



## MINUTES

July 9, 2015

**PRESENT:** John Hall (Chair), Liz Craig, Tom Burgess, Nick Lee

**ALSO PRESENT:** Mike Conklin, Environmental Analyst; Liz Larkin, Recording Secretary; Casey Healy, Gregory & Adams; Holt McChord, McChord Engineering Associates, Inc.; Mike Lindquist, Contract Purchaser; Kevin O'Brien, O'Brien Premiere Properties; Kate Throckmorton, Environmental Land Solutions; Tim Draper, T&M Lawn & Landscape; Shri & Jayanti Seshan, Property Owners; J. Mark Halan, Property Owner; Aleksandra Moch, Green Roof Concepts, LLC

**ABSENT:** Dan Falta & Rick Stow (notified of intended absences)

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

Mr. Hall called the meeting to order at 7:44 p.m.

### **II. PUBLIC HEARINGS**

**A. WET#2322(S) – LINDQUIST – 658 Danbury Road** – renovate and expand an existing building located within an upland review area to allow automotive sales and service facility

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

Mr. Healy handed out new documents for the application while explaining Mr. Lindquist is the Contract Purchaser for the subject property. Mr. Healy described the property as 2.6 acres on the eastern side of Route 7 in north Wilton. He noted that Mr. Lindquist currently has his business at 210 Danbury Road, just south of Town Hall. Mr. Healy confirmed the new location will be auto sales and service with no fuel sales. In order to open this business, the applicant is requesting a renovation and expansion of the existing building which partially lies in an upland review area.

Mr. McChord displayed a plan and confirmed the Norwalk River bisects the property with the existing building shown in a light tan color. He noted there will be one entry point to the property and one catch basin in the middle of the parking lot. Mr. McChord confirmed the site is serviced by an existing well and septic, and includes one propane tank. He stated the area of construction is mostly level with a steep slope adjacent to the river.

Mr. McChord explained the two additions to the building. One addition is for the office related functions of the business, and the other is for the service area. He explained there will be four enclosed service bays with the addition on the south side of the building, which represents the service portion of the operation. Mr. McChord confirmed the north side addition of the building will be utilized for used car display.

Mr. McChord indicated that they will use the existing well and septic, which he stated is oversized for this use. They have been working with the Health Department for the approval on a B100a location. They are in the process of verifying the point loading, as well as waiting to clarify if one row of the leaching field is too close. He also confirmed they are field locating the septic on the site.

Mr. McChord reviewed the stormwater management system. He explained they have 2,000 gallon oil water separator and that they are able to cut off the drainage system if there is a spill. He stated they have made some adjustments to the original plan and handed out a revised plan to each commissioner. He confirmed the discharge originally to the north will be eliminated and will be sent to the east to join the existing discharge pipe. He also noted that the monitoring wells found at the site means that there could be contaminants found in that area. To eliminate the overflow grades, they joined the facilities and pipe to a plunge pool about 10' x 15' in size with riprap overlaid to adjacent area to the east. Mr. McChord confirmed they will add hay bales to the stockpile area and entire eastern perimeter of disturbance to protect the resource.

Mr. McChord explained the detention system is designed for two, five, ten and twenty-five year storms. They will install an anti-tracking apron during construction. He noted the construction sequence is on the plan and the maintenance on the stormwater system has been submitted.

Mr. Hall asked if any large machines will be in the back bringing in fill. Mr. McChord noted that the area is tight but does widen out as they move further away. He added that they will remove the debris that has been left in the bank of the river for some time. They will remove one tree and some small scrub in their development of the site.

Mr. Hall asked if the stormwater system will catch runoff from the parking lot and the building into one system. Mr. McChord stated they do and confirmed the runoff is cooled underground so there is no thermal issue to be concerned about. Mr. Hall asked if a signal light would need to be installed for this business. Mr. McChord stated they would not require a light.

Ms. Craig asked if the catch basin is in the flood zone. Mr. McChord responded that the plunge pool is within the flood zone. Mr. Conklin asked if this can be in the floodway. Mr. Healy responded that you cannot place a structure in the floodway, but this is not a structure. Mr. Hall then asked if the plunge pool works slowly. Mr. McChord confirmed that it does because the infiltrator with the separator works like a giant tub that overflows. Mr. Hall asked if this gets silty. Mr. McChord confirmed there is no silt there as the detention basin is up stream.

Ms. Craig confirmed they looked at the 25-year storm and asked about a 50-year storm. Mr. McChord responded that they have designed the system for a 25-year storm. Mr. Burgess asked if the monitoring wells have been there for a long time. Mr. Healy responded that CL&P had a Phase I and II site assessment to look for areas of concern. He stated that there was one area of concern which may require a Phase III review but that they must deliver the property clean. He added that the contamination may be from creosote on poles that were stored at this satellite

facility.

Mr. Burgess asked about the dumpster on the site per the staff report. Mr. McChord confirmed it would have a lid and will be put in a place where it is easy to remove with a garbage truck. In addition to the lid, the dumpster area will be fenced and pitched back toward the parking area.

Mr. Hall asked how they catch any oil that may spill from cars. Mr. McChord confirmed there is a catch basin in the middle of the lot which flows to an oil water separator. He stated the oil is lighter than water and it is captured by baffles which are pumped out periodically approximately two times per year. Mr. Conklin asked if potential pollutions could get into the system and if this is the most prudent thing to infiltrate the water. He noted it may make sense to have a rain garden that can easily be moved out. Mr. McChord noted that you could not store a 25 year storm with a rain garden. Mr. Conklin commented that he was not sure what would be more beneficial; to control the peak flow or the outflow.

Mr. Hall asked if the workers at the facility would be able to see a trail if something goes into the system. Mr. Lindquist confirmed they will be able to see leaks easily and all personnel will know how to block the system off. Mr. Lindquist added that they will have oil absorbing spill pads with blankets underneath leaky vehicles. Ms. Craig asked if there is a strategy for parking leaking cars. Mr. Healy stated that if a car comes in leaking, they will put it inside the garage as they do not want to have to clean it.

Ms. Throckmorton noted the wetlands on a plan and showed where they drop off. She confirmed the upland review will include the existing parking area with no increase in pervious coverage. She noted that the debris will be removed from the bank and the area will be reseeded. Ms. Throckmorton stated there are some perimeter trees that will be cut down and shadblow will be replanted. She also noted the plantings by the plunge pool and drainage will be expanded. She proposed an improvement by taking out the outlet to the north. She noted that the riprap pad is in a good place at the bottom of the slope so there will be no erosion. Ms. Throckmorton confirmed there is a direct discharge now, so with the proposed treatment trains, this is a huge improvement to the area. She then noted there will be a woodchip path behind the building and the invasives will be removed.

Ms. Craig asked why shadblows were selected as she suggested oaks may move in. Ms. Throckmorton responded that there is a good canopy now and she cannot plant large trees over galleries. Ms. Craig responded that once the brush is removed, there may be opportunities for larger trees.

Mr. Conklin raised concern about not having the contamination information as the runoff may need to be handled differently depending on the site contamination. Mr. Healy confirmed the current owners are planning on completing a Phase III project. Mr. Conklin suggested obtaining the Phase II data to see if the work being proposed is feasible. He added that a third party consultant may be necessary to confirm the system will work. Mr. Hall asked if this data would make a difference as the plan will not worsen the situation. Mr. Conklin responded stated the commission will need to confirm the construction sequence is going to work with the plan. Mr. Hall reiterated that the commission is not resistant to the plan, but that more information is needed. Mr. Healy suggested that this be a condition of approval. He added that CL&P will be required to come through this commission with the remediation plan prior to work being conducted.

With no further questions or comments, the Public Hearing was continued until the next regularly scheduled meeting on July 23, 2015.

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

#### **A. WET#2331(I) – 3 Hubbard Road, LLC – 434 Hurlbutt Street – proposed 2-lot subdivision**

Mr. O'Brien reminded the commission that he had two items to address from the last hearing. One item was moving the stockpile area to the north away from the wetlands, which he did. The other item was to complete a percolation test within the infiltrator system which was completed and deemed suitable by McChord Engineering Associates.

#### **B. WET#2324(I) – CILENTO – 5 Old Lantern Drive – “corrective action” for reconstruction of a stone wall and filling and grading in a regulated area**

Mr. Draper handed out a hand sketched plan which shows a 140 ft. area of planting. He noted that the old wall was 3 ft. from the wetlands, and now it is 10 ft. He indicated that the owners would like shrubs, not trees. He confirmed he used 4 different sizes, colors, and textures for the deer-proof semi-wetland shrubbery, 5 ft. on center. Mr. Draper also provided a bond estimate for approval. Mr. Hall noted he would like to see the pipes moved up on the lawn. Mr. Conklin added that a rip-rap pad splash pad would be required.

Ms. Craig asked why the planting plan has non-native species. Mr. Draper explained that he was trying to get some color and interest in the area. Mr. Lee suggested that the plantings be reviewed with staff. Mr. Hall stated he was happy with the amount of plantings.

Mr. Lee MOVED to APPROVE WET#2324 with the General and normal Special Conditions and the additional Special Conditions that a final plant list will be reviewed and approved by staff, the bond estimate is approved as submitted, and a splash pad will be installed at the discharge site, SECONDED by Mr. Burgess and CARRIED 4-0-0.

#### **C. WET#2325(I) – TODD – 62 Kent Hills Lane – additions to residence and B100a**

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

Ms. Masone confirmed that the entire residence is within the wetlands setback. They are proposing an addition to include a 2-3 car garage, enlarge the kitchen and enlarge the living space for their three young kids.

Ms. Masone acknowledged that the initial garage expansion was heading towards the wetlands so they went back and changed the location to the other side of the house, away from the wetlands. The new proposal includes enlarging the existing screened porch to be a family room, bumping out the kitchen where the deck is and adding a family room. This would leave the existing deck as is to minimize the work done in wetlands. Ms. Masone confirmed the back deck is 42 ft. from the wetlands and the proposed family room is 65 ft. from the wetlands. She added that they are proposing a covered porch and a new master bedroom suite over the garage.

Ms. Masone stated that Ralph Palladino did a B100a. She confirmed they wanted to move the well but could not. She indicated the excavated soils will be removed from the site and silt fence with haybales will be placed with 20 ft. excess space for vehicles to get around. She also noted they will replace the current pressure treated deck with a composite material. Ms. Craig confirmed that there is no tree removal included in the plans.

Ms. Craig MOVED to APPROVE WET#2325, with the General and normal Special Conditions, SECONDED by Mr. Burgess and CARRIED 4-0-0.

**D. WET#2333(I) – SESHAN – 6 Pine Ridge Road – additions to residence**

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

Mr. Seshan confirmed they are working with an architect and a soil scientist to expand their 1951 home with ancillary garage as they have three kids that are driving age. He explained they would like to add onto the garage and the residence. He confirmed the garage will be 80 ft. from the resource and 90 ft. separating distance for the house.

Mrs. Seshan confirmed the septic has been approved by the state and CL&P has an easement on the driveway. She also stated they are giving up 55 ft. of driveway close to the wetlands while moving the garage closer. Mr. Hall stated that grass is not the best option for wetlands and suggested adding plantings where the driveway is being reclaimed. Ms. Craig suggested adding natives to enhance the buffer. Mr. Hall suggested understory trees or native shrubs. Mr. Conklin confirmed this area is moist grass so this may be an opportunity to install trees and let it go wild which would be a benefit to the wetland.

Mrs. Seshan confirmed they can remove the existing fence and shed. Mr. Conklin marked the area on the plan that should be improved with mitigation. Mrs. Seshan suggested 3 birch trees.

Mr. Burgess MOVED to APPROVE WET#2333, with the General and normal Special Conditions, and the additional Special Conditions that three birch trees shall be planted in the area delineated by staff, SECONDED by Mr. Lee and CARRIED 4-0-0.

**E. WET#2334(I) – HALAN – 295 Newtown Turnpike – construction of on-slab three car detached garage**

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

Ms. Moch stated this is a single family residence on a long and narrow lot along the west branch of the Saugutuck River. She confirmed the property is within the 100-year flood zone with a plateau parallel to the street. The proposal includes a garage, driveway, and stormwater detention system. She stated that 9 trees will be removed for the improvements.

Ms. Moch confirmed this project has been in the works since 2008 and many alternatives were considered. One alternative would require a longer driveway and the garage would be where the plantings were installed from a previous violation. Another alternative requires an additional driveway, but the sewer lateral goes through there and it is a flood zone. Another alternative would place the structure on a steep slope close to the wetlands which would require more grading.

Ms. Moch confirmed the proposed location has easy access from the road and is a fairly level area. The proposed garage is two stories with 900 sq. ft. on the bottom floor and 690 sq. ft. upstairs for storage. She confirmed the garage would not be used daily and would not take away from the recreational space on the property.

Ms. Moch reviewed the wetlands functions and values and confirmed the wetlands on the western side of the river is greater with understory growth and ground cover. She confirmed the flood water retention has a large storage capacity on the western side. She also looked at potential impacts of the proposed garage by looking at the flow regime. She confirmed only the stormwater will be detained and the driveway will be gravel. She also indicated that the stormwater for the new roof will be drained in the gravel. She confirmed biofiltration due to the planting plan that will filter the runoff. She stated there will be no lawn care or nutrient impact but that the turbidity of stormwater will be change during the development.

Ms. Moch confirmed they are not clearing anything on the slope so there is no change in infiltration, no change to habitat, or structure. She also confirmed soil and erosion measures, and they will have an anti-tracking pad and stockpile area.

Ms. Moch indicated that 6 new trees will be added to the site; 3 maples and 3 oaks, along with 15 new shrubs and 50 ferns. Mr. Lee noted that the commission usually requests 2 ½ caliper trees. Mr. Burgess suggested moving the garage up so that it is not so close to the slope. Mr. Halan stated that he was granted a variance for 10 feet. Mr. Hall asked how power would be brought to the garage. Mr. Halan confirmed it would come from the road.

Ms. Craig asked how many trees have been removed already at the garage site. Mr. Halan responded that none have been removed. Ms. Craig then asked why he would place a storage unit so close to the wetlands in a good piece of real estate and suggested having off-site storage so that he can enjoy that area of his property. Mr. Halan responded that the mitigation will enhance the ecology of the area. Ms. Moch added that the area is not pristine and even disturbed from the neighbor next door.

Ms. Craig asked if the gravel driveway will be compacted. Ms. Moch responded they are using special gravel. Ms. Craig asked why the driveway was so big. Ms. Moch responded that this is for guest parking. Mr. Halan added that this is the minimum amount of driveway to be able to turn around. Ms. Craig raised concern about placing a storage shed this close to the resource. Mr. Hall noted that there is no adverse impact other than a further commitment. He added that they are taking care not to allow runoff into the river.

Mr. Lee MOVED to APPROVE WET#2334 with the General and normal Special Conditions, and the additional Special Conditions that trees will be 2-2.5 in. caliper, SECONDED by Mr. Burgess. Ms. Craig expressed her concern about previous tree removal and violations and said this should be considered in the decision. The Motion PASSED 3-1-0 with Ms. Craig opposed to the application.

WET#2335(I) – GALLIGAN – 102 Hulda Hill Road – “emergency” septic replacement

Mr. Conklin noted that this applicant received a temporary permit as it was an emergency situation.

Mr. Lee MOVED to APPROVE WET#2335, SECONDED by Mr. Burgess and CARRIED 4-0-0.

**IV. APPLICATIONS READY TO ACCEPTED - None**

**V. APPLICATIONS READY TO BE REVIEWED**

**A. WET#2331(I) – 3 Hubbard Road, LLC – 434 Hurlbutt Street – proposed 2-lot subdivision**

The commissioners concurred that the new stockpile area is good, the perc tests are now noted on the plan, and limit of disturbance is the boulder line.

Mr. LEE MOVED to APPROVE WET#2331, SECONDED by Mr. Burgess and CARRIED 4-0-0.

**VI. APPROVED MINOR ACTIVITIES - None**

**VII. CORRESPONDENCE - None**

**VIII. OTHER APPROPRIATE BUSINESS**

**A. CT DEEP Training 2015** – Ms. Larkin confirmed that commissioners may contact her if they would like to be registered for the on-line training course.

**B. Fee Schedule** – Mr. Conklin stated that Gregory & Adams is asking for a legal review of the Activity Fees as they may be against State Statutes. Once he receives a response from town counsel, the commission will move forward accordingly.

**C. VIOLATIONS**

**1. English – 189 Westport Road**

**2. DiFranco – 1039 Danbury Road**

Mr. Conklin provided a brief summary of the above current violations. He confirmed Mr. English is waiting to hear back from his surveyor. The DiFranco violation has almost been addressed satisfactorily and will likely not require a wetland permit.

**D. APPROVAL OF MINUTES – June 25, 2015**

Mr. Lee MOVED to APPROVE the minutes as drafted, SECONDED by Mr. Burgess, and CARRIED 4-0-0.

**IX. ADJOURN**

Mr. Burgess MOVED to ADJOURN at 10:13 pm, SECONDED by Mr. Lee and CARRIED 4-0-0.

Respectfully Submitted,  
Liz Larkin  
Recording Secretary, Environmental Affairs