

CONSERVATION COMMISSION

REGULAR MEETING JANUARY 20, 2009

E. CURTIS AMBLER ROOM

These minutes are not verbatim, but represent a summary of major statements and comments. For minutes verbatim, refer to audiotapes on file in the Office of the Town Clerk. Audiotapes are retained for the minimum period required under the retention schedule as provided under Connecticut Law.

Chairman Block called the roll call at 7:12 p.m. and noted Commissioners Igielski, Pappa and Shapiro were present. Also present were Alternates Turgeon and Zelek and Mr. Anthony Ferraro, Town Engineer.

NOTE: Chairman Block designated that Alternate Zelek would vote for Commissioner Byer and Alternate Turgeon would vote for the vacant position.

ITEM III

ACCEPTANCE OF MINUTES

Regular Meeting of November 18, 2008

Commissioner Igielski noted the following corrections:

- A. Page 2---Under ITEM VB, remark by Commissioner Igielski should read “Commissioner Igielski (Iiegielski), as a point of order....entered into the record.”
- B. Page 2---Under ITEM VB, remark by Mr. Ferraro should read “Mr. Ferraro responded....on November 7, 2008 (2000) and November 13, 2008).”
- C. Page 3---Bottom of page, Motion by Commissioner Igielski should read “Motion made by Commissioner Igielski to close the Public Hearing....motion was carried.”
- D. Page 4---Top of page, ITEM VB should read ITEM VI B

Motion made by Commissioner Igielski to accept the minutes as corrected and was seconded by Alternate Zelek. There was no discussion. Vote was 4 yes, 0 no, 2 abstentions (Pappa and Shapiro) and the motion was carried.

ITEM IV

PUBLIC PARTICIPATION ON NON-AGENDA ITEMS: NONE

Motion made by Commissioner Pappa to take ITEM VC and ITEM VD out of order and was seconded by Alternate Zelek. There was no Discussion. Vote was 6 yes, 0 no and the motion was carried.

ITEM VC

APPLICATION 2008-10, Lot 5 Costello Road

Mr. Andrew Krar, P.E., from the Beta Group, Rocky Hill, CT, representing the applicant and referring to a plan on the wall entered the following remarks into the record:

- A. The proposed development, 1.73 acres in size, is located at the northerly end of Costello Road.
- B. The plan of development for the site calls for the construction of an 8,000 square foot building, installation of 9,600 square feet heavy duty impervious pavement and 10,000square feet of gravel area for the storage of materials and vehicles.
- C. The remainder of the site would be grass (lawn) area except for the natural buffer area shown on the plan.
- D. A paved swale would be installed behind the building and would extend to the northerly edge of the gravel storage area where a plunge pool would be placed. Surface run off would then sheet flow overland to the wetland.
- E. Mr. Tom Pietras, soil scientist from Soil Science and Environmental Services, flagged the on site wetlands on October 2, 2008 and are shown on the plan. The soil scientist found .30 acres of wetland on site which was equal to the .30 acres of wetland shown on the Town Map (but in a different configuration).
- F. The total area of impact, .78 acres, would all occur within the upland review area (.57 acres would be turned into lawn area and .21 acres into gravel storage area).

Chairman Block asked what type of business would occupy the site? Mr. Krar responded a drilling operation (large diameter holes).

Alternate Zelek asked the following questions:

- A. What is the total wetland area? Mr. Krar responded .30 acres on site plus the wetland on the abutting property.
- B. Will the source of hydration for the wetland be impacted by this project? Mr. Ferraro responded there should be no change. Upland over land flow would be collected into the paved swale that would flow northerly to a plunge pool, then northwesterly by over land flow across the lawn area to the wetland.

C. Where does the onsite pavement flow? Mr. Krar responded into the onsite drainage system that will connect into the Town system in Costello Road.

Commissioner Igielski noted that if the soil scientist wetland boundary limits are going to be used in evaluating the application, the applicant will have to submit an application requesting a Map Amendment.

Chairman Block noted that the swale should be extended to the end of the lawn area. This would eliminate any possible soaking of the northeasterly corner of the gravel storage area.

Alternate Zelek asked why not construct a swale using natural materials? Mr. Krar responded because there would be a high flow velocity within the swale, resulting in a possible erosion condition. Flow from the swale would be used to hydrate the wetland.

Chairman Block asked why is the location of the oil separator in line of the movement of heavy equipment? Mr. Krar responded that he could not provide an answer. He would look into the matter and have a response for next month's meeting.

Chairman Block noted that gravel storage areas (after approval) have been extended in the past (into a regulated area without approval of the Commission). Measures should be incorporated onto the plan to prevent this from occurring.

Chairman Block said that he is of the opinion that water from the plunge pool would get to the wetland faster due to the paved swale.

Mr. Krar said (in his opinion) the volume would be the same after development and take a longer period of time to reach the wetland.

Mr. Ferraro said that he would favor a natural stabilized swale to slow down the flow.

Chairman Block said that money being saved by using a natural swale could be used for water proofing of the building foundation.

Mr. Krar said the plan shows an eight (8) inch perforated foundation drain.

Mr. Krar asked if the if Commission could act on the application tonight because there was no December meeting? Commissioner Igielski noted that the public by law has fourteen (14) days (from tonight's meeting) to submit a public petition for a public hearing.

ITEM VD

APPLICATION 2008-11, 119 Deming Street (Modification to PERMIT (APPLICATION) 2006-24.

Mr. James Cassidy, P.E., Hallisey, Pearson & Cassidy, representing the property owner Deming Road Associates and referring to two (2) site plans (plan approved under Permit

2006-24 and plan with proposed modifications) on the wall entered the following remarks relative to the approved plan into the record:

- A. The site contains 7.38 acres where construction has already started under Permit 2006-24.
- B. The property, following the issuance of Permit 2006-24, now contains .96 acres of wetland primarily located along the southerly property line. In addition .20 acres of (low quality) wetland was removed under the permit.
- C. The approval calls for the construction of nineteen (19) units within a proposed active adult community constructed on an 800 foot roadway. The first floor foot print would be 1,000 square feet.

Mr. Cassidy said that he was asked by the new owner to do a forensic engineering study of the approved plan to see if any savings could be found. His study resulted in a plan with several proposed modifications. He entered the following remