



MINUTES

August 14, 2014

PRESENT: John Hall (Chair), Dan Falta, Tom Burgess, Liz Craig, Dennis Delaney, Nick Lee

ALSO PRESENT: Patricia Sesto, Director, Environmental Affairs; Liz Larkin, Recording Secretary; Jay Hanseman, Michael Smith Architects; Kate Throckmorton, Environmental Land Solutions; Peter Gaboriault, property owner

I. CALL TO ORDER

Mr. Hall called the meeting to order at 7:31 p.m.

II. PUBLIC HEARINGS

A. WET#2260(S) – JACKSON – 111 Highfield Road – convert horse barn to pool house, new pool, new septic, and driveway alterations

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

Mr. Hanseman explained the homeowners are asking for permission to install a pool, modify the existing horse barn into a pool house, including a tie into the existing septic, and reconfiguration of the driveway. He confirmed that the horse barn is in the regulated area and the bathroom they are proposing in the pool house has been approved by the state health department.

Mr. Hanseman confirmed that sediment and erosion controls will be in place for the septic excavation as it is taking place within the buffer. The driveway will be shifted southwest and new parking area created to decrease the existing wetland encroachment. The meadow within the paddock would remain.

Mr. Hanseman explained the pool house would tie into the stormwater management system which includes a cistern used for irrigation. No runoff will go into the wetland. Mr. Hall stated that the wetland does not seem to be high functioning and asked if there are any plans to enhance the wetland. Mr. Hanseman responded that they may want to remove invasives and install native wetland plantings.

Mr. Delaney asked if the increase of use of the horse barn to a dwelling is a consideration. Ms. Sesto confirmed that the accessory dwelling request is under the jurisdiction of Planning and

Zoning and this commission could only consider its use if there was evidence that the use would impact the wetland. Ms. Craig suggested that a restoration planting plan be considered including invasive removal. Ms. Sesto asked if the barn was going to be raised and a new structure built in its place. Mr. Hanseman confirmed the walls and roof will remain and that sliding glass doors will be installed facing the pool with some exterior renovations.

Mr. Lee suggested that the driveway is pulled in 10 ft. to be outside of the wetlands. He added that a fence could be installed for delineation purposes. Ms. Craig asked what the homeowners wish to do with the paddocks. Mr. Hanseman confirmed the homeowners would like to keep the paddocks for any future owners and they wish to keep the current character of the area intact. Mr. Hall asked if an enhanced planting plan could be submitted and approved by staff. Ms. Sesto asked for guidance on what the commission is looking for. Ms. Craig asked for a variety of native shrubs, trees and ferns covering an area equivalent to the new buffer area being consumed.

With no further questions or comments, Mr. Hall closed the public hearing.

B. WET#2263(S) – HONEY HILL ROAD NORTH, LLC – 94 Honey Hill Road –
“corrective action” to restore a cleared regulated area and to dredge a pond

Mr. Lee recused himself.

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

Ms. Throckmorton confirmed the application is to correct a violation where the homeowner removed 25 trees from a wetland buffer. She explained the site consists of 11 acres with a pond to the east of the stone wall. The tree removal was completed in an area southwest of the pond. The owner’s intent was to remove invasives and vines which were causing the trees to become disfigured and compromising their structural viability.

Ms. Throckmorton described the function of the trees that were removed as shade for the watercourse and retention of stormwater nutrients. This new exposure created with the removed trees could lead to thermal pollution in the watercourse. Ms. Throckmorton stated that the remaining woods are intact and the site is stable. The corrective action entails planting 11 trees including shade, understory and ground cover, and then the area will be reseeded. Trees will be replanted on both sides of the pond to protect the primary watercourse and the work will be completed in the fall of this year.

The pond dredging access will be from the north-eastern portion of the pond. Ms. Throckmorton confirmed the pond was established long ago when the site was used as a farm and the dam has not been maintained in more than 15 years. The purpose of dredging is to create deeper, cleaner water. The dredging will take place in the pond and up to the edge as the sides are narrow and defined on the west by the stone wall. The depth of the dredging will be approximately 8 ft., an increase of 4 ft. over existing conditions. All dredged material will remain on site and will be incorporated back into a previously excavated area east of the pond outside of the 100 ft. upland review. Ms. Throckmorton confirmed the old jeep road will provide easy machine access.

Ms. Throckmorton stated that 1 or 2 trees may need to be removed for access to the pond for

dredging. The plans include debris removal from the property as well as large rock relocation placed to retain and fill the excavated area from years prior. Another twenty trees will need to be removed from existing rock piles they are looking to clean up. The well structure will be saved along with the oak, red maple, tulip and sycamore tree in that area. The pond will be replanted with shade and understory trees.

Ms. Throckmorton described the two phases of the dewatering of the pond. The first phase consists of a clean pump out for the surface water. The second phase includes a pump out of materials with dirt bags in place. She confirmed if there is a rain event during this phase, the existing causeway can be raised with sandbags and pumped if necessary. The intent is to complete this work in the dry season. Ms. Sesto confirmed that the boulders proposed to be moved would only take place if the dredging goes forward. Mr. Hall confirmed that they are removing trees for aesthetic reasons and for the dredging. He also asked if there is any ecological reason that the boulders should not be in the spoils and Ms. Throckmorton stated there is not.

Ms. Throckmorton confirmed the tree canopy of black birch was temporarily disturbed by the removal without a permit and the replacement will be equal or more than previous. Mr. Burgess asked if grape vines were a detriment to the trees as he understood they work in harmony. Ms. Throckmorton responded that they do become heavy and can take a tree down after time. Ms. Craig asked how long it would take to reestablish the canopy to which Ms. Throckmorton responded 5 – 10 years.

Mr. Hall acknowledged that 11 trees are proposed for the corrective action area and asked why there is less proposed than the 25 trees that were noted as removed in the violation letter. Ms. Throckmorton responded that the 11 proposed trees are being relocated to protect the watercourse. Ms. Sesto noted out of 11 trees, 7 of them are understory. Ms. Throckmorton stated they can increase the number but the area is rocky and not easy to plant.

Mr. Gaboriault stated that the area of 25 trees he removed was a disaster. He confirmed a large ash came down in addition to a dead hickory and large vines. He indicated anything healthy in the area remains today. Ms. Craig raised concern that trees being planted would not survive due to the amount of rock in the vicinity and asked if black birch could be replaced. Ms. Throckmorton confirmed that they could install black birch whips. Ms. Sesto reiterated that more trees should be required.

In response to staff comments on the dredging proposal, Ms. Throckmorton suggested leaving an existing emergent shelf with vegetation that already exists. The goal of reaching 8 feet in depth will be modified if ledge is encountered. Ms. Craig asked if a spring was in the area and Ms. Throckmorton confirmed there is no spring.

Mr. Delaney expressed concern about potential additional development on the property. Mr. Gaboriault confirmed there is no intent for any development as the property is enrolled in the Public Act 490 program.

Ms. Throckmorton verified a revised planting plan which will include additional plantings, extended plantings and bigger trees will be provided.

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

III. APPLICATIONS READY TO BE REVIEWED

- A. WET#2262(I) – SPILLANE – 8 Dorado Court** – “corrective action” for installing a seating platform

Ms. Sesto confirmed that the applicant has requested that the application be postponed until the next regularly scheduled meeting on September 11, 2014.

IV. PUBLIC HEARINGS

- A. WET#2263(S) – HONEY HILL ROAD NORTH, LLC – 94 Honey Hill Road** – “corrective action” to restore a cleared regulated area and to dredge a pond

Mr. Burgess MOVED to APPROVE WET#2263 with the General and normal Special Conditions and the additional Special Conditions that a revised planting plan be submitted for approval by staff which will more closely reflect the number of trees that were cleared with a mix of over and under story trees which shall be installed prior to October 31, 2014 with the boulder removal only taking place if the dredging is in progress, SECONDED by Mr. Delaney and CARRIED 5-0-0.

- B. WET#2260(S) – JACKSON – 111 Highfield Road** – convert horse barn to pool house, new pool, new septic, and driveway alterations

Mr. Lee was reseated.

Mr. Falta MOVED to APPROVE WET#2260 with the General and normal Special Conditions and the additional Special Conditions that the driveway and fence be moved outside of the wetland area, the paddocks will be planted with native shrubs, trees and ferns to be depicted on an updated planting plan which will be submitted and reviewed for approval by staff, SECONDED by Mr. Burgess and CARRIED 6-0-0.

V. APPLICATIONS TO BE ACCEPTED

- A. WET#2265(I) – SILVER HILL HOSPITAL – 208 Valley Road, New Canaan** – replace failing septic
- B. WET#2267(I) – RYAN – 20 Thunder Lake Road** – “after-the-fact” installation of a permeable gravel driveway along the southern border of the property 16 feet from wetlands
- C. WET#2268(I) – WILSON – 13 Orem Lane** – “corrective action” for clearing land in an upland review area

Mr. Delaney MOVED to ACCEPT the above applications, SECONDED by Ms. Craig and CARRIED 6-0-0.

VI. APPROVED MINOR ACTIVITIES

- A. WET#2266(M) – LUCCI ELECTRIC – 530 Danbury Road** – generator and above ground

propane tank

- B. WET#2264(M) – LONG – 26 Serendipity Lane** – replace and expand deck 31 ft. from a pond

Ms. Sesto provided a brief summary of the approved minor activities.

VII. CORRESPONDENCE - None

VIII. OTHER APPROPRIATE BUSINESS

A. VIOLATIONS

- 1. Hallman – 25 Spoonwood Road**
- 2. DeVito – 40 Honey Hill**
- 3. Abou-Sabh/Casey - 78 Canterbury Road**

Ms. Sesto provided a brief summary of the current violations. She noted that the Hallmans have planted trees, the DeVitos are on hold until the fall when they have a court date, and the Abou-Sabh/Caseys are moving along with obtaining plans.

B. APPROVAL OF MINUTES – July 24, 2014

Mr. Delaney MOVED to APPROVE the minutes, as drafted, SECONDED by Ms. Craig and CARRIED 6-0-0.

IX. ADJOURN

Mr. Delaney MOVED to ADJOURN at 8:32 p.m., SECONDED by Ms. Craig, and CARRIED 6-0-0.

Respectfully Submitted,
Liz Larkin
Recording Secretary