



## MINUTES

**February 25, 2016**

**PRESENT:** John Hall, Chairman, Liz Craig, Dan Falta, Rick Stow

**ALSO PRESENT:** Mike Conklin, Director of Environmental Affairs; Liz Larkin, Recording Secretary; Doug DiVesta, DiVesta Civil Engineering; Carlo & Amanda Coppola; Steve McAllister, McChord Engineering; Rob Sanders, Rob Sanders Architects; Tom Quinn, Peak Engineers; Kate Throckmorton, Environmental Land Solutions; Frank Simone, Conservation Commissioner

**ABSENT:** Mark Andrews, Tom Burgess, Nick Lee (notified of intended absences)

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

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

### **II. PUBLIC HEARINGS**

**A. WET#2372(S) COPPOLA – 54 Warncke Road** – proposed single-family residence on vacant parcel including septic, pool, and stormwater management system

Mr. Hall, Ms. Craig, Mr. Falta and Mr. Stow indicated they visited the site. Mr. Conklin read the list of documents into the record.

Mr. DiVesta confirmed the lot was approved under a subdivision application in 2012 and consists of a little more than 2 acres with wetlands present within the central portion of the property and again at the southern property line as flagged by Alexandra Moch prior to the subdivision approval.

Mr. DiVesta stated the proposed activity includes a home construction with front porch, pool and patio, with a detention system and septic to the east of the property. Mr. DiVesta confirmed the house is outside the wetlands review area while a portion of the septic and pool will fall within the upland review area. He noted the limit of disturbance is evident at the silt fence and staked hay bale area. Mr. DiVesta confirmed there will be several stockpile areas and anti-tracking pads in place to minimize disturbance. He stated there will be minor regrading to meet the homeowners requirement for a walkout basement.

Mr. DiVesta introduced alternatives that include the septic system in the front of the property,

and another that moves the house closer to the road. Mr. Hall asked why they would not consider keeping the home in the location that was approved with the subdivision. Mr. DiVesta responded that a developer drew the plans for the subdivision and now the property owners want something that will work for their family. Mr. Hall stated he did not care who developed the plan, the original location took some thought and planning and he would not choose to forget those directions, especially noting that the installation of the septic in the back would require equipment traversing through a wetland. Mr. DiVesta stated that in his professional opinion, the soils are better for the septic in the back notwithstanding that the area is already lawn and no trees would need to be removed.

Mr. DiVesta stated the proposed home includes 5 bedrooms instead of the 6 originally approved so the septic will be slightly smaller with a slightly smaller footprint for the home as originally approved. Mr. Hall raised concern about the construction access for the septic installation in the back. Mr. DiVesta explained machinery access is proposed over the proposed effluent line which begins at the septic tank and goes into the fields. Mr. Hall stated they will muck up the wetlands to the point they will not function as before. Mr. DiVesta stated if the septic is placed in the front, the front lawn will be mucked up. Mr. Hall stated the viability of the wetlands is what this commission is designated to protect, not the lawn area. Mr. Conklin stated that orange construction fencing could be installed around the septic in the front yard area so vehicles would not compact the septic area. Mr. DiVesta stated that the house is down gradient of the septic.

Mr. Coppola asked if there are different options that would allow the commission to approve the septic as proposed in the back. He noted when he purchased the property he immediately installed a double silt fence to do the right thing to protect the resource. Mr. Hall expressed his resistance to throw away the approval of the plans for the subdivision application. He said it would not be fair or consistent to approve the plans that are so different from the original approved proposal. Mr. Hall stated the stone wall was designed in the original location to have a hard demarcation of the limit of lawn. Mr. Coppola stated he did not want a large wall across the yard but he would be willing to install boulders and plantings along this section.

