

INLAND WETLANDS AGENCY  
MARCH 8, 2006 - 7:30 P.M.  
TOWN HALL ANNEX - COMMUNITY ROOM 2

I. ROLL CALL

Agency: Scott, Block, Sutphen  
Alternates Ashworth and Furlong  
Staff: Jones, Discordia

Chairman Scott appointed Ashworth and Furlong as voting members.

II. PUBLIC COMMUNICATIONS

None

III. APPROVAL OF THE MINUTES OF February 22, 2006

Sutphen noted that on page 6, that the 1<sup>st</sup> sentence should be replaced with "Sutphen asked if the area of relatively flat road is long enough to slow the stormwater runoff."

MOTION: To approve the minutes of February 22, 2006 as amended.

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

IV. NEW APPLICATIONS

1. Knowles Property, 0 Gold Star Highway

Staff reviewed the plans with the Agency. The applicants are proposing to grade within 75 feet of the wetland in order to construct a single family home on about 20 acres. The existing pipe under the driveway will be replaced. Haley Brook flows along the lot's southern boundary and there is an excavated pond near the house site. Block stated she would like to walk the site as she is not familiar with it. The Agency scheduled a site walk for March 27 at 2:30 p.m.

2. Retail Development, 529, 553, and 571 Gold Star Highway

Guy Hesketh, a licensed professional engineer with F.A. Hesketh & Associates, Inc. presented plans for a retail development on Gold Star Highway. There are 4 parcels, which they would resubdivide into 5 retail lots. Mr. Hesketh stated they are requesting both a permit to conduct regulated activities and a report to the Planning Commission as is required for subdivisions with wetlands. The primary access for the new lots will be off of Gold Star Highway. There will be one large lot in the rear, and smaller lots that will likely be restaurants or small retail shops on Route 184 and one additional lot on

Antonino Road. Mr. Hesketh reviewed the regulated activities. A sidewalk will be installed in the regulated area along Gold Star Highway. A right turn lane to enter the site and restriping of Gold Star Highway will require drainage improvements on Gold Star Highway in front of the Sojourner Inn. Mr. Hesketh reviewed the wetland areas on the large lot. All activity will be over 100 feet away from the wetlands. A series of underground infiltrator units will accept drainage from the roof. The overflow will discharge towards the appropriate wetland areas. A detention pond will be built near Gold Star Highway to take stormwater from the parking lot and it will be seeded with a wetland plant mix. Mr. Hesketh stated they will be using silt fence erosion control and standard hay bale erosion checks at all of the catch basins.

Block asked how many parking spaces are proposed for the whole site. Mr. Hesketh replied 728 parking spaces will be built in accordance with the zoning regulations. There will be no extras. Block asked what the percentage of impervious surface is for the developed site including the roofs of the proposed buildings. Mr. Hesketh stated it was currently at 50%, but the Town maximum is 70%.

Chairman Scott asked for the flow rates at each outlet. Mr. Hesketh replied that the east wetland for a 25 year storm currently receives 12.94 cubic feet per second, with the new proposal it would be approximately 10 cubic feet per second. The west wetland is currently at 16.7 cubic feet per second and would be at 15.6 cubic feet per second with the proposal.

Sutphen asked if blasting would be needed for construction of underground infiltrators. Mr. Hesketh replied that there would be no need for blasting for the infiltrators.

Chairman Scott asked if there was a plan to check for survival of the plantings in the wet basins. Mr. Hesketh stated there is no plan at this point. He stated they use a seed mix designed from native species in the New England area and he has had good experience with it in other developments.

Furlong asked if there were plans to break up the parking lots with plantings and Mr. Hesketh reviewed the landscape islands.

The Agency scheduled a site walk for Monday, March 27, 2006 at 1 p.m. They will meet on Antonino Road.

3. Receipt of New Applications  
- Spears Office Building, 562 Long Hill Road

Staff stated this is a conversion of a house to an office building in the OMF zone on Route 1. Scott Deledda, of DiCesare-Bentley Engineers, informed the Agency that this house is directly across from McDonalds on Long Hill Road. He stated that the lot is divided in half by an intermittent watercourse. It receives stormwater runoff from the two commercial buildings to the north. The site has an existing house and garage. It's

primarily brush and wooded on one side and the other is grassy with gravel. The site is within the Long Hill Watershed area. Mr. Deledda stated they will widen the entrance to the site. They are proposing 10 parking spaces; 6 will be pavement and 4 will be gravel. All the utilities already exist. Stormwater drainage will be infiltrated to the ground. The area to the east of the water course is all upland but they are not intending to use that area.

