

INLAND WETLANDS AGENCY  
MAY 12, 2004 - 7:30 P.M.  
TOWN HALL ANNEX - COMMUNITY ROOM 2

I. ROLL CALL

Present: Scott, Williams, Block, Sutphen, Alternates Furlong and Ashworth  
Staff: Jones, Vislosky

Furlong was appointed to sit for Keeler.

II. PUBLIC HEARINGS

1. Great Brook Subdivision, Gales Ferry Road and Daboll Road – continuation

Chairman Scott continued the public hearing at 7:31 p.m. Attorney Brian Smith, representing the applicant on behalf of Attorney Timothy Bates, briefly reviewed the proposed 63-lot subdivision with septic systems, public water and 1326 s.f. of wetland impact. Staff distributed a reduced plan to the Agency and the public to assist them in following the presentation.

Clint Brown, DiCesare-Bentley Engineers, reviewed his qualifications for the record. He reviewed the location of the 125-acre site on which a 63-lot subdivision is proposed and surrounding land uses. The site is located in the Water Resource Protection District and public sewer is not available or planned in the area. The subdivision will be serviced by public water and septic systems. Public water will be extended through the road system out to Gales Ferry Road for future expansion in that area. The property generally slopes from east to west with moderate sloping in some areas and is wooded with a few exceptions. He reviewed the location of the 17.3 acres of wetlands on site. Extensive percolation testing was conducted to meet Ledge Light Health District's satisfaction to support septic system designs. Proposed roads will be constructed per town standards; road A, the main development road, will be 30 feet wide and the remaining roads will be 26 feet wide. Open space areas will be conveyed to the Town and he reviewed the location of the 51.75 acres of open space or 40% of the land area. The Subdivision Regulations only require 10%. A little more than 34 acres of open space is upland area, not wetlands. Sidewalks, a major path system, and recreation facilities are proposed and he reviewed locations.

Brown reviewed the three areas of wetland activity consisting of 1326 s.f.; upland review area activity consists of 2.29 acres. Two stormwater discharges are proposed near stormwater basins D and E. He gave a breakdown of the regulated activities. On the east side of the property, upland review area activity is proposed near Lot 61 and for road A. At the end of the stormwater swale, 200 s.f. of wetland activity is proposed to collect and pipe stormwater. In the area of wetland 1 and 2, both of which are manmade wetlands, 990 s.f. of wetland activity is required for road E and the development of two lots. On the south end of the property, near Daboll Road, the State has requested a pipe in the Route 184 right-of-way to tie into an existing drainage system. Water will flow through a swale prior to reaching this system. There is no direct wetland activity proposed. On the west side of the property, upland review activity is proposed for basin D. In the area of the open space path crossing, at the narrowest point in the wetland, 136 s.f. of wetland activity is proposed associated with the construction of the

6-foot-wide boardwalk. On the north side of the property, the open space path is within 50 or 100 feet of the wetland area. The final regulated activity involves stormwater discharge to basins.

Brown reviewed changes made to the plan since the last application. To ease concern with the construction of road A on wetland area 6, the road was pulled back and is now a cul-de-sac outside the upland review area. Development near wetland 4 was shifted east and moved 50 feet from wetlands. Near road C, lots were moved south to maintain a 100-foot buffer. He reviewed areas of proposed conservation easements on lots adjacent to wetland areas. He also reviewed an environmental stewardship program and noted that information has been submitted to the Agency and is in the file. He outlined areas covered by the program to heighten awareness of wetlands that could be administered by a homeowner's association.

Brown noted that alternatives have been submitted into the record. Road E responds to a need, recommended in the Plan of Conservation and Development, for an alternative connection from Gales Ferry Road to Route 184. It is also proposed in an area previously disturbed in the 1980s. It is nice to have an open space path that connects the proposed cul-de-sacs and the entire development. He reviewed drainage in the center of the property and noted a swale is proposed to address a maintenance problem in the middle of open space and potential erosion. It will pick water up, cross the road and flow un-piped to the wetland.

