



## MINUTES

March 10, 2016

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

**ALSO PRESENT:** Mike Conklin, Director of Environmental Affairs; Liz Larkin, Recording Secretary; Doug DiVesta, DiVesta Civil Engineering; Carlo Coppola; Steve McAllister, McChord Engineering; Domenic Dattilo; Dean Martin, Grumman Engineering; Joe Seaman, Property Owner; Dan Berg, Conservation Commissioner

**ABSENT:** Mark Andrews, Tom Burgess (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. Conklin read the new documents into the record.

Mr. DiVesta provided a revised version of the plan which depicts the septic system in the front yard and the pool location in the backyard. There is also a new well location that is the required to be 50 ft. from the footing drains. Mr. DiVesta confirmed the pool is 12 – 16 ft. from the wetlands with this proposal.

Mr. DiVesta confirmed another option for the pool to be placed at the existing tree line within the already lawned area. This plan includes a 2 ft. high retaining wall to be used as a demarcation with sunken boulders and native vegetation planted in between them. Mr. DiVesta stated that a double row silt fence and hay bales would be installed for soil and erosion measures.

Mr. DiVesta reiterated that the best location for the septic system was found on the eastern side across a wetland. Mr. DiVesta stated there are no site specific problems with this location as the area is currently lawn with some scrub growth. They propose bringing in fill with a front loader over a specific pathway for the machinery to move the soil. Mr. DiVesta stated this configuration and construction access will not alter or obstruct the wetlands. He also noted the septic has a 100 ft. flow path from wetlands and the area will be restored to lawn.

Mr. DiVesta stated that the septic installation will be completed during the dry season and there are tight soil and erosion measures in place to protect the resource and area being constructed. He also confirmed that these proposed activities are not affecting the north to south sheet flow on the property. Mr. DiVesta added that the stormwater retention system will accept the runoff from the roof.

Mr. Hall asked how far the requested pool is from the wetlands. Mr. DiVesta responded that it is 30 ft. at the edge of the existing lawn. Mr. Hall asked why they would not consider moving the pool closer to the house. Ms. Craig added that the pool would be shaded in the current proposal so it would be preferable to be moved from a maintenance and temperature perspective.

Mr. Coppola stated he wanted to be able to keep an eye on the pool and play area for safety reasons. Mr. Hall responded that it is counter-intuitive to have the pool farther away for safety as it takes longer to get there in the event of need. Mr. Falta countered that he knew a child who drowned in a pool and that the distance adds safety and the ability to monitor children as they approach it. Mr. Lee responded that this was not compelling enough for him to agree to have the pool farther from the house as parents need to watch their children whenever there is pool. Mr. Hall suggested not having a pool to avoid the potential for harm altogether.

Mr. Stow asked if there would be a path in the back for the lawned area to which Mr. Coppola confirmed is requested. Ms. Craig stated there was rubble off to the side and could not see where a path would be created. Mr. DiVesta responded that it would be where the silt fence is shown. Ms. Craig asked how many trees are being removed for this path. Mr. DiVesta responded that no trees will be removed for this purpose.

Ms. Craig inquired as to how much fill will be brought across the wetland for the septic system. Mr. DiVesta responded that 25 – 50 trips will be needed to bring all this fill over. He added that they could do it in fewer trips on a dump truck but the truck would sink. Mr. Conklin added that he thought the Health Department told him there was around 250cy of fill proposed. Ms. Craig asked if the issue with the septic in the front yard is because of grading. Mr. DiVesta responded that this would push all of the backyard activities closer to the resource. Mr. Conklin noted that the front of the house looks to be in the same location with the septic in front.

A discussion ensued relating to the safety aspects of placing a pool. Mr. Hall suggested that having the pool closer would be the safer route and in any event, safety was not a wetlands-related issue. Mr. Falta disagreed and stated that all Town agencies should be safety-minded and that in his experience, the farther the pool, the better for safety. Mr. Conklin added that the Building Department covers the safety aspects of the pool. Mr. Lee noted this commission is charged with maintaining no negative impact on wetland. Mr. Lee also asked that the boulder wall should be extended to protect the entire wetland and also stated that shrubs on the plan are undersized and suggested trees to shade the small pond.

Ms. Craig stated this is an unhappy site for a pool. She asked why the owners would want to have complete tree removal when there are flooding and erosion issues in the area. Mr. Conklin added that the commission is trying to guide the applicant to have a wetland enhancement. In order to do this, increased plantings are typically requested. He warned the applicant that the larger apple trees they are looking to transplant will not survive. Mr. Conklin advised Mr. DiVesta that the pool equipment is located within the Planning & Zoning setbacks and will need to be moved. In addition, the boulder demarcation should be increased with boulders set 15 ft.

on center. Mr. Lee added that these boulders should be extended, and there should be an increase on shade trees.