Sutphen asked what the applicant will do with the other buildings. Mr. Deledda stated that the owner would like to keep the structures for use as storage.

Chairman Scott suggested that the Agency very rarely allows disturbance within 50 feet of a wetland. Staff stated that they informally recommended the client remove the outbuildings and rework the site to avoid work near the wetland.

The Agency will visit the site on their own.

#### V. PENDING APPLICATIONS

##### 1. Groton Highpoint Subdivision, 245 Hazelnut Hill Road

Block stated she had listened to the first public hearing tape regarding the Groton Highpoint Subdivision.

The Agency and staff reviewed the draft motion.

**MOTION:** To approve the Groton Highpoint Subdivision application for the following reasons:

1. The Agency finds that there is no prudent or feasible alternative to the wetland fill associated with the widening of Hazelnut Hill Road in that the applicant provided convincing evidence that the widening is necessary for public safety and that there is no other way to widen the road that will result in less wetland impact.
2. The Agency finds that there is no prudent or feasible alternative to the wetland fill and other regulated activities associated with the installation of the water and sewer lines in that they heard convincing testimony from the applicant and the Department of Public Works that other alternatives or routes for bringing these utilities to the site would not result in less wetland impact.
3. The Agency finds that there is no prudent or feasible alternative to the regulated activities associated with the construction of the open space paths in that the path placement will allow the public to enjoy the scenic wetland resources on this site and that the applicant has provided convincing evidence

that the construction materials and methods will not cause significant wetland impact.

4. The Agency finds that there is a prudent or feasible alternative to filling of 2,917 square feet of wetlands associated with the construction of the emergency access driveway in that the property can be developed without this emergency access. The Agency heard testimony from the applicant's wetland scientist, staff, and the intervener's environmental expert recommending the elimination of this access driveway and its significant direct wetland impacts. The Fire Marshall has stated that the driveway is not needed for emergency access because of the applicant's plans to install residential sprinklers in the homes in this development.
5. The Agency finds that there is no prudent or feasible alternative to the location of the detention basin in that the applicant provided convincing evidence that there is no other location on the site that could accommodate an adequately sized stormwater basin that will slow the velocity of the stormwater coming from the site and that will provide treatment to improve the water quality prior to its discharge.
6. The Agency finds that removal of vegetation, soil disturbance, and construction on steep slopes will result in high velocity, sediment-laden stormwater entering the wetlands. The Agency finds that sediment attenuation and the filtering ability of non disturbance areas decreases with an increase in slope and that sediment will find its way to the wetlands on this site if the non disturbance areas are not increased. The Agency finds that the introduction of sediment to the wetlands and to Fort Hill Brook will result in an unacceptable environmental impact on the brook and wetlands.

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

1. The filling of 2,917 square feet of wetlands associated with the construction of the emergency access driveway is not permitted.
2. Flat stones shall be used for the open space path as it crosses the central wetland. Stairs shall be installed as necessary to accommodate steeper slopes. A stair construction detail that maximizes the use of pervious materials shall be placed on the plan.
3. There shall be no activity other than the open space path, the stormwater management basin, the water and sewer line installation, Road A and its associated storm drains within 100 feet of the wetlands east of wetland flag number 55.

