



MINUTES

December 11, 2014

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

ALSO PRESENT: Patricia Sesto, Director, Environmental Affairs; Doug DiVesta, DiVesta Civil Engineering Associates; Kate Throckmorton, Environmental Land Solutions; Wendy Kerner & David Rintoul, Property Owners; Craig & Jana Stephenson, Property Owners; Arek Rutkowski & Daniel Moskal, Contract Purchasers; Mimmo Caratozollo

I. CALL TO ORDER

Mr. Hall called the meeting to order at 7:30 p.m.

II. PUBLIC HEARINGS

A. WET#2277(S) – DNA GROUP, LLC – 19 Lee Allen Lane – raze existing dwelling and construct new residence

Doug DiVesta provided a supplemental engineering report and revised mapping. Mr. DiVesta highlighted the revisions made in response to comments provided at the last meeting. The boulders to delineate the lawn were moved to the inside boundary of the plantings, the stockpile area was reduced, and the plantings were enhanced and more thoroughly presented on a planting plan.

Patricia Sesto asked if the pool fence was included, as requested by the commission. The commission frequently sees the location of the pool fence as an opportunity to reinforce the extent of lawn. The fence was not shown, but Mr. DiVesta indicated he was amenable to having this be a condition of approval.

Liz Craig inquired about the trees in the proposed pool location, asking if they would be removed whether the pool is built or not. The trees were described as being in poor condition and would be taken down regardless of the pool. Craig went on to suggest shade trees be added to the planting plan as there are none included.

Mr. DiVesta agreed to this and responded to other questions. The area above the retaining wall will have some scrub growth removed; however, the area will not be cleared. The footprint of the house and relocation of the pool were presented as alternatives despite discussion at the last meeting. Mr. DiVesta explained his belief that the alternatives were thoroughly discussed and

the commission appeared accepting of the proposed layout, provided the limit of the existing lawn was not expanded and the buffer plantings were improved.

Chairman Hall asked for questions from the public. Having none, the public hearing was closed.

B. WET#2290(S) – STEPHENSON – 109 Highfield Road – installation of pool, patio, and a B100a within an upland review area

Commissioners Hall, Craig, Lee, and Stow indicated they visited the site and Sesto read the documents into the record.

Kate Throckmorton presented the proposal on behalf of the applicant. The plan calls for a pool and patio be constructed 28 feet from a wetland. The wetlands were flagged by Mary Jaehnig and generally coincide with the existing limit of lawn. The existing deck will be removed and replaced with a new patio that leads to the lower level where the pool is. Surrounding the pool are three rain gardens intended to collect and infiltrate the runoff generated by the patio areas. The plan also includes plantings in and immediately adjacent to the wetland to enhance the wetland.

Nick Lee expressed his desire to have the pool fence moved out of the wetland and the plantings be expanded to include all of the wetland that has been converted to lawn.

Sesto asked if Ms. Throckmorton was aware of the 1986 soil mapping done by Soil Science Services that show the wetland line actually cutting through the southwestern end of the house. Jaehnig's report did not provide any information that would account for the shift in the line, such as fill. Also, there was no evidence of fill on-site to suggest the wetland was reduced do to past filling. Ms. Throckmorton was not aware of the past mapping and would follow up with Ms. Jaehnig.

Commissioners Craig and Hall engaged Ms. Throckmorton in a discussion regarding alternatives. The area of the pool and patio appears extensive and what opportunities exist to reduce it. Ms. Throckmorton explained there is only a five foot perimeter of patio around three sides of the pool. The largest area of patio is on the far side, away from the wetland. The depiction of the pool may have the impression of being larger than it is due to the rain gardens.

Discussion of shifting the pool northeast was pursued. With the zoning setbacks, there is only 20 feet available to shift the pool further from the wetland. Chairman Hall expressed his opinion that this was an option worth pursuing.

Sesto questioned the efficacy of the proposed rain gardens. Ms. Throckmorton explained the rain gardens would be a shallow trench at the edge of the patio and the storm water would be directed to them via scuppers through the sitting wall. Sesto responded the site is quite wet, even outside of the wetland boundary. With the extent of saturated soil, she felt the ability of the rain gardens to absorb stormwater was limited or not existent. If there is any excavation the trenches would surely encounter groundwater. Throckmorton suggested the rain gardens be formed on top of perhaps 12 inches of soil. Sesto had difficulty accepting that this would be sufficient to have the rain gardens perform as needed.

The option of using a permeable pavement was explored. Lee and Throckmorton agreed stone

set in sand or cinder would fail as the high water causes buckling.

Sesto conveyed her thoughts on the additional commitment of wetland buffer. By way of permit in the late 1980's, the entire wetland buffer and perhaps a portion of wetland were lost to the development of the house. The wetland on-site is part of a larger, valuable system that warrants protection. The balance between development and wetland protection favors development at this point and care needs to be taken not to further this imbalance. Lee responded the plantings work to regain some of what was lost.

