

MINUTES
INLAND WETLANDS AGENCY
JUNE 12, 2013 - 7:00 P.M.
TOWN HALL ANNEX - COMMUNITY ROOM 2

I. ROLL CALL

Agency: Sutphen, Ashworth, Block, Furlong
Staff: Jones, Silsby

The meeting was called to order by Acting Chairperson Sutphen at 7:00 p.m.

II. PUBLIC COMMUNICATIONS - None

Patrick Gallagher, developer of the Sunset Ridge Subdivision on Gold Star Highway, asked if he could address the Agency about issues involving an intermittent watercourse on a lot that requires a Certificate of Occupancy.

MOTION: To add Sunset Ridge Lot #4 to the agenda under New Business

Motion made by Ashworth, seconded by Block, so voted unanimously

III. APPROVAL OF THE MINUTES OF May 22, 2013 and May 24, 2013

MOTION: To approve the minutes of May 22, 2013 and May 24, 2013

Motion made by Ashworth, seconded by Block, so voted unanimously

IV. NEW APPLICATIONS - None

V. PENDING APPLICATIONS

1. 0 Military Highway, Lot 3

It was noted that this lot is now being called lot 107 and that there are also regulated activities on lot 106.

Edward Wenke of The Winthrop Group reviewed the revisions to the plan to develop single family homes on existing lots. The house has been reconfigured and he is no longer proposing to pipe the intermittent watercourse. The disturbed area adjacent to the watercourse will be stabilized and planted with shrubs as recommended by his soil scientist. He reviewed the erosion control plan, grading, and plantings. The house lots will be graded and stabilized until they are sold.

Staff stated that Public Works had technical comments regarding work in Military Highway that must be shown on the plan.

Discussion followed about the pros and cons of piping the intermittent watercourse. It is Wenke's professional opinion that the watercourse will flow into the developed lot 107 at some point and that the future homeowner will be back before the Agency seeking a solution.

MOTION: To approve the 0 Military Highway, lots 106 and 107 application for the following reasons:

1. There are no wetlands or watercourses permanently lost as a result of this project.
2. The intermittent watercourse conveys storm water, exhibits limited wetland functions, and adequate erosion controls will be established.
3. The disturbed area adjacent to the intermittent watercourse will be stabilized and planted with shrubs.

This permit is subject to the five standard conditions and the following additional conditions:

1. An environmental bond to ensure installation and maintenance of erosion control and to ensure the planting of shrubs on the north edge of the intermittent watercourse on lot 107 shall be posted prior to the re-start of work on the property.
2. No work other than that shown on the approved plan shall take place within 15 feet of the intermittent watercourse without Agency review or permit.
3. Technical items regarding work in the Military Highway right of way and open space property as listed in the June 5, 2013 Memorandum from Greg Hanover shall be addressed on the plan.

Motion made by Block, seconded by Sutphen.

Furlong expressed concerns about condition #2 regarding the wording about "adequate erosion controls established". She is okay with developing lots 105 and 106 but does not believe that lot 107 is developable. Sutphen shares Furlong's concerns but noted that this is an existing building lot. Ashworth does not feel this is a buildable lot and approving the application is only perpetuating a decision made in the past. He shares the same concerns as Furlong relating to the distance to the watercourse.

Discussion followed about what would be required of the Agency if it denied this application. Furlong expressed concern that when additional lots are built, the increase of impervious surface will increase the runoff to an inadequate drainage system in Military Highway.

Motion was made 3 in favor, 0 opposed, 1 abstention (Furlong). Motion Carried 3-0-1

2. Groton Business Park – Lot 3, 115 Poheganut Drive

Clinton Brown of DiCesare-Bentley Engineers reviewed the plans to re-grade the existing parking area to a new catch basin, add a stormwater quality unit and grade an access to existing stormwater basin for maintenance purposes within 100 feet of the wetland. He also proposes to perform maintenance within basin including removal of trees and heavy undergrowth. The basin outlet structure will be modified to detain additional water. He stated that comments from staff about construction measures have been incorporated into the plan.

Relative to Sutphen's concern about the timing of the addition, the Agency decided that an additional condition will be added that the work will be completed during the fall dry season; after August 15th through March.

MOTION: To approve the Groton Business Park, Lot 3, application for the following reasons:

1. The proposed work will provide additional storm water quality treatment.
2. There are no wetlands or watercourses filled as part of this project.

This permit is subject to the four standard conditions and the following additional condition:

1. Work within the detention basin shall take place between August 15th and March.

Motion made by Block, seconded by Ashworth, so voted unanimously

3. Beebe Pond Trail Improvements

Staff reviewed the proposed improvements, noting that the two trail improvement projects could be done separately, as proposed. She stated that Public Works had minor comments about technical details regarding boardwalk design.

MOTION: To approve the Beebe Pond Park Improvements application for the following reasons:

1. The proposed improvements will repair eroding trails within wetlands.
2. The proposed construction method will limit impact to wetlands and surrounding area.

This permit is subject to the four standard conditions and the following additional conditions:

1. The construction details for the boardwalks shall be placed on the plan.

Motion made by Block, seconded by Furlong, so voted unanimously

4. Copp Property Trail Improvements

Staff spoke about the wide trail outside of the regulated area, and explained that certain trails will be abandoned. Staff explained that funding is available for the 1st wetland crossing but no funds are yet available for the 2nd wetland crossing. Public Works has minor comments regarding the technical details of the bridge design.

MOTION: To approve the Copp Family Park Trail Improvements application for the following reasons:

1. The proposed improvements will eliminate the multiple wetland crossings created by hikers.
2. The improvements will repair eroding trails.

This permit is subject to the four standard conditions and the following additional condition:

1. The bridge construction details shall be shown on the plan.

Motion made by Block, seconded by Ashworth, so voted unanimously

VI. NEW BUSINESS

1. Referral – REGA13-02 (Town of Groton Zoning Board of Appeals, Applicant) Public Hearing date July 3, 2013

Staff reviewed the regulation amendment which the Town Attorney has recommended.

After some discussion, the Agency felt that this amendment has no impact on wetland regulations.

2. Sunset Ridge Subdivision, Lot 4

Patrick Gallagher reviewed the location of the subdivision and stated that drainage issues were noted during a Certificate of Occupancy inspection of lot 4 by staff.

Staff reviewed the location of an intermittent watercourse that was identified at the time of the original wetland application. It flows down the hill from west to east across the rear of lots 3 and 4, losing its definition as it flows through the woods on lot 4. Clearing beyond the approved clearing limit line has taken place during the construction of the house on lot 4 and the water from the intermittent watercourse is now flowing across bare ground, eroding the soil. It is not currently an intermittent watercourse but may become one in the future. While this area is not regulated by the Agency at this time, it may be in the future and staff wants to make the Agency aware of the issue and seek their input into the area's stabilization method.

Staff presented pictures of the area and a plan that was prepared by Gallagher's surveyor showing the watercourse, house, approved and existing clearing limits and the flow path of the water once it leaves the defined intermittent watercourse area,

Options as to how to stabilize the area were discussed. Agency members felt that an engineer should be hired and a formal report submitted. Staff felt that a letter from the homeowner acknowledging that additional work will be done should be obtained. She noted that the septic system on-site also needs to be considered.

In a related matter, Staff reported that she believes that Gallagher has gone beyond the permitted disturbance area on lot 3. Work has taken place very close to the intermittent watercourse and sediment laden water has been discharged toward it. Gallagher has directed his surveyor to prepare a plan showing the existing and approved

limits of disturbance. Staff will review and take appropriate enforcement action. The Agency directed Gallagher to place erosion controls at the edge of disturbance.

5. Report of Chair

Sutphen stated that she will be attending the POCD Steering Committee meeting on 6-20-13.

Furlong expressed concerns about building lots that were approved in the past, prior to Wetland Regulations, and the Agency's ability to regulate activity on them. Staff noted that the Town Attorney will be addressing the Agency at a future meeting and she will ask him to address this issue.

Ashworth inquired about the status of the Mason's Hall demolition.

2. Report of Staff - None

VII. ADJOURNMENT

Meeting adjourned at 8:25 p.m. by Sutphen, seconded by Block, so voted unanimously

Eunice Sutphen, Acting Chairperson
Inland Wetland Agency

Prepared by Robin Silsby
Office Assistant II