4. Activity on lots 24, 25, 26, and 27 shall be as shown on alternative E08. The plans for these lots shall reflect the recommendations of the January 2, 2006 report by James Cowen of Environmental Planning Services.
5. The stormwater management basin plan shall reflect the design labeled E07. Detailed information regarding the soils installed in the bottom of the basin shall be placed on the plan. Biodegradable erosion control mat shall be used to stabilize the basin slopes. The level spreader shall be designed to decrease flows to non-erosive velocities for 50 and 100-year storms in order to prevent down stream channel scour. In the event that other land use approvals result in a decrease of basin size, the adjustments to the basin design shall result in an increased non-disturbance area adjacent to the wetland to provide for further treatment to improve water quality. The final location to be approved by the environmental planner.
6. Concrete check dams shall be installed along the storm drain line on lots 33 and 34.
7. The alignment of Road A shall be as shown on alternative E11.
8. An erosion control specialist shall certify the erosion control plan for the approved subdivision before the plans are filed in the land records of the Town Clerk.
9. The water and sewer line wetland crossing shall be constructed between July 1 and September 30. Trees shall be preserved to the maximum extent possible within the wetland and adjacent upland review area and mitigation tree and shrub plantings shall be installed in accordance with the January 2, 2006 recommendations of Environmental Planning Services.
10. Prior to construction, invasive species shall be field located and removed in accordance with the January 2, 2006 recommendations of Environmental Planning Services.
11. Native shrubs shall be planted on the slope associated with the Hazelnut Hill Road improvement in accordance with the January 2, 2006 recommendations of Environmental Planning Services.
12. An environmental bond in an amount to be determined by the Planning Department shall be posted with the Planning Department prior to the start of construction.

Findings with respect to the provisions of Section 22a-19(b) of the Connecticut General Statutes regarding alleged unreasonable pollution, impairment, or

destruction of the public trust in the air, water, or other natural resources of the state:

The Agency finds that after review and consideration of the record, including testimony and other evidence from the applicant, the intervener, the public and the staff, as well as all relevant circumstances and factors, the regulated activities associated with the Groton Highpoint Subdivision, as modified, do not have or are not reasonably likely to have, the affect of unreasonably polluting, impairing or destroying the public trust in the air, water or other natural resources of the state including, but not limited to, such resources as wetlands and watercourses, and based on this finding there is no need to consider whether a feasible and prudent alternative exists which is consistent with the "reasonable requirements of the public health, safety and welfare".

The Agency recommends that the Planning Commission allow a reduction of the road width of Road A from 30 feet to 26 feet and that they encourage the use of the mews to reduce the amount of grading necessary to access the lots.

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

2. Catherine Kolnaski Elementary School, 500 Poquonnock Road

Block and Ashworth stated that they had listened to the second public hearing tape regarding the Catherine Kolnaski Elementary School.

The Agency and staff reviewed the draft motion.

MOTION: To approve the Catherine Kolnaski Elementary School application for the following reasons:

1. The Agency finds that there are no prudent or feasible alternatives to the proposed regulated activities in that the applicant has provided convincing evidence that there are no other alternatives to access the property that will provide both a safe access and less impact to wetlands.
2. The wetlands that are to be filled are of low quality.
3. The applicant has taken adequate measures to filter stormwater prior to discharge to the wetlands.

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

1. The erosion control narrative dated February 3, 2006 shall be placed on the plans.

2. An erosion control plan addressing the initial clearing and grading of the site shall be developed and placed on the plans.

Motion made by Sutphen, seconded by Block, 4 voted in favor, one abstention (Furlong).

3. Candy Lane Subdivision, 0 Bonnie Circle

Aaron Morrison, represented the owner and applicant. He reviewed the proposal to subdivide the area into 11 lots and to construct a new road. The road has been shifted closer to I-95 and all the houses have been relocated north to comply with the 100-foot buffer imposed by the Planning Commission. Drainage will be collected from two areas, Pamela Avenue and Bonnie Circle. There are two wetlands areas on site, one of which is of low quality. The level spreader at the drainage outlet is in the previously approved location. The closest house to the wetlands is 90 feet. The previous plan showed the closest house at 50 feet to the wetlands. Staff stated that there were some technical items that needed to be addressed for Public Works but none will impact the wetlands.

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

1. There is no loss of wetland or watercourse associated with this application.
2. The functional value of the wetland pocket near the retaining wall is low.

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

1. The erosion control plan for the individual lots shall be modified to include stockpile locations, construction entrances and footing drains.

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

4. The Woodlands, 0 Ronald Road

Staff reported that test results indicate no septic waste in the area of ponded water noted at the Agency site walk.

Attorney Tim Bates reviewed the location of the proposed multi-family project. The site is located at the end of Ronald Road and west of the Country Glen apartments. The whole site is about 6.3 acres and about 40% of it will be developed. They will need to disturb some buffer area for grading and development of recreation areas. The access to the site will be through the Country Glen development.

