



## MINUTES

October 11, 2012

**PRESENT:** Frank Wong, Chair, Dennis Delaney, Nick Lee, Elizabeth Craig, Elisa Pollino, John Hall

**ALSO PRESENT:** Mike Conklin, Environmental Analyst; Liz Larkin, Recording Secretary; Kevin O'Brien, Wilton Country Homes; Kate Throckmorton, Environmental Land Solutions; Steve McAllister, McChord Engineering; Doug DiVesta, DiVesta Civil Engineering Associates, Inc.; Marc Andre, Marc Andre Architects; Aleksandra Moch, Kristen Begor, Conservation Commission; James Babashak, Homeowner; James Bouchard, Agent

### **I. CALL TO ORDER**

Mr. Wong called the meeting to order at 7:31 p.m.

### **II. PUBLIC HEARINGS**

**A. WET#2134(S) – O'BRIEN – 1030 & 1042 Ridgefield Road** – proposed 3-lot subdivision with a common driveway that crosses wetlands, and grading within the upland buffer

Mr. Conklin read the new documents into the record.

Mr. O'Brien reminded the commission that this public hearing opened a month ago and was continued to ensure enough time to address the comments made at the first hearing. He confirmed that they would like to hold this hearing open again for next time to allow Ms. Throckmorton time to create a revised planting plan.

Mr. O'Brien stated that the team has worked to reduce the disturbance and to move the regulated activities farther away from the wetlands. Mr. O'Brien stressed that he will work with the health department to address their outstanding questions associated with 1042 Ridgefield Road, but that this should not hold up the wetlands approval.

Mr. McAllister explained the changes in the revised plans. He stated that he has minimized the site disturbance by proposing an all gravel driveway instead of the original split of pavement and gravel. Additionally, the common driveway has been reduced to 12 feet wide instead of the original 16 feet, except for the first 50' off of Ridgefield Road, which eliminates the need for the

culvert expansion. The revised plans also propose utilizing underground stormwater infiltration galleries instead of the two originally proposed rain gardens.

Mr. McAllister also confirmed that the house on lot 3 has been shifted 30 ft. south, which is the farthest they can move due to the septic and well setbacks. In addition, the septic tank will be relocated farther away from the wetlands.

Mr. Delaney questioned the 16 ft. wide driveway requirement from the first hearing. Mr. McAllister confirmed that Wilton does not have this requirement which was misstated at the last hearing. Mr. Delaney asked if the 8% slope in the driveway would create erosion problems. Mr. McAllister stated this would not be an issue with this minor grade.

Ms. Craig inquired if the rain garden in the northern portion could have a smaller design. Mr. McAllister confirmed that this is the outlet to the footing drain. She then requested if the driveway could be minimized further. Mr. Conklin suggested protecting the trees around the footing drain while the site work is taking place. He also asked how they will prevent future owners from paving the driveway. Mr. O'Brien stated that they can have a deed restriction; and added that one acre is being deeded to the Land Trust.

With no questions or comments from the public, Mr. Wong continued the Public Hearing.

**B. WET#2135(S) – PEPITONE – 22 Hillcrest Place – construction of pool, patio, and grading 20 ft. from a wetland**

Mr. Conklin read a letter requesting a continuation until the next hearing.

With no questions or comments from the public, Mr. Wong continued the public hearing until the next scheduled meeting on October 25, 2012.

**C. WET#2139(S) – KENNEDY – 66 Warncke Road – 2-lot subdivision**

Mr. Conklin read the documents into the record. Mr. Wong, Ms. Craig, Ms. Pollino, and Mr. Delaney indicated they visited the site.

Mr. DiVesta described the property as 5.3 acres in a residential 2 acre zone. He confirmed there is a current house and a paved driveway, and that there are steep slopes that run towards the high school property. The proposal would split the 5.3 acres into two lots. The existing home will remain on a 3.3 acre lot and the new building lot will be 2 acres in size. The entire property has 4,000 square feet of wetlands. They completed test holes and found a code complying area to the east of the proposed new house.

Mr. DiVesta stated that the proposed residence includes six bedrooms and a stormwater detention system is proposed under the driveway. This system is designed to handle the stormwater from a 25 year storm event. This construction site will have all soil and erosion control measures in place such as silt fence, staked hay bales, and an anti-tracking pad.

Mr. DiVesta stated that they looked at alternatives such as moving the septic across the wetland on the northern side. This option was dismissed as construction vehicles would have to pass over wetlands and having the septic that far from the house is not recommended.

Mr. Divesta addressed the comments in the staff report by suggesting he could add a stone wall to demarcate the limit of lawn and prevent future project creep into the wetland buffer area. He also explained that the project includes wetland enhancement plantings at the back of the property. Ms. Moch advised that the lawn is small but argued that it is natural and will turn to meadow which means there is a larger buffer with less disturbance. She confirmed no trees would be removed except for old apple trees that are decomposing.

Ms. Moch described three main differences in the stream as it flows through the property. She reported that the upper portion seems to be an old farmer's drain that used to have a dam; but is no deeper than 12 inches. She confirmed that the channel is wide and has a pebble and stone base. The second area she pointed out is the old stream crossing. At this point, the water slows, drops sediment and seeps through gravel. The third area is steep and has waterfalls which are captured by the culvert and sent under the high school fields before discharging to the Norwalk River.

Ms. Moch confirmed there is a 30 ft. buffer to the east of the wetland which is naturalized with no understory. She reported that groundwater discharges to the stream constantly which contains lots of organic particles which are transported quickly downstream.

