



MINUTES

February 26, 2015

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

ALSO PRESENT: Mike Conklin, Environmental Analyst; Liz Larkin, Recording Secretary; Tom Quinn, Peak Engineers; Henry Prieger, Property Owner; Holt McChord, McChord Engineers

ABSENT: Nick Lee (notified of intended absence)

I. CALL TO ORDER

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

II. PUBLIC HEARINGS

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

Mr. Conklin read the letter from Gregory & Adams into the record that provides the commission with an extension on the public hearing in order to provide the town's third party consultant time to review the application.

B. WET#2303(S) – PRIEGER/DIXON – 35 Hickory Hill Road/205 Millstone Road – construction of a new residence, septic system, and associated grading within an upland review area

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

Mr. Quinn described the Hickory Hill property as a narrow lot running north to south. He stated the adjoining property at 205 Millstone descends from Hickory Hill and crosses a brook. He noted that the Hickory Hill property owner is the contract purchaser for about a half acre of the Millstone property. This property transfer triggers a B100a that he is proposing on the current Millstone site. He stated that the Health Department has informally approved this reserve septic plan. Mr. Quinn confirmed that the Millstone B100a will not be installed unless the current system fails.

Mr. Quinn stated that the Millstone site is fairly challenging as it includes steep ledge, the East Branch of the Comstock Brook, and other minor watercourses. He stated the existing septic is 50 feet from the brook. He confirmed he completed some septic testing on both properties and the west side of the Millstone property has the best soils. He is proposing a 250 ft. pump line which will cross the watercourse. He confirmed the B100a is mainly outside of the 100 ft. review area and will need about 110 yards of material.

Mr. Quinn noted the proposal for the new home on Hickory Hill places the structure right in the center of the property with a driveway to the north. The septic for this lot is to the south, 52 feet away from the wetlands. He confirmed there is an alternate plan that is what they are hoping to get approved.

The preferred alternate plan was described by Mr. Quinn as keeping the house development in the same proposed disturbance area with the septic outside of the review area and down gradient from the house. He indicated the south side of the property contains wetlands and there is a proposed limit of clearing 75 ft. from the resource. The plan includes a patio, pool and horseshoe shaped driveway which may not be constructed at this time. The limit of lawn will be demarcated by boulders. He confirmed the northern portion of the property has about 10 ft. of lawn and is flat near the septic. He added that the property drains south away from the wetlands.

Mr. Quinn noted there is a catch basin at the beginning of the wetland that transports storm water from the road into the wetland. The new proposed driveway is approximately 60 feet from the wetland. He also explained that 7 trees over 15 in. DBH will be removed from the site. Mr. Conklin noted that other trees less than 15 in. DBH will be removed from the regulated area and Mr. Quinn explained they only noted trees over 15 in. DBH on the plan. Ms. Craig asked why any activities are being proposed in the regulated area and if the house and disturbance area could be moved to further reduce tree clearing in the regulated area. Mr. Quinn confirmed they are trying to stay away from the pond and do not wish to build closer to zoning setbacks. Mr. Hall asked what the boulder distribution will be and Mr. Quinn stated 15 ft. on center. Ms. Craig was concerned that there will be a lack of edge habitat between the forested area and the lawn. She asked that native shrubs be planted near the boulders. Mr. Quinn confirmed they can add six (6) 3 – 4 ft. native shrubs, one shrub between each set of boulders. He also confirmed the stone wall north of the proposed house site will remain and the wall running through the proposed backyard will be removed.

Mr. Conklin asked if the pump line for the septic crosses the watercourse. Mr. Quinn confirmed there are two sheds on the property and a watercourse goes underneath one of them. Ms. Craig asked if there is any blasting required for the proposal. Mr. Quinn stated there would be none as they will swerve around the ledge rock. Ms. Craig commented that the driveway is quite large and Mr. Conklin confirmed it will be paved. Ms. Craig asked that the house be pulled over to avoid the wetlands. Mr. Quinn stated they do not want to move the house in order to keep the lawn outside of the regulated area. He stated they do not want to move closer to the zoning setbacks. Mr. Hall stated that keeping the impervious area out of the setback is best. Mr. Quinn then re-drew the driveway in red pencil on the plan to pull it away from the upland review area. He also added six (6) plants to the plan. He said the plants will be either six (6) 2.5 in. caliper dogwood trees or six (6) other native shrubs 3 – 4 ft. in height. The plants were drawn in between the boulders.

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

III. APPLICATIONS READY TO BE REVIEWED

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

The commissioners received the draft resolution via email previous to the meeting. The commissioners stated they were comfortable with all of the special conditions.

Mr. Falta MOVED to APPROVE Wetland Resolution #0215-09, as drafted, SECONDED by Mr. Burgess and CARRIED 5-0-0.