Roger Lemieux of Northeast Engineers & Consultants stated the work they are proposing to do is outside the 100 foot buffer except for 7,552 square feet which is needed for grading for the access to building C. Another 420 square feet of upland review area will be disturbed in order to extend the Phoenix Apartments drainage system. Mr. Lemieux noted that the stormdrainage from the Woodlands project will be infiltrated to the ground. A swale and pipe system will carry the water from Phoenix Apartments to a flat area on the Woodlands property. Mr. Lemieux reviewed the location of the new sewer pump station.

Brian Kent, Brain Kent Associates, described the walking paths and the landscape plan. The path material is crushed stone with stone dust surface. All plantings outside the buffer are native plantings. He noted that areas within the buffer will be selectively cleared for path and bench placement. Chairman Scott asked what the sizes of the trees are for removal. Mr. Kent stated that it would be selective based on species but generally no tree with a diameter greater than 2 inches will be removed.

Furlong asked for the length of the buffer crossing. Mr. Lemieux stated it was about 80 feet.

Chairman Scott asked what the finished grades of the slopes would be and Mr. Lemieux stated some are 3:1 and others are 2:1. Chairman Scott suggested using "versa-loc" wall instead of grading for the work on the driveway to building C, as this would move work further away from the wetlands.

**MOTION:** To approve The Woodlands application for the following reasons:

1. There is no loss of wetland or watercourse associated with this application.
2. The applicant has taken steps to filter stormwater prior to discharge to the wetlands or to the ground.
3. The work in the regulated area for recreational purposes is limited in nature and does not involve the use of heavy equipment.

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

1. The final location of the recreation areas and path shall be coordinated with the Environmental Planner to avoid removal of trees and to avoid excessive grading.
2. The retaining wall shall be extended on both sides of driveway to building C to minimize fill.

3. The outlet for drainage system 3 shall be adjusted to maximize distance to wetland.

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

5. Maple Glen Subdivision, 0 Pleasant Valley Road North

Staff stated that the sanitarian has approved the preliminary design of the septic systems. The Department of Public Works doesn't have a long-term plan for extending sewer lines along this area and is neutral regarding the extension of sewer.

Ken Petrini, an engineer from DiCesare Bentley Engineers, went over the functions and values of the wetlands near Pleasant Valley Road North. He referred to page 3 of the report that was submitted to the Agency. He noted that the plan shows no direct wetland impact.

Mr. Petrini reviewed various issues. They are going to ask for a waiver from the Planning Commission for sewer extension. He asked the Agency to make a recommendation in favor of not requiring a sewer hook-up as it would disturb some of the wetland buffer area.

Alan Gardner, applicant, stated that they moved houses as far away as possible from the wetlands.

Chairman Scott asked what the distances are now. Mr. Petrini replied that lot 14 is now 40 feet from the wetland edge.

Sutphen read an excerpt from the environmental report that warns of wetland impact due to construction on steep slopes. Sutphen stated that the work on lots 14 and 15 is too close to the wetlands.

Chairman Scott stated there is a strong potential for erosion and degradation of the wetlands if work is done on the steep slopes in the northeastern part of the site. Sutphen stated this is even more so with all the large trees removed during the timber harvest. Mr. Petrini stated that they have proposed an intensive planting plan for the area south of the driveway. Chairman Scott and Sutphen stated that it would take a few generations to have trees that large again.

Furlong stated that vernal pools can be 4.5" to 4' deep so she disagreed with the report stating that there are no vernal pools on the site.

Clint Brown, DiCesare Bentley Engineers, suggested combining lots 14 and 15. After removing that house the closest driveway to the wetland is 55 feet. The closest point to the grading is 30 feet.

Staff suggested the applicant rework the plans to address the Agency's concerns.

6. Hilton Garden Inn, 224 Gold Star Highway

This application was tabled until the next meeting.

#### VI. NEW BUSINESS

1. Report of Chair

Scott handed out a survey to be filled out by the Agency and returned at the next meeting.

2. Report of Staff

Staff handed out a brochure to the Agency regarding DEP training classes.

#### VII. ADJOURNMENT

The meeting adjourned at 10:00 PM.

Respectfully submitted,

David Scott