



## MINUTES

**February 12, 2015**

**PRESENT:** Liz Craig (Acting Chair), Tom Burgess, Nick Lee, Rick Stow

**ALSO PRESENT:** Patricia Sesto, Director, Environmental Affairs; Liz Larkin, Recording Secretary; Casey Healy, Gregory & Adams; Barry Blades, Blades & Goven; Joe Canas, Tighe & Bond; Matt Davison, Tighe & Bond; Tom Nelson, McChord Engineering Associates; Steve Trinkaus, Trinkaus Engineering; Will Patty, Property Owner; Tom Quinn, Peak Engineers; Juan Paredes, LandTech; Robert Fuller, Esq; Dick Gibbons, Esq; Christopher Montanaro, Property Owner; Dana Prince, Abutter; Jackie Montgomery, Abutter

**ABSENT:** John Hall, Dan Falta (notified of intended absences)

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

Ms. Craig called the meeting to order at 7:30 p.m.

### **II. PUBLIC HEARINGS**

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

Ms. Sesto read the documents into the record.

Mr. Paredes explained the proposed driveway as a 2,000 ft. linear access road with a minor disturbance of the wetlands on site. He confirmed the access is 900 ft. north of Honey Hill Road where an existing road ends and a gravel road begins. The road will be widened from the current 7 ft. to 12 ft. and surfaced with processed aggregate. Turnouts for vehicle passage are proposed every 200 ft. He stated the disturbance is primarily in Weston and noted the wetlands in Wilton are 61 ft. from the proposed driveway on Wampum Hill Road. Closer to Two Rod Highway, the proposal includes the connection of the wetlands by way of 12 in. pipes which will improve the wetland function. He indicated the slopes on the sides will be filled by 2.5 feet to increase the culvert pipe cover.

Mr. Paredes confirmed there will be some minor paving in steep areas to avoid erosion. He submitted a spreadsheet noting the project disturbance and added that only the Wilton buffer is affected with the upland steep slope work. Ms. Craig asked if the slopes in Wilton should be reinforced with large trees. Mr. Paredes stated that a minimum amount of trees will be removed.

Mr. Paredes assured Ms. Craig that heavy erosion controls will be in place during construction and stabilization will be met. Ms. Craig then inquired why they are requesting 8 turnouts. Mr. Paredes responded that they wanted to make it easy for cars to pull off. He confirmed they would consider removing some of these turnouts.

Mr. Stow asked for some history on this road. Mr. Lee stated that it is an old town road that is being abandoned. Mr. Paredes confirmed that the owner of the property is looking for an accessway to get to already approved building lots.

Ms. Craig asked how the rain gardens are sited. Mr. Paredes responded the driveway will not be paved in its entirety, so the rain gardens are sized for the slight runoff that will occur with the paved portions. He added they will avoid removing trees unless necessary. Ms. Craig then inquired about the limit of disturbance during construction. Mr. Paredes stated it would be the 10 – 12 feet for the entire length of the driveway as the contractor will be careful. Ms. Craig then confirmed that the existing stone walls will be removed.

Ms. Sesto inquired about the utilities to the building lots. Mr. Paredes confirmed with the homeowner in the audience that the utilities will be placed under the driveway.

Atty. Fuller explained the old town road was built in 1730. He confirmed that Weston, where most of the work is being completed, has already approved the activity. He called the area a glorified driveway, and not a town road. He indicated they have no intention of building a town road, which is a misimpression of the town. The two lots have been subdivided and there is no requirement to conform to the Subdivision Regulations which require the driveway to be built to town road standards. He added the town wants to abandon Two Rod Highway. Atty. Fuller also confirmed that many private driveways and roads in Wilton do not adhere to town standards. In the event that someone wanted to create a road to town standards in the future, they would be required to come back to this commission for approval.