Mr. Lee MOVED to APPROVE WET#2372 with the General and normal Special Conditions and the additional Special Conditions that the pool equipment shall be moved to accommodate the Planning & Zoning setbacks, the boulder demarcation shall be carried to the property corner at 15 ft. intervals, the original planting plan shall be followed with the addition of three shade trees to be reviewed and approved by staff, SECONDED by Mr. Stow and CARRIED 3-2-0 with Mr. Hall and Ms. Craig opposed to the application.

**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. Lee and Mr. Falta confirmed they visited the property. Mr. Conklin read the new documents into the record.

Mr. McAllister reminded the commission that he was attempting to gain approval from this application that opened last meeting by adding 30 bushes and shadblow trees to fill in the gaps. He confirmed that the footing drain is placed in the only location that will work on the property.

Mr. McAllister confirmed there is a 100 ft. wide wetland corridor in between this property and the neighbor and the drainage outlet can be anywhere along the wetland line. He stated that the digging will be done by hand to avoid unnecessary disturbance. Mr. Hall asked how much flow would come out here. Mr. McAllister responded that it is minimal. Mr. Conklin stated that the commission could require a letter from the engineer post construction attesting to the system working properly. Mr. Conklin also advised the commission that the planting plan was modeled after a recent approval on Stonecrop Lane for consistency.

Mr. Falta MOVED to APPROVE WET#2375, with the General and normal Special Conditions and the additional Special Conditions that a certification of function would be required by the engineer post-installation, SECONDED by Ms. Craig and CARRIED 5-0-0.

**C. WET#2377(S) SEAMAN – 42 Old Highway** – raze existing dwelling and pool and construct new single-family dwelling and septic system

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

Mr. Martin explained the current home and driveway on the property has deteriorated. He confirmed there are wetlands present to the north and off-site to the west. The proposed activity includes removing the existing home and pool and constructing a new home further from the wetlands. Mr. Martin confirmed the existing septic will be used but new leaching fields will be placed uphill on the side of the driveway 85 feet from the wetlands.

Mr. Martin pointed out the new gravel driveway and noted that most of the lot is within the 100 ft. regulated area. He noted that they plan to bring in 2 ft. of fill to create a flat area with a stone wall. Mr. Martin also confirmed there will be plantings along the wetland to the north. Mr. Conklin confirmed the septic location was recently approved as an emergency due to failure so this piece is not currently under consideration.

Mr. Lee asked how far the wall is to the septic. Mr. Martin confirmed it is 10 ft. Mr. Stow asked how big the house will be. Mr. Martin stated the new home is a smaller footprint at 2,300 sq. ft. where the old home was 3,000 sq. ft. Mr. Lee noted that the shrubs on the plan are undersized and should be 2-3 ft. in size. Ms. Craig asked where the staging will be. Mr. Martin stated it is located in the front yard.

Mr. Lee MOVED to APPROVE WET#2377 with the General and normal Special Conditions and the additional Special Condition that the shrubs shall be increased in size to 2 – 3 ft., SECONDED by Mr. Falta and CARRIED 5-0-0.

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

**IV. APPLICATIONS READY TO BE ACCEPTED**

**D. WET#2382(S) ASML – 77 Danbury Road** – construction of a 3-story employee parking garage 90 ft. from a wetland and repaving existing parking area 4 ft. from a wetland

Mr. Lee MOVED to ACCEPT the above application, SECONDED by Mr. Stow and CARRIED 5-0-0.

**V. APPROVED MINOR ACTIVITIES - None**

**VI. CORRESPONDENCE**

**A. Notice of Warning** – Miller Driscoll School Renovation Project

Mr. Conklin advised the commission that a Notice of Warning was issued to the Town for soil erosion issues at the Miller Driscoll construction site. He stated a neighbor provided photos where it was evident these measures failed. Soil was moving from the site into a stream and pond on Greenbriar Lane. Mr. Conklin confirmed the silt fence has been fixed and the site is now in compliance. In addition, the contractor has confirmed they will place erosion control blankets and use soil tackifier which helps the soil particles stick together. Mr. Conklin added that soil and erosion controls are dynamic and may be changed based on site and soil conditions. He confirmed the silt was hand removed and put back on the site.

**VII. OTHER APPROPRIATE BUSINESS**

**A. Approval of Minutes – February 25, 2016**

Ms. Craig MOVED to APPROVE the minutes as drafted, SECONDED by Mr. Stow, and CARRIED 5-0-0.

**B. Schenck’s Island Improvement**

Mr. Conklin advised the commission that a plan is being made to improve Schenck’s Island by removing select trees and invasives. He has been working with Suzanne Knutson to develop a plan that will require a wetlands permit. He asked the commission what level permit they think should be pulled for this commission. Based on the work explained, the commission agreed that

an Intermediate Level Application would be appropriate in this case. Mr. Lee confirmed he will speak with the Tree Committee about this project for their input as well.

**VIII. ADJOURN**

Mr. Lee MOVED to ADJOURN at 8:55 pm, SECONDED by Mr. Falta and CARRIED 5-0-0.

Respectfully Submitted,  
Liz Larkin  
Recording Secretary, Environmental Affairs