phase, a Water Quality Monitor plan for 5 years which mirrors SNEW testing with exiting water of better quality, and demarcation monuments acceptable to staff. Ms. Sesto cited the Water Quality Standards to show that what the applicant is requesting does benefit the land. Ms. Craig asked if there would be a concern about soil compaction. Ms. Sesto responded that there are ways to mitigate if this becomes an issue.

Mr. Lee MOVED to approve WET#2122, as drafted by staff with amendments as cited, SECONDED by Ms. Craig and CARRIED 4-0-0.

IV. APPLICATIONS TO BE ACCEPTED

- A. WET#2131(I) – DARTLEY – 87 Olmstead Hill Road** – “corrective action” to fill an abandoned pool within an upland review area
- B. WET#2133(I) – MCFADDEN – 109 Westport Road** – replacement of deck and room addition within a wetland
- C. WET#2134(S) – O’BRIEN – 1030 & 1042 Ridgfield Road** – proposed 3-lot subdivision with a common driveway that crosses wetlands and grading within the upland buffer
- D. WET#2135(S) – PEPITONE – 22 Hillcrest Place** – construction of pool and patio, retaining wall, and other site improvements

Mr. Lee MOVED to ACCEPT all above applications for the next scheduled meeting on September 13, 2012, SECONDED by Mr. Delaney and CARRIED 4-0-0.

V. APPROVED MINOR ACTIVITY

- A. WET#2130(M) – DOLAN – 6 Spruce Meadow Court** – pool and patio installation 80 ft. from a wetland

Ms. Sesto provided a brief description of the minor activity that has been approved since the last meeting.

VI. CORRESPONDENCE - None

VII. OTHER APPROPRIATE BUSINESS

A. Violations

1. **Ciganik – 74 Cheese Spring Road** – Ms. Sesto noted that this application is pending with Casey Healy of Gregory & Adams representing the homeowner. She confirmed staff sent a Cease and Desist Upheld Letter since the ruling at the last meeting.
2. **Mannuccia – 64 Whipstick Road** – Ms. Sesto provided background on the issue that has arisen with the property owner who filled in a vernal pool that was present at a recent site visit for another project. She stated that Otto Theall is looking at the aerials to confirm the difference from what was there previously as wetland soils are not represented in vernal pools.

B. APPROVAL OF MINUTES

Mr. Lee MOVED to APPROVE the July 26, 2012 meeting minutes, as drafted, SECONDED by Mr. Delaney, and CARRIED 4-0-0.

VIII. ADJOURN

Mr. Hall MOVED to ADJOURN at 8:31 p.m., SECONDED by Mr. Delaney, and CARRIED

4-0-0.

Respectfully Submitted,
Liz Larkin
Recording Secretary