Williams questioned the new all weather access and Brown noted there is a need for a secondary means of access to Gales Ferry Road for emergencies. Williams also questioned basin D and Harry Clarke, DiCesare-Bentley Engineers, noted it is a two stage basin; the upper basin overflows to the lower basin.

Brad Kargl, Environmental Compliance Services Inc., submitted his resume and the resume of Michael Hopkins, the co-signer of the report. He reviewed his report examining potential impacts from nitrogen loading from septic systems, fertilizers, and stormwater runoff on Great Brook. He studied six drainage areas and found the combined nitrogen concentration from septic systems and fertilizer use was less than the United States Environmental Protection Agency's drinking water standards.

Scott questioned the direction of subsurface flow and Kargl noted its east to west. Scott asked if herbicide and pesticide use was studied and it was not. Scott also questioned bacterial action as it moves through sediment and Kargl noted if the septic system is properly installed there should be no surface breakout.

Furlong questioned the size of leach fields for 35 houses showing it takes 10 to 20 minutes to drop an inch. She is concerned that the leaching fields are shown to be too small and that additional clearing may be necessary. Brown noted that extensive lot by lot testing was conducted and the leaching fields were designed per the public health code. He stated that you do not want percolation rates too fast or too slow and that 8-16 minutes is a favorable percolation rate without restriction. They evaluated the hydraulic loading and stretched the leaching field out to get more distance between the effluent and soil. Furlong felt 10.1 minutes suggested more than one test hole may have been necessary to determine the need for a larger

leaching field. Staff noted that the Ledge Light Health District requires additional test pits before approving individual septic systems at the time Building Permits are requested. Furlong noted larger fields could require additional clearing and had a problem with not seeing exactly what will occur on the site. Staff noted smaller houses would be built if the percolation tests did not support a four-bedroom house.

Block questioned the location of conservation easements. Brown noted that the easements are placed in areas with a gradient toward wetlands and would have the same restrictions imposed on open space areas.

Attorney Smith read a letter from Rich Snarski, Soil Scientist, who will be at the next meeting. He also distributed copies of a memo from Groton Utilities. They are proposing best management practices and hope the homeowners will utilize the environmental stewardship program to further reduce impact. The conservation easement will be approved by the Town and its language approved by the Town Attorney.

Scott asked for the distance between the boardwalk bottom and wetlands and Brown noted two feet. They want to keep it as low to the ground as possible. The surface of the open space path will be stone dust and a small machine would perform the work. They will work around large trees. A stabilized gravel base is proposed for the surface of the fire access road. In response to an additional question, the homes will have roof and basement drains.

Williams asked how the conservation easement areas would be marked and staff noted the Planning Commission has been requiring them to be marked on trees.

Sutphen questioned the plan for implementing the stewardship program. Brown noted an outline has been provided to offer encouragement, but is not sure it can be legislated unless the Agency makes it a condition of approval. She also asked him to look into reconfiguring road A to avoid work in the wetlands.

Attorney Smith provided sample covenants and restrictions. The applicant has reviewed alternatives, minimized impact, conducted extensive water quality studies and has proposed a sensitive design.

Ashworth questioned if road E is in the only area that meets sight line criteria. Brown noted it is and explained that they have attempted to contact an existing homeowner, north of Lot 62, to discuss a possible easement that could relocate road E, but have had no luck.

Furlong questioned the use of 1931 through 1960 figures to determine the precipitation available for dilution and asked that they use an average from the last five years. Scott asked if the nitrate transport rate was average or peak and Kargl noted they are average rates.

Staff noted receipt of a petition of intervention from the Groton Open Space Association and distributed copies. She stated for the record that Agency members walked the site in October 2003 during the review of the first application. She read correspondence received from the Planning and Conservation Commissions. She summarized comments from the Ledge Light

Health District and Groton Utilities. She concluded by distributing an inventory of the file to date.

Chairman Scott asked for comments from the Intervenor.

Priscilla Pratt, President of GOSA, stated that Marcia Young would be reading the letter of intervention following by a presentation from GOSA's consultant, Sigrun Gadwa.

Marcia young, representing GOSA, read the intervention petition outlining 19 points of concern.