Atty. Fuller testified the right of way is currently 33 ft. If property is not being built as a subdivision, no improvements are required. He also stated Mr. Thurkettle's letter from 1962 is superseded by current Connecticut Law. He noted the upland review is where they are looking for approval for this project, and that most upland review applications that are reviewed by this commission are approved. Mr. Lee confirmed that Weston approved the activity and they are replacing culverts on their side.

With no further questions or concerns by the commission or public, the public hearing was closed.

**B. WET#2295(S) – WILTON YOUTH FOOTBALL – 131 School Road – renovation of existing grass field to an artificial turf field at Middlebrook School**

Ms. Sesto read the new documents into the record.

Mr. Healy reminded the commission that this hearing was continued from the January 22<sup>nd</sup> meeting. New documents include a letter responding to questions, revised plans and reports. He met with Parks & Recreation and they are amenable to maintain the proposed systems. He noted that the summary prepared by McChord Engineering states the level spreader alternative is not prudent and feasible due to tree loss.

The plans were modified to show access to the scour hole for construction and maintenance and the storm water report now includes 50 and 100 year storms. These show no increase in peak flow or net runoff volume. Mr. Healy confirmed the treatment train is summarized in the Tighe & Bond letter with the removal of pollutants, including zinc, by the bio-filter. The resulting level of zinc is well with normal range produced by residential and commercial uses.

Mr. Healy stated that the Board of Selectman has anticipated for replacement of the field after its natural life is over. He explained that the town will save money by not maintaining the natural grass field. He added that the Association is already putting aside money from registration fees for the replacement of the field in 10 – 15 years. The commissioners confirmed that at the end of the life of the turf, the carpet is picked up and disposed and the new turf is placed. Ms. Craig noted this will be the third turf in town so this is very costly to replace all three. Mr. Healy explained replacement of the first field is in the town's budget for 2016.

Ms. Craig asked why the existing grass field was not taken care of by Parks & Recreation. Mr. Healy responded it is highly compacted so there is no infiltration. The town took the field out of play within the last ten years and spent \$10,000 to attempt to fix the field for play. Once the field was used again, it was deemed a total loss as it was previously neglected.

Ms. Craig asked if any thought was given to use a less toxic infill. Mr. Blades responded alternatives were considered but they typically break down and need replenishment more often which can be more expensive and lead to more waste.

Mr. Burgess raised concern about the plants being overwhelmed in the biofilter and asked if Parks & Recreation is maintaining this area. Mr. Blades confirmed they will maintain the biofilters and added they currently maintain the Cider Mill biofilter which retains more sand than this proposed biofilter. The Department of Public Works would be responsible for cleaning the catch basins as they have a special vacuum for this purpose.

Ms. Sesto asked about the construction logistics on the slope. Mr. Nelson stated there is no real access to the plunge pool so they will make a natural path through the woods so they can excavate the gully and remove some light underbrush. Ms. Sesto raised concern about an excavator going down the steep areas. Mr. Nelson assured her that they can make it work. She asked how the manhole and boulders are brought down. Mr. Nelson stated that they do not have a roadway, just tracks for the excavator and there will be 20 – 25 trips throughout construction. Ms. Sesto stated the lack of detail about getting down to this area makes her uneasy due to safety and erosion. Mr. Nelson stated they are trying to minimize the impact to the area so they do not want to construct a road. Ms. Sesto asked for more discussion on the risky area as it pertains to facilitating the construction and repair after construction.

Mr. Stow asked how many times a year this stormwater management system is inspected. Mr. Nelson responded it is inspected 2 times per year. Mr. Stow then inquired about the net flow increase. Mr. Nelson responded that there is no increase in peak runoff and no increase in volume rates and no net in peak and outflow. Ms. Sesto noted the duration of the storm also impacts scour so the duration of peak is a factor. Mr. Nelson stated that the net runoff from the site is reduced. Ms. Craig asked what happens to the neighbor who has had issues with runoff. Mr. Nelson confirmed they are pulling back the plunge pool which makes the length shallower. He noted the alternative to stay away from the pipe and go with the level spreader on the slope.