Ms. Craig asked how the pool location would work with the existing slopes. She stated concerns about current massive amounts of water coming from Catalpa so that the High School track floods with similar topography as they are requesting. Mr. Conklin added that the headwaters from Catalpa do drain down to the High School. Mr. Stow agreed with Ms. Craig that he did not know how they would access the septic in the back. Mr. Falta stated the house requires a septic and he is more concerned about the location of the pool. Mr. Coppola again asked if there was any way the commission could approve the system in the back. Mr. Hall responded that this would not be approved. Mr. DiVesta argued that if the septic is moved to the front, the home and everything else will need to be pushed back 50 ft. and have more encroachment into the wetland setback. Ms. Craig stated an excavator going to the back would disturb this very fragile system and the job of the commission is to avoid these activities that will permanently alter the soils. Mr. Stow questioned whether they would be able to get the pipe through the proposed area due to steep slopes. Mr. DiVesta confirmed they would be able to do this as the area is level enough.

Mr. Hall advised that a new plan would be required to figure out how everything will fit on the lot. He noted an issue with the pool location being 25 ft. off wetlands when the front yard is a meadow. Mr. DiVesta stated the stone wall that was originally approved is too invasive for these owners so they are proposing boulders and plantings. Mr. Coppola confirmed he does not want

to look at a stone wall. Ms. Craig stated this physical barrier is useful as it is solid and assists with sheet flow. Mr. Coppola stated boulders and native plantings are preferred for his growing family. Mr. Hall added that the pool size is modest in an already grassy area but it represents a commitment closer to the resource and requires removal of trees. He asked if the pool would fit between the home and the riprap with the same runoff plan or a permeable patio. Mr. DiVesta stated that it is getting cramped behind the house with this configuration, especially if the septic is squeezed up front. Mr. Hall added that they would want sun on the pool which would also heat up the wetlands areas against the original approval to keep a tree canopy over the wetland for thermal pollution purposes. Ms. Craig asked if they plan to keep any of the trees as most look slated to be removed. Mr. Coppola stated they were considering relocating the trees to a parent's home in another town. Mr. Conklin alerted the owners of the debris that will drop in the pool during the season and recommended placing the pool farther from the trees.

Mr. DiVesta confirmed they moved the pool closer to the house since receiving Mr. Conklin's comments so that the distance to the wetlands is now 42 ft. instead of 25 ft. He continued by stating the boulder wall pulls the grading to approximately 35 ft. so they shortened the deck and patio. Mr. Hall asked why they cannot place the pool in the original approved location. Mr. Coppola responded that they did not want that configuration. Mr. Hall stated he will require a new plan with the septic in the front and an alternate location for the pool.

With no further questions or comments, the Public Hearing was continued until the next hearing being held on March 10, 2016.

**B. WET#2375(S) DATTILO – 135 Seir Hill Road – install gravity footing drain and extend earth fill adjacent to the house within a regulated area**

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

Mr. McAllister introduced the proposal by pointing out two issues with the home currently under construction. The first issue he noted was the ground water table is higher than anticipated and second is the access of the property around the home. The ground water issue is being addressed with the proposal of the gravity footing drain which will be installed at the lowest elevation on the property. The access is being addressed by some grading adjacent to the house. Mr. McAllister noted that they are proposing installation of six dogwoods and four shadblow trees to provide density on this side of the home near the grading.

Mr. McAllister explained the topography of the site as the house being on a ridge in response to Mrs. Strader's letter. He confirmed all drainage from this side of the house will flow away from her property. He added that the runoff coming out of the system will be clean and cool groundwater. Mr. McAllister also stated that the discharge will not impact the adjacent property. Ms. Craig added that the plantings will help with the runoff. Mr. Conklin added that there is no long-lasting impact from the pipe installation and reiterated the discharge will be right at the property line. Mr. Conklin stated the grading area is currently woods and asked if the plantings and grading can be pulled in closer to the home. Mr. Conklin also asked that invasives be removed and the planting plan be revised for review at the next hearing.

With no further questions or comments, the Public Hearing was continued.