Ms. Moch suggests adding 30 shrubs and some herbaceous plants to the edge of the forest to avoid invasives and add plants for pollinators. Ms. Pollino asked if Ms. Moch would address the invasives on the property. Ms. Moch responded that they can prune the invasives but removing them would be more harmful than good. Ms. Craig asked about the condition of the 30 inch red maple near the well and asked if this tree could be saved since there are not many other trees on the site. Mr. Andre stated he would make sure this tree is saved if it is deemed in good condition.

Mr. Wong asked what the impervious coverage would be with the proposal. Mr. DiVesta confirmed 2,300 sq. ft. for the house and 3,800 sq. ft. including the driveway. He stated that all stormwater runoff is collected in the detention system and sent out in better condition.

Mr. Wong asked for the proposed wood deck dimensions. Mr. DiVesta stated it is 44 ft. by 17 ft. and will be on piers. Mr. Wong then questioned the purpose of the old concrete pool in the stream channel. Mr. Andre responded that it can be removed if the commission deems it necessary.

Ms. Pollino asked for details on the stone wall construction. Mr. DiVesta stated that this would be provided at the next hearing. Mr. Lee added that a dry-laid wall would be preferred.

Mr. Wong asked if they considered moving the house forward toward the road and place the septic in the back. Mr. DiVesta confirmed the best septic soils are in the front of the property. Mr. Lee inquired if there is a difference in linear feet of the system with a six bedroom versus a five bedroom. Mr. DiVesta stated that the difference is 8ft. in length.

Mr. Conklin asked if the septic system could be relocated to the north of the driveway allowing for the movement of the proposed residence further from the wetland. Mr. DiVesta confirmed that they did not test in this area. Ms. Moch added that this property has a shallow ground water table in the wet season.

Ms. Craig inquired about the driveway drainage next to the garage as she was not certain how the drain is capturing everything. Mr. DiVesta confirmed that there is a 24 in. plastic pipe that collects this run-off. She then asked about the run-off from the road. Mr. DiVesta confirmed that the driveway will have a slight lip at the road so stormwater from the road will not drain down the driveway. Ms. Craig then asked why the driveway turnaround is so large. Mr. DiVesta stated that this is for a 3-car garage with room to turn around plus one guest parking space.

Mr. Hall suggested shortening the driveway and bringing the house closer to the road. Mr. Wong suggested that Mr. DiVesta speak to Ms. Sesto regarding the pool removal.

With no further questions or comments, Mr. Wong continued the Public Hearing until the next meeting being held on October 25, 2012.

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

#### **A. WET#2143(I) – BABASHAK – 12 Deforest Lane – depositing fill and topsoil, and raise existing wall**

Mr. Conklin read the documents into the record.

Mr. Bouchard noted that Mr. Conklin came to the site to notify him that he was in violation of the wetlands regulations with the site work that was being conducted without a permit, approximately 60 ft. from the wetlands. Mr. Conklin described that there was some minor grading and a retaining wall was being re-built from a 2 ft. wall to a 5 ft. wall in the wetland buffer.

Mr. Bouchard stated that he checked with Daphne White, the Assistant Town Planner, who told him he did not need to get a permit for this site work. In addition to the site work, he asked the mason that was on-site to remove some stumps on the site. They installed a silt fence even though it was not required and stated he would have applied for a permit if he knew it was required.

Mr. Wong asked Mr. Conklin if he would recommend mitigation for this permit. Mr. Conklin did not. He recommended moving forward with finishing the grading and adding the top soil. Mr. Bouchard stated that this area was previously grass. Mr. Conklin confirmed that 40 cu. yds. of the proposed fill is outside the 100 ft. regulated area and added that they would like to install a propane tank and generator in the future as shown on the plan.

Mr. Delaney confirmed they are not changing the existing grade and that the slope will continue. Mr. Bouchard stated that they are making the area directly behind the garage flatter with 2 additional ft. of fill. Mr. Delaney confirmed that they plan to keep the landscaping to the left of the driveway. Mr. Wong asked that the limit of existing lawn is clearly defined on the plan.

Mr. Wong MOVED to APPROVE WET#2143, with the General and normal Special Conditions and the additional Special Condition to show the limit of lawn on the plan, SECONDED by Mr. Hall and CARRIED 6-0-0.

**IV. APPLICATIONS TO BE ACCEPTED**

- A. WET#2146(I) – PASELTINER – 15 Tito Lane** – addition within a regulated area
- B. WET#2147(S) – CIGANIK – 74 Cheese Spring Road** – “corrective action” to rectify work done in an upland review area
- C. WET#2148(S) – KOTONSKI – 302 Sturges Ridge Road** – “corrective action” to restore the site and construct new home

The commission learned that the Ciganik application fee for 74 Cheese Spring Road was not paid in full and there is an outstanding citation due on this property.

Mr. Lee MOVED to ACCEPT WET#2146 and WET#2148 and schedule for the next available meeting, SECONDED by Mr. Delaney and CARRIED 6-0-0.

Mr. Wong MOVED to DENY acceptance on WET#2147 based on an incomplete application based on failure to pay the application fee, SECONDED by Mr. Delaney and CARRIED 6-0-0.

**V. APPROVED MINOR ACTIVITIES - None**

**VI. CORRESPONDENCE - None**

**VII. OTHER APPROPRIATE BUSINESS**

**A. APPROVAL OF MINUTES**

Mr. Delaney MOVED to APPROVE the September 27, 2012 meeting minutes, as drafted, SECONDED by Ms. Craig, and CARRIED 4-0-2 with Mr. Wong and Mr. Simone abstaining as they were not present.

**VIII. ADJOURN**

Mr. Wong MOVED to ADJOURN at 8:56 p.m., SECONDED by Mr. Lee, and CARRIED 6-0-0.

Respectfully Submitted,  
Liz Larkin  
Recording Secretary