Sigrun Gadwa distributed and reviewed her report raising concerns with the nitrogen study done by ECS. Their study concentrated on specific areas under optimal conditions and assumptions regarding homeowner behavior could be incorrect. She raised additional concerns with lot clearing limits, grading, algae growth affecting the water filtration process, winter nitrate concentrations, nitrate concentrations on wetlands and vernal pools, and the applicant not providing a planting plan.

Priscilla Pratt asked that the public hearing be continued.

Chairman Scott asked for public comments.

Adam Spreccace, 182 Gales Ferry Road, raised concerns with flooding, average vs. peak nitrate loading and what happens during sporadic rain events, current nitrate loads in Great Brook, the impacts from washing cars, road sanding and salting, and manganese levels. He asked if there was a requirement to study the water quality for existing residents. He suggested making road E a cul-de-sac, widening Gales Ferry Road to allow the entrance from road C and constructing a sidewalk to Farquhar Park.

Attorney Smith noted the applicant would wait to respond at the next meeting.

MOTION: To continue the public hearing to May 26, 2004.

Motion made by Sutphen, seconded by Williams, so voted unanimously.

III. PUBLIC COMMUNICATIONS - None

IV. APPROVAL OF THE MINUTES OF April 28, 2004 and May 5, 2004 Site Walk

MOTION: To approve the minutes of April 28, 2004 and May 5, 2004 Site Walk as written.

Motion made by Sutphen, seconded by Furlong, so voted unanimously.

V. NEW APPLICATIONS

1. Receipt of New Applications – None

VI. PENDING APPLICATIONS

1. Candy Lane Subdivision, Bonnie Circle

Don Gerwick, representing the applicant, noted that drainage issues have finally been resolved with the State and Department of Public Works. The Town was concerned with discharge to a small wetland and did not want to maintain two separate drainage systems. The State did not want to receive any more stormwater in an existing 15-inch pipe near Exit 86. An outlet at the end of the proposed cul-de-sac will receive all the stormwater. Staff noted that this site is located in the Long Hill Drainage area and water eventually discharges to a watercourse between Boulder Heights and The Ledges development. Gerwick believes there will be a 2-3 c.f.s. increase in water flow post development. Staff distributed considerations for decision.

MOTION: To approve the Candy Lane Subdivision application for the following reasons:

1. There is no irreversible or irretrievable loss of wetlands associated with this application.
2. There are no future regulated activities made inevitable by this project.

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

1. The 50-foot regulated area and off site watercourse shall be shown on all sheets.
2. The erosion control plan shall be revised to include footing drain locations, stockpiles for individual lots, and tree protection details.

Motion made by Sutphen, seconded by Williams, so voted unanimously.

2. Great Brook Subdivision, Gales Ferry Road and Daboll Road – public hearing continued to May 26, 2004
3. Ninety Nine Restaurant and Pub, 117 Long Hill Road

This item was tabled to the next meeting.

4. Groton Multifamily, LLC (Ledges East), 375 Drozdyk Drive – public hearing scheduled for May 26, 2004

5. Webster Bank, 654 Long Hill Road

Staff noted that staff review was held yesterday and it has been determined that there are many traffic pattern options that hold a 50-foot buffer. Staff distributed considerations for decision.

MOTION: To approve the Webster Bank application for the following reasons:

1. There is a net reduction in impervious surface on the site.
2. There are no future regulated activities made inevitable by this project.
3. There is no irreversible or irretrievable loss of wetlands associated with this project.

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

1. There shall be no activity within 50 feet of the wetlands.

Motion made by Sutphen, seconded by Williams, so voted unanimously.

6. Neal Subdivision, 119 New London Road

This item was tabled to the next meeting.

VII. NEW BUSINESS

1. Report of Chair - None
2. Report of Staff

Staff distributed invitations to a meeting scheduled for Monday, May 17 to discuss the proposed Stormwater Management Plan. The open comment period starts at this meeting. The Agency asked for a copy of the executive summary.

VIII. ADJOURNMENT

The meeting adjourned at 10:15 p.m.

Respectfully submitted,

David Scott