**C. WET#2376(S) BRANCH – 14 Stonecrop Lane** – “corrective action” to address unauthorized tree removal and alterations and additions to residence including replacement of septic

Mr. Conklin, Mr. Hall, Ms. Craig and Mr. Stow visited the site. Mr. Conklin read the list of documents into the record.

Mr. Sanders reminded the commission that this application was before them previously as an Intermediate for the additions and a violation was discovered. He confirmed they withdrew that application and have submitted this new Significant Level Activity for consideration.

Mr. Sanders explained the lot as 2 acres in size that straddles the New Canaan town border. They are asking for a 600 sq. ft. addition including the replacement of a badly built addition on stilts that was built when setbacks were different.

Mr. Sanders explained the topography as relatively flat where the house sits, but it falls steeply in the back. The grade is currently 4 ft. below the floor surface and the current septic consists of two dry wells immediately behind the house. They are proposing an updated septic with a tank and proper distribution which has already approved by the Health Department at the edge of the existing stone wall.

Mr. Burgess asked if the 600 ft. addition will push everything closer to the slope. Mr. Lee stated that the access to this side of the house is compromised. Mr. Sanders confirmed this is why the stone wall is proposed. He added that the steep slopes will be feathered so that the slope is no more than 2:1 per Planning and Zoning Regulations. He has proposed a double row silt fence to catch any erosion, as well as a soil erosion blanket.

Mr. Sanders also confirmed the current deck is to be removed and this area will be a permeable patio. In addition, the proposed roof drains will discharge on grade with the bigger roof, allowing the runoff to travel 70 ft. prior to the wetland. Mr. Burgess asked about the volume of the stormwater system in the front of the house. Mr. Sanders confirmed the roof drains are connected to cultech units.

Ms. Throckmorton provided a new planting plan to the commissioners. She has proposed a red maple canopy in the wetlands, and a beech forest to compensate for the eight lost trees. She noted that five trees were removed for the septic system and they cannot replant there so they increased the number of mitigation trees, doubled the shrubs and a special seed mix for the slope. Ms. Craig asked about the pin oak height for canopy purposes. Ms. Throckmorton stated it would get to 50 ft. and the beech trees lay out branches to close in the canopy within 5 – 10 years.

Ms. Throckmorton confirmed there is a retaining wall being proposed to keep the level manner and limit disturbance beyond it. Mr. Sanders confirmed the owners will be required to move out of the home during construction and reviewed the construction sequence. Ms. Craig asked if New Canaan has responded to the referrals. Ms. Larkin confirmed they have not contacted the office.

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

Mr. Stow MOVED to APPROVE WET#2376 with the General and normal Special Conditions and the additional Special Condition that plantings will be installed before October 31, 2016, SECONDED by Mr. Falta and CARRIED 4-0-0.

**III. APPLICATIONS TO BE REVIEWED - None**

**IV. APPLICATIONS READY TO BE ACCEPTED**

**D. WET#2379(S) PREVITE – 64 Musket Ridge Road** – “emergency” replacement of failing septic

Mr. Falta MOVED to ACCEPT the above application, SECONDED by Mr. Stow and CARRIED 4-0-0.

**V. APPROVED MINOR ACTIVITIES**

**A. WET#2380(M) KOSH – 14 Hemmelskamp Road** – removal of seven hazardous trees in a regulated area

Mr. Conklin stated the trees were diseased and there will be no diminishing of the wooded area.

**VI. CORRESPONDENCE - None**

**VII. OTHER APPROPRIATE BUSINESS**

**A. Approval of Minutes – February 11, 2016**

Mr. Stow MOVED to APPROVE the minutes as drafted, SECONDED by Ms. Craig, and CARRIED 3-0-1 with Mr. Falta abstaining.

**VIII. ADJOURN**

Mr. Hall MOVED to ADJOURN at 9:38 pm, SECONDED by Mr. Falta and CARRIED 4-0-0.

Respectfully Submitted,  
Liz Larkin  
Recording Secretary, Environmental Affairs