Ms. Sesto asked what the scour hole is going to do. Mr. Nelson responded that it will reduce the velocity which is causing the current issues. Ms. Sesto countered that the flow is too much and suggested they look for opportunities on site to find out how they can make this better. This is the same standards applied to other applications seen by this commission. Mr. Nelson stated they are reducing the velocity which provides no erosion potential. He added that if the off-site convert is under-sized, he does not know what to do as he does not know the history. Mr. Davison stated there is a pool there now that is persistent and leads to gully erosion. There is a fairly steep sloped watercourse that braids as it makes its way into the wetland. He stated during high volume storms the sedimentation is pulled out of the banks via scour and subsequently settles out down gradient where the flow disperses and the wetlands widens out. He noted the sedimentation issue is at the first drop and the existing plunge pool has the sides torn off. By fixing this outfall, the neighbor would have an immediate benefit.

Mr. Lee asked why the alternative for the level spreader is placed where it is. Mr. Nelson stated there is a hydraulic gradient where the level spreader needs to be below the detention basin. Mr. Lee noted that he prefers the level spreader alternative. Mr. Nelson stated this is not ideal for tree removal and steep slopes. Ms. Sesto expressed concern about the disparity in size between 275 linear ft. of level spreader as compared to the 12 x 12 foot scour hole. It is hard to understand how they are equally effective in preventing erosion. The scour hole seems too small. Mr. Stow asked if there is a net peak flow increase with this alternative. Mr. Nelson stated it would remain the same.

Ms. Craig asked about how the water coming off the field in the summer months. Mr. Canas responded the first inch is infiltrated and the field cools quickly during a rain event.

Ms. Sesto asked Mr. Healy about the current condition of the existing detention system. Is it doing all it could be to lessen stormwater discharge? Mr. Healy stated he would find out who is in charge.

Mr. Trinkaus, P.E., agent for the neighbor, Will Patty, stated that the existing system is underground for peak rate when built. He noted the problem with this detention is taking 10 cfs and now they are proposing 100 cfs. The volume of runoff over time is what the commission should be looking at. He thinks this plan would create a big bath tub that cannot drain so there is a giant volume of water in the plunge pool that will not prevent erosion.

Mr. Trinkaus stated he looked at the channel protection flow and the post development flow rate. Stormwater will discharge at half the rate so water will skip over the scour hole. Further, a 24-hour rain event should be considered, as the intensity of an inch of rain every one or two hours will throw this system off by making the basin not function. This will create more water sent off-site. He added that the applicant must build redundancy to handle climate and weather changes.

Mr. Trinkaus stated that additional test holes should be required to look at the variability in infiltration rates. The perc rates are between .75 to 6, which is a wide range within the area of the infiltrators. This is a concern that it is not known what is going on under ground. He said the worst case is the soils can have no infiltration rate. He urged that further testing be completed so the design they have chosen will work with today's storm events.

Mr. Trinkaus noted that the curve value for infiltration used by McChord Engineering is 82.

According to professional feedback from the NPS website respondents, the curve value should be 98, recognizing the field and its drainage result in runoff characteristics of impervious surface. Accordingly, this proposal would be undersized. He confirmed the response letter from Gregory & Adams states there are compacted soils which is a concern for him. These factors led Mr. Trinkaus to conclude the system as designed will not infiltrate properly. He added there is insufficient testing for a big system and these problems get worse over time.

Mr. Patty explained that he has a water problem with lots of damage due to the current runoff. He has concerns about hooking up another field as he assumes the runoff will increase. He stated his driveway goes through a 4 acre wetland and the driveway has been taken out twice in the 11 years since he purchased the property. He explained his driveway is half a mile in length and the impact is felt between 200 and 300 yards in, with two culverts creating the choke point. He asked how much water could infiltrate with the proposed system and noted by digging three test pits, conclusions cannot be drawn.

