

INLAND WETLANDS AGENCY
MAY 28, 2008 - 7:30 P.M.
TOWN HALL ANNEX - COMMUNITY ROOM 1

I. ROLL CALL

Agency: Block, Scott, Sutphen, Williams
Alternates: Ashworth
Staff: Jones and Silsby

The meeting was called to order at 7:30 p.m.

II. PUBLIC COMMUNICATIONS – None

III. APPROVAL OF THE MINUTES of May 14, 2008

MOTION: To approve the minutes of May 14, 2008.

Motion by Sutphen, seconded by Ashworth, so voted unanimously.

IV. NEW APPLICATIONS

1. Benchmark Assisted Living, LLC, 90 Poheganut Drive

Attorney Harry Heller, representing Benchmark Assisted Living, LLC, presented plans for a 48 unit assisted living facility. All development will be outside the regulated area and upslope of an existing parking lot and storm water basin. He noted that no modifications to either basin or the parking area in conjunction with this project is being proposed. He explained that in 2003, the Agency had determined that a proposed office building on the site did not need a permit. The office building project had more impervious surface and required activity closer to the regulated area. Heller asked for a ruling that no permits are required for the assisted living facility.

Clint Brown, Dicesare-Bentley Engineers, reviewed the proposed storm water system. The storm water basin was built in 1999 and was sized to accommodate full development of the lot.

The Agency asked whether additional storm water filtering devices could be installed.

Sutphen suggested the agency schedule a site walk to see the detention basin since it has been quite a while since the initial permit was approved.

It was determined that the site walk would be held on Wednesday June 4, 2008 at 12:30 p.m.

V. PENDING APPLICATIONS

The Agency decided that they would act on the Burger King application and the Groton highpoint application prior to the Wal-Mart application.

1. Burger King, 557 Long Hill Road

Charles Georgie, Architect, CGA Architects and Engineers of West Haven, CT., presented maps for the demolition of the existing building. He stated that the current building would be taken down in its entirety and replaced with a new smaller building which would sit closer to the road, in order to accommodate the increase in drive-thru customers. All work will be done within the current development footprint. He explained that trees would be cut back around the entire property. There would be more green space and the pervious areas will be increased. The location of the plantings was discussed in relationship to the wetlands.

The wetlands are located west of the building and parking area.

Staff noted that it is a natural wetland that is part of the Long Hill drainage area. An earthen berm was constructed across the wetlands as part of a previous permit to provide detention. The Agency suggested that the storm water management system be improved by adding a hydrodynamic separator.

MOTION: To classify the application as minor.

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

The Agency will do a site walk at 1:15 p.m. on June 4, 2008.

2. Groton Highpoint Subdivision, 245 Hazelnut Hill Road

Clint Brown of DiCesare-Bentley Engineers reviewed additional requested activities that are required as a result of the Planning Commission approval of this subdivision. The Commission required that water be brought to the site via Hazelnut Hill Road. Improvements along the open space path were also required. Brown stated that three standard benches would be installed in specific locations along the pathway and standard Town of Groton trail restrictor devices would be installed to prevent ATV's from entering certain areas along the existing trail. Stepping stones would also be installed along the trail going across the brook.

Scott felt that the blasting required to install the waterline could influence ground water flow. He suggested installing concrete check dams along the waterline near the wetlands.

The Agency tabled discussion to the next meeting on June 11, 2008.

3. Proposed Retail Development (Wal-Mart Super Center) 481, 489, 491, 495, 529 Gold Star Highway

The Agency reviewed plans submitted by the applicant and interveners. Staff noted that a decision is required within 35 days of the close of the public hearing.

The Agency reviewed changes to the 2006 permit plan as noted by Intervener Zell Steever. Staff reviewed the location of the hydro dynamic separators, the large basin out front, and discharge points. It was noted that the roof discharge would be split into three locations so it would not discharge to the back. It was noted that these changes are outside of the regulation review area.

Some members gave their concerns relating to bedrock, infiltration, etc and felt that the method of discharge for roof top storm water is different then what the Agency had previously approved.

Ashworth gave concerns about roof runoff going into the pond at the office park as well as a lack of infiltration. Staff noted that there will not be an increase in peak discharge at the office park pond.

Staff reviewed the permit process. She stated that the previously approved permit is still valid. Based on that permit, the applicant applied for site plan approval from the Planning Commission. The site plan was denied for a number of reasons including storm water issues. That denial has been appealed. To save time, the applicant has revised their plans to address the Planning Commission's concerns.

Staff explained that she felt that only the new discharge to the office park required a permit. If the Agency believes that there are additional activities that may require a permit, they can note that as part of their decision.

Some members had concerns about the filtering capability of the underground infiltrators even though the changes are outside the upland review area.

The Agency continued to express their concerns and opinions about whether the new proposed plan would be better environmentally than the old plan. Water quality safeguards were discussed as well as the option to add conditions to the application, if approved. Concerns were raised about an additional discharge to the east of the site even though it is outside the upland review area. The Agency considered adding a condition to require a storm water quality structure to treat storm water runoff. The balance of water, outlet changes, and the enlargement of the detention basin were noted.

Staff stated that under the original permit, a strenuous monitoring program is in place which includes maintenance.

Some members were comfortable with requiring a treatment train method to filter the storm water.

Chairman Scott spoke about the possible decisions the Agency could make. The permit could be approved with stringent requirements, or the application could be denied.

The Agency decided to table this application until the next meeting on June 11, 2008. Staff will draft a motion to approve and a motion to deny the application to be considered by the Agency at the next meeting.

VI. NEW BUSINESS

1. Report of Chair

Scott suggested that the Agency take a tour this summer of the detention basins throughout town. A date would be set at the next meeting.

Williams asked about the tree cutting on Noank Road that was mentioned during the last meeting. Staff has left a message with the property owner regarding the need for a permit and will send a letter if the owner does not respond.

Staff stated that the DEP has been notified about the brush that has been deposited in tidal wetlands off Haley Farm Lane.

Sutphen asked about the meeting held on May 7, 2008. Staff explained that this was a kickoff meeting to meet with the consultants who are involved in the revision of the Town of Groton's Zoning, Subdivision, and Wetland Regulations.

Ashworth asked about an "open" sign that has been added to a state sign for the Timbuck Too Garden Center on Route 1. Staff will report this to the zoning enforcement officer.

2. Report of Staff - None

VII. ADJOURNMENT

The meeting adjourned at 9:52 p.m.

Eunice Sutphen, Secretary
Inland Wetland Agency

Prepared by Robin M. Silsby
Office Assistant II