The erosion and sedimentation control plan was questioned by Sesto. The plan is not site specific and this site needs that attention. The excavation for the pool will certainly need to be dewatered and this needs to be addressed. Also, the excavated soils may be soupy and not able to be moved off-site without dewatering. Lastly, the stockpile area is proposed on the far side of the piped stream and may be damaged if not properly protected. Throckmorton agreed to provide the additional information.

No one from the public had questions or comments.

Chairman Hall continued the hearing to the next meeting of the commission.

III. APPLICATIONS READY TO BE REVIEWED

A. WET#2280(I) – MONTANARO – Wampum Hill Road – proposed driveway across a wetland (cont.)

Attorney for the applicant, Richard Gibbons emailed Sesto to request an extension. They have yet to gain authorization from the town.

Chairman Hall made a motion to grant an extension of the public hearing until January 8, 2015, Seconded by Craig, and carried, 6-0-0.

B. WET#2289(I) – KERNER – 358 Belden Hill Road – proposed addition to existing house

Commissioners Hall, Craig, Burgess, and Stow indicated they visited the site.

Ms. Kerner and Mr. Rintoul described the proposal to add a garage off the south side of the house. The addition is over 60 feet from the wetland and ornamental plantings will be removed to accommodate the construction. Additionally, they have been advised to remove the two large Norway spruce trees immediately south of the garage.

Chairman Hall explored opportunities to add plantings at the wetland edge. He focused on the area between the studio and the wetland, as the studio is fairly close to the wetland. Mr. Rintoul said plantings already exist in this area and along the wetland boundary to the north. He and Ms. Kerner have been discussing plans to enhance the planting by the wetland in the southern half of the property. After continued discussion, it was determined a mitigation planting plan is warranted. The plan shall cover an area equal in size to the garage addition and its location can be worked out with staff on-site.

Liz Craig made a Motion to approve WET#2289 with the normal General and Special

Conditions, and the additional Special Condition a planting plan equal in size to the addition shall be devised in cooperation with staff, Seconded by Commissioner Falta, and passed 6-0-0.

IV. APPLICATIONS TO BE ACCEPTED

A. WET#2295(S) – WILTON YOUTH FOOTBALL – 131 School Road – renovation of existing grass field to a natural turf field at Middlebrook School

Sesto explained, under the new fee structure, the application fee for this project would exceed \$23,000 and it was her belief this is inconsistent with the intent of the commission when they put the additional fee in place for Significant Regulated Activities.

Commissioners discussed the unique circumstances this project holds that would distinguish it from others and allow for a fee reduction. The area of disturbance is largely driven by the removal of sod and its replacement, effectively without regrading. This area is also outside of the regulated area and it is the storm drainage that generates the Regulated Activity. Further, the project is a public-private partnership with the town. It was the consensus of the commission the additional application fee should be figured based on area of disturbance needed for stormwater management and those areas within the regulated buffer.

Nick Lee made a Motion to accept WET#2287 and schedule it for the next meeting of the commission, Seconded by Tom Burgess, and carried, 6-0-0.

V. APPROVED MINOR ACTIVITIES

A. WET#2287(M) – KELLY – 20 Deepwood Road – install 10 ft. x 14 ft. shed 30 feet from a pond

B. WET#2288(M) – BUIS – 32 Deer Run Road – extend existing pool by 4 feet

C. WET#2292(M) – HURWITZ – 335 Newtown Turnpike – proposed car port 60 feet from a watercourse

Sesto provided an overview of the three approved Minor Regulated Activities. Commissioners had no substantive questions.

VI. CORRESPONDENCE - None

VII. OTHER APPROPRIATE BUSINESS

A. VIOLATIONS

- 1. DeVito – 40 Honey Hill**
- 2. Leska – 50 Sunset Pass**

Sesto conveyed Mr. DeVito is supposed to be submitting an application per his attorney. No indication that this will happen has been seen. If Mr. DeVito fails to submit in January, the matter will continue in court.

Mr. Leska was again in the office seeking help to complete his application. The level of help he is looking for exceeds what should be reasonably expected. He was given guidance to hire a consultant. He will be meeting with Bill Kenny next week.

Chairman Hall made a Motion to add election of officers and approval of the 2015 schedule to the agenda, Seconded by Lee and carried 6-0-0.

B. Election of Officers

Dan Falta nominated John Hall to continue as chairman. John Hall nominated Elizabeth Craig to serve as vice-chair and Nick Lee to serve as secretary. Dan Falta made a Motion to approve the slate as presented, Seconded by Tom Burgess, and carried 6-0-0.

C. 2015 Meeting Schedule

Chairman Hall made a Motion to adopt the 2015 schedule as presented, Seconded by Liz Craig and carried, 6-0-0.

D. APPROVAL OF MINUTES – November 13, 2014

Nick Lee made a Motion to approve the minutes of November 13, 2014, Seconded by Craig, and carried, 5-0-1, with Richard Stow abstaining.

VIII. ADJOURN

Nick Lee moved to adjourn at 8:37 p.m.

Respectfully Submitted,
Patricia Sesto
Director, Environmental Affairs