With no further questions or comments from the public, the hearing was continued until the next regularly scheduled meeting on February 26, 2015.

**C. WET#2299(S) – ADZ CONSTRUCTION – 290 Mountain Road** – construct new home, code complying septic, and installation of storm water detention system within an upland review area

Ms. Craig, Mr. Burgess, and Mr. Stow indicated they visited the site. Ms. Sesto read the documents into the record.

Mr. Quinn stated that he was representing the contract purchaser for this property that has been owned by the same person since 1970. Septic testing was completed several years ago on this vacant lot. He described two wetland corridors on the western side of the property and noted there is ledge from 12 in – 30 inches with the center mounding up. A suitable septic location was found on the eastern portion of the property for a 4-bedroom system with access off a common drive on the west side of the watershed break.

Mr. Quinn confirmed there is a stone wall that runs north to south creating a nice demarcation on the top of the slope which will remain. Mr. Quinn confirmed Ms. Throckmorton of Environmental Land Solutions submitted a bio-assessment with the application. She has suggested keeping the wooded area between the septic area. There is one minor tree, and one major tree that will need to be removed.

Mr. Quinn stated the stormwater detention system will collect the driveway runoff from 2,900 square feet. The catch basin in the front yard will collect 2,600 square feet and the galleries will be 1 ft. in grade. He also confirmed the roof area runoff falls out in the back of the property.

Ms. Sesto confirmed that she visited the site prior to the current snow cover. She asked if the stone wall will be the limit of clearing as there is a lot of buffer draining towards the wetlands and she is concerned about clear-cutting. Mr. Quinn responded 10 – 20 feet of the wall will remain and lawn area will be created. Ms. Sesto asked if the clearing will be up to the wall. Mr. Quinn confirmed the clearing will be completed to install the septic, but the area will be re-planted. To improve the area and to make a demarcation they are proposing boulders farther uphill from the wall.

Ms. Craig asked how many trees would be removed with this proposal. Mr. Quinn confirmed there is a 36 inch oak by the walkout that Ms. Throckmorton pointed out to be saved. Ms. Craig responded that this commission has previously approved homes to be built without removing any trees. Mr. Quinn responded that the home has a small footprint but the common driveway consumes the first 50 ft. of the property, forcing the house further back.

Ms. Sesto inquired about the trees outside of graded areas. Mr. Quinn stated they would be selectively retained and no trees will be removed from the southeastern area of the property. Mr. Lee stated he would like to see a tree protection plan. Ms. Craig suggested some canopy trees be planted as opposed to understory trees. Ms. Craig then asked why the stockpile area was placed in its proposed location. Mr. Quinn explained that it is easily accessible and a flat area that would be lawned post-construction. Ms. Sesto confirmed that this lot has a high-functioning wetland.

Jackie Montgomery, neighbor to the property, raised concern about clearing the property. She stated that she watched the property across the street get cleared and it ruins her privacy. She was surprised a house could fit in this area.

Ms. Craig asked what the house size would be upon completion. Mr. Quinn confirmed it is 3,100 sq ft. with 1.5 stories, a driveway of 2,900 sq. ft. and a small yard.

Dana Prince, neighbor to the property, asked what a stockpile area is for. Mr. Quinn clarified that it is an area where the topsoil is placed after removal for the foundation. He confirmed the placement of this stockpile will not affect her well water. He also confirmed this is the location the Health Department requested.

With no further questions or comments from the public, the hearing was closed.

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

#### **A. WET#2300(I) – COLBERT – 106 Linden Tree Road – “emergency” septic replacement adjacent to a wetland**

Ms. Sesto stated that a temporary permit was granted for this emergency replacement.

Mr. Lee MOVED to APPROVE WET#2300, SECONDED by Mr. Burgess and CARRIED 4-0-0.

#### **B. WET#2280(S) – MONTANARO – Wampum Hill Road – proposed driveway across a wetland**

The commission discussed their inclination to approve the application. Ms. Sesto suggested drafting an approval.

The items the commissioners discussed were eliminating some of the pull offs, providing a tree plan with deer protection, a planting plan, ensuring that the utilities are placed under the driveway, and on-site monitoring and inspections. Mrs. Sesto will look at a similar project approval, KJC, for conditions which would apply to this project.

Mr. Lee MOVED to direct staff to draft a resolution of approval, SECONDED by Mr. Burgess and CARRIED 4-0-0.

**C. WET#2299(S) – ADZ CONSTRUCTION – 290 Mountain Road** – construct new home, code complying septic, and installation of storm water detention system within an upland review area

Mr. Lee MOVED to APPROVE WET#2299 with General and normal Special Conditions and the additional Special Conditions that a revised plan shall be submitted for staff approval showing the limit of clearing and tree protection, SECONDED by Mr. Burgess and CARRIED 4-0-0.

#### **IV. APPLICATIONS TO BE ACCEPTED**

**A. WET#2304(I) – RAMANDANI – 10-30 Center Street** – demolition of existing office building, construction of new mixed commercial use building with drainage measures and parking lot re-grading

**B. WET#2305(S) – WILTON COMMONS – 21 Station Road** – Phase II of affordable elderly housing development

Mr. Lee made a MOTION to accept these new applications and schedule them for the next appropriate meeting of the commission, SECONDED by Mr. Burgess, and CARRIED, 4-0-0.

Ms. Sesto noted that Wilton Commons is requesting a waiver of the additional activity fee for this project. She explained that the permit expired and the parking lot is changed.

Mr. Lee MOVED to WAIVE the additional Activity Fee for this application, SECONDED by Mr. Burgess and CARRIED 4-0-0.

#### **V. APPROVED MINOR ACTIVITIES**

**A. WET#2302(M) – FIDELCO GUIDE DOG FOUNDATION – 27 Cannon Road** – installation or replacement of sidewalks and foundations for exterior lighting and 3 flag poles within an upland review area

**B. WET#2301(M) – GROVES – 232 Nod Hill Road** - removal of 4 dead/storm damaged trees and replace with 4 pines/spruce trees at least 6 – 8 ft. in height

Ms. Sesto briefly explained the approved minor activities approved since the last meeting.

#### **VI. CORRESPONDENCE**

**A. CJT Builders – 50 Middlebrook Farm Road** – field change request

Ms. Sesto stated this was an old application for the division of the lot which was granted in 1988. At that time permits were issued with no expiration date. The field change request is to pull the home closer to the wetland. The consensus of the commission was that this is acceptable as a

field change.

## **VII. OTHER APPROPRIATE BUSINESS**

### **A. VIOLATIONS**

#### **1. DeVito – 40 Honey Hill**

Ms. Sesto confirmed the courts have postponed this hearing until May.

#### **2. English – 189 Westport Road**

Ms. Sesto confirmed this property owner paid his fine and is being proactive to submit his corrective action application.

#### **3. Leska – 50 Sunset Pass**

Ms. Sesto confirmed this owner is working to submit a planting plan which is being delayed due to snow cover.

### **B. APPROVAL OF MINUTES – January 22, 2015**

Mr. Lee made a MOTION to approve the minutes as drafted, SECONDED by Mr. Burgess, and CARRIED, 4-0-0.

**C. Dan Falta's Email** – The commission agreed that Mr. Falta had some good points in his email regarding the lack of maintenance at the Middlebrook School fields, but he would need to contact the Board of Selectmen as a resident, and not a Wetlands Commissioner, as it is not our purview.

## **VIII. ADJOURN**

Mr. Lee MOVED to ADJOURN at 10:15 pm, SECONDED by Mr. Burgess and CARRIED 4-0-0.

Respectfully Submitted,  
Liz Larkin  
Recording Secretary, Environmental Affairs