B. 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

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

Mr. McChord displayed the existing conditions of the property with the Norwalk River to the north, within the 100-year flood zone. He confirmed the property is served by town sewer and water. He explained where the 3 points of stormwater discharge are found. One is the catch basin in the middle of the parking lot that goes under the restaurant structure. Another basin is found at the rear of the restaurant. The last point runs on the southern edge of the property. Mr. Conklin asked about the sand filter that was installed for a former wetland permit. Mr. McChord stated that he could not find it. Mr. Conklin asked Mr. McChord if Ms. Sesto is aware of this and Mr. McChord was not certain.

Mr. McChord showed the plan with hatch marks to confirm where the new building will be built. He stated it would be a completely new building adjacent to the entryway of the plaza with the same parking configuration. He also confirmed they are proposing planters behind the building to help clean the water prior to going into the river.

Mr. McChord confirmed they are checking the sewer line and showed it on the plan in case they need it. He then stated there is a sentry unit on the drain line to cleanse the runoff. The gallery is sized for greater than 1 inch so there is water cleansing and detention with a limited increase of pervious coverage. He then confirmed a 25-year storm would have a good reduction of peak runoff. Mr. Hall asked if the increase in the roof size is okay for the discharge line. Mr. McChord confirmed that it is and added that the construction is outside of the review area. They are creating a detention area for any additional runoff.

A discussion ensued about the vegetated buffer adjacent to the Norwalk River and potentially planting more trees. Mr. Conklin noted that a portion of the buffer had been re-planted as a requirement of past permits. Ms. Craig was concerned about potential tree loss from recent storms. Mr. McChord stated he would look into the plantings.

Ms. Craig also raised concern about the garbage and grease stored outside the building from the restaurant as there have been issues with these things getting into the catch basins and ultimately into the Norwalk River. Mr. Conklin inquired about a stormwater maintenance plan and Mr. McChord explained it was included as part of the application materials. Mr. Stow confirmed that

the new building footprint is only marginally bigger than the current structure.

Ms. Craig MOVED to APPROVE WET#2304, with the General and normal Special Conditions and the additional Special Condition that the buffer will be planted to the satisfaction of staff, SECONDED by Mr. Falta and CARRIED 5-0-0.

IV. APPLICATIONS TO BE ACCEPTED

A. WET#2306(I) – ROSA – 21 Pilgrim Trail – construct slab-on-grade and crawlspace additions to existing residence

Mr. Stow MOVED to ACCEPT WET#2306, SECONDED by Mr. Burgess and CARRIED 5-0-0.

V. APPROVED MINOR ACTIVITIES - None

VI. CORRESPONDENCE - None

VII. OTHER APPROPRIATE BUSINESS

A. VIOLATIONS

1. DeVito – 40 Honey Hill

2. English – 189 Westport Road

3. Leska – 50 Sunset Pass

Ms. Larkin confirmed there is no new information to report.

B. Email and Minutes relating to Mr. McCarty at previous meeting

In reviewing the minutes for the previous meeting, Mr. Falta raised the issue of how the Commission should handle complaints—made by a resident at the previous meeting—that the town is not cleaning out the catch basins near Middlebrook School as required. Mr. Falta expressed his opinion that Town Boards—as representatives of the Town to its residents—should take action in response to such complaints and that this commission should forward the letter sent by this particular resident to the Board of Selectman and the Department of Public Works. Mr. Hall, Ms. Craig and Mr. Burgess declined to do so based on the fact that they did not think the Inland Wetland Commission was responsible for overseeing the administration of the Department of Public Works. They encouraged Mr. Falta to approach the Selectman as a resident, without the backing of the commission to address the lack of maintenance of the town's property. Mr. Falta reiterated that he felt a more direct approach was necessary.

The commissioners discussed the issue at some length, and it was noted that the Department of Public Works and the Selectmen had received similar letters on this issue from this particular resident and others, and that the mere forwarding of Mr. McCarty's letter would be a duplication of efforts. Mr. Falta expressed that inaction by a Board or Commission under these

circumstances might result in liability of the members in the event a resident suffers property damage as a result. Mr. Hall reiterated his opinion that the individual commissioners may act as they see fit under the circumstances, but that the Inland Wetlands Commission itself has a very specific regulatory charge—which is to ensure development does not adversely affect a wetland or watercourse—and that activities unrelated to this were not authorized. Mr. Falta reiterated his opinion that, as a town agency, the commission ought to follow up on complaints about Town government, but the remaining commissioners declined to assume such a role and the issue was closed.

C. APPROVAL OF MINUTES – February 26, 2015

Ms. Craig made a MOTION to approve the minutes as drafted, SECONDED by Mr. Burgess, and CARRIED, 3-2-0 with Mr. Hall and Mr. Falta abstaining as they were not present.

VIII. ADJOURN

Ms. Craig MOVED to ADJOURN at 9:08 pm, SECONDED by Mr. Hall and CARRIED 5-0-0.

Respectfully Submitted,
Liz Larkin
Recording Secretary, Environmental Affairs