



MINUTES

July 10, 2014

PRESENT: John Hall (Chair), Nick Lee, Dan Falta, Tom Burgess, Liz Craig

ALSO PRESENT: Patricia Sesto, Director, Environmental Affairs; Liz Larkin, Recording Secretary; Chris Luca, CL&P; Amy Voisine-Shea, CL&P; William Flick, LBG; Kevin O'Brien, Wilton Country Homes, Walter Smith, Property Owner; Marilyn Smith, Tracy Chalifoux, Hoffman Landscapes

ABSENT: Dennis Delaney (notified of intended absence)

I. CALL TO ORDER

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

Mr. Lee MOVED to add a short presentation by Yankee Gas to the agenda, SECONDED by Mr. Burgess and CARRIED 5-0-0.

- II.** Yankee Gas Presentation – Mr. Luca provided an overview of the recently approved 3 ½ mile gas line expansion in Wilton Center. He described that it will begin at Wolfpit Road, travel up River Road, under the Route 33 overpass, through Merwin Meadows and the Norwalk River Valley Trail, up to the Middle School, down School Road, down Christine Lilly Way, over Catalpa and through Allens Meadows to the Greens at Cannondale. The work is set to begin in late July or early August when they will start soil pre-characterization. Mr. Luca described this process as digging test holes to search for any potential contamination so they can make plans for safe removal and storage.

Mr. Luca noted that natural gas is a cleaner and cheaper way to provide energy to the town. He confirmed the disturbance for laying the lines will be minimal with a two foot wide trench with most portions within the current roadway and within the previously disturbed areas for the existing sewer line. He stated that any disturbance will be quickly restored and any asphalt that is removed for the installation will be stored at Allen's Meadows and used at a later time at the town's request.

Ms. Voisine-Shea reviewed the environmental impacts of the gas line installation. She noted that the Comstock Brook crossing will be completed in dry conditions, within two days time, and will be independent of the rest of the pipes. This may require a diversion plan depending on the flow of the water. If necessary, dewatering will be performed. South Norwalk Electric & Water has

stated they have little flow right now and they can divert their flow above the proposed work if necessary. Ms. Voisine-Shea stated if there is a high flow situation, they can install a coffer dam. The proposal includes de-watering the work area and using a pump and filter bag with straw bales to create a buffer. The stream bed soil removed will be stockpiled and used to put back in the streambed to its original elevation and composition. The area will then be further repaired to prevent erosion.

The work in Merwin Meadows will be mostly through the parking lot and the timing will be discussed in September for this piece for minimal impact to residents.

The Norwalk River Valley Trail will be utilized and the current drainage and erosion issues will be repaired once the line is in. Any trail closures will be minimal and will be communicated to the town accordingly.

The School Road construction will include a culvert crossing which was indicated as outside of the stream with all soil and erosion measures in place. The Goetjens Brook is much larger and also includes a culvert.

Ms. Voisine-Shea confirmed they are planning minimal impact and disturbance, and stated the project is due to be completed in the Fall of 2014.

III. PUBLIC HEARINGS

A. WET#2254(S) – ASML – 77 Danbury Road – excavation of 2 areas of petroleum impacted soil for back-filling and restoration (cont.)

Ms. Sesto read the new documents into the record including a letter from an absent commissioner and professional chemist, Mr. Delaney.

Ms. Sesto summarized the prominent points for discussion. Mr. Delaney recommends the testing to determine the limits of excavation for the northern perimeter of the two sites west of the river be expanded. Secondly, given the inconsistent testing in the upper two feet of the soil profile, contaminated soil may have been overlooked and subsequently vulnerable to improper disposal. Lastly, it is stated there are no chlorinated hydrocarbons, but no testing has been provided to substantiate this.

Mr. Flick stated the contamination came from a point source and the further the testing moved from that source, the lower the concentrations. Further, the samples are not closure points and the walls of the excavation will be repeatedly tested to determine the outer limits of remediation.

The test data does seem to indicate irregular depth intervals for testing. However, the data shown is only those samples that were sent out for testing. If field testing didn't turn up any contaminants, then those samples were not sent for further evaluation and were not included in the data.

Ms. Sesto asked if there was any indication of chlorinated hydrocarbons. Mr. Flick responded that solvents were not detected above the regulated levels and this is not driving their remediation.

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

IV. APPLICATIONS READY TO BE REVIEWED

A. WET#2253(I) – BROWN – 46 Pheasant Run – building additions including B100a (cont.)

Ms. Sesto stated that the applicant has requested an approval to extend the timeframe of this application.

Mr. Lee MOVED to approve an extension on WET#2253, SECONDED by Mr. Burgess and CARRIED 5-0-0.

B. WET#2258(I) – SMITH – 26 Lovers Lane – proposed addition, deck, and driveway expansion within a regulated area

Mr. Hall, Ms. Craig, Mr. Burgess, and Mr. Falta indicated they visited the site.

Mr. Lee recused himself from this application.

Mr. O'Brien reminded the commission that this property received a wetland permit approximately six months ago for an addition and to tie into the town's sewer line. The current proposal calls for moving the barn and attaching it to a modified version of the addition previously approved.

Mr. O'Brien confirmed that Ms. Throckmorton, of Environmental Land Solutions, prepared a grading plan and retaining wall will be needed for the proposed driveway. He confirmed a silt fence will be installed prior to any site work. Mr. O'Brien confirmed about 80 cu. yds. of material will be removed and spread out throughout the site.

Ms. Sesto asked if the barn was structurally sound to be moved in the way they are requesting. Mr. Smith stated the barn will be disassembled and rebuilt with any new pieces that are required at the time of construction. He added that he has been moving structures for many years. Mr. O'Brien added that this barn will now be 20 ft. from the road instead of the current 3 feet which is an overall improvement for zoning. Mr. Hall asked if the former barn location area will be stabilized. Mr. O'Brien responded that the retaining wall will be in the former barn area. Mr. Hall asked if any post-construction landscaping is considered. Ms. Sesto noted that seed and plantings were included in the narrative, but not on the landscape plan. Mr. O'Brien confirmed that the area will be seeded.

Mr. Burgess MOVED to APPROVE WET#2258, with all conditions of the previous permit, WET#2232 brought forward, SECONDED by Mr. Falta and CARRIED 4-0-1.

C. WET#2259(I) – McKELVY – 130 Ridgefield Road – wetland restoration

Mr. Lee was re-seated.

Mr. Hall, Ms. Craig, Mr. Burgess, Mr. Lee and Mr. Falta indicated they visited the site.

Ms. Chalifoux of Hoffman Landscapes provided an overview of the proposed wetland

restoration at the southern end of the property. In addition to removing non-native invasive shrub species, the proposal includes removing eight trees. The trees are three to nine inch caliper and include maples and slippery elm. Five snags to the far south and removal of old wood piles will also be removed.

Ms. Chalifoux confirmed that the brush will be disposed of off site and the smallest equipment possible will be utilized. A small track machine will remove the invasive plants along the wetland.

The area will be restored with five native trees, 38 shrubs, 240 ferns and 100 irises. These plantings will enhance water quality entering the wetland. Ms. Chalifoux confirmed there will be a five-year maintenance plan to monitor the invasives. Any invasives will be managed by hand or with a low toxicity herbicide. Silt fence will be installed if needed, but no excavation is planned.

Ms. Chalifoux stated euonymus will be removed but the existing forested canopy will remain. She confirmed they are not looking to expand the lawn as the trees for removal are all on the fringe of the lawn. Ms. Sesto asked if someone would be on site during the invasives removal to ensure native species are not mistakenly cut. Ms. Chalifoux confirmed a landscape professional would be on site and that the brush will be tagged for identification purposes. Ms. Craig asked how far the understory is from the edge of the lawn and Ms. Chalifoux stated that it is 20 – 25 ft. back.

Ms. Sesto asked why the homeowner would like to remove the snags as these serve as a habitat to many insects and animals. Ms. Chalifoux responded that they chose the native species on the planting plan to attract animals. The commission, acknowledging the distinct value of standing dead wood, discussed taking two of the snags out and leaving the remaining three to which Ms. Chalifoux thought would be acceptable to her clients. Ms. Craig asked if the trees in the area are healthy. Ms. Chalifoux confirmed they are immature but quite healthy. Ms. Craig suggested a seed mix to compete with the stilt grass.

Mr. Falta MOVED to APPROVE WET#2259, with General Conditions and normal Special Conditions, except no bond required, and the additional Special Condition that only two snags will be removed, SECONDED by Mr. Burgess and CARRIED 5-0-0.

V. APPLICATIONS TO BE ACCEPTED

A. WET#2260(S) – JACKSON – 111 Highfield Road – convert horse barn to pool house, new pool, new septic, and driveway alterations

B. WET#2261(I) – McKENNA – 113 Range Road – “emergency” septic replacement

Mr. Lee MOVED to ACCEPT all above applications, SECONDED by Mr. Burgess and CARRIED 5-0-0.

VI. APPROVED MINOR ACTIVITIES

A. WET#2257(M) – CUGNO – 113 Westport Road – install outdoor fireplace and terrace

Ms. Sesto provided a brief overview of the approved minor activity since the last meeting.

VII. CORRESPONDENCE - None

VIII. OTHER APPROPRIATE BUSINESS

A. VIOLATIONS

1. **Mitchell – 232 Silver Spring Road** – Ms. Sesto reported that there is nothing new to report since the last meeting.
2. **Bevilacqua – 27 Antler Lane** – Ms. Sesto reported that this project is on hold pending Health Department approval.
3. **Hallman – 25 Spoonwood Road** – Ms. Sesto reported that the homeowners have not fully installed their restoration plantings and their fine has not been received.
4. **Gaboriault – 94 Honey Hill Road** – Ms. Sesto stated that this property owner is working to get a corrective action plan submitted soon.
5. **DeVito – 40 Honey Hill Road** – Ms. Sesto is going to attend court on the July 17th to testify on this case.
6. **Abou-Sabh/Casey - 78 Canterbury Road** – Ms. Sesto stated that a notice of violation was recently sent for a stream that was cleared without a permit.
7. **Spillane – 8 Dorado Court** – Ms. Sesto stated that a notice of violation was recently sent as there is a deck platform that was built by the pond and the homeowner removed some bushes without a permit.

B. APPROVAL OF MINUTES – June 26, 2014

Mr. Burgess MOVED to APPROVE the minutes, as drafted, SECONDED by Mr. Lee and CARRIED 5-0-0.

IX. ADJOURN

Mr. Falta MOVED to ADJOURN at 8:36 p.m., SECONDED by Ms. Craig, and CARRIED 5-0-0.

Respectfully Submitted,
Liz Larkin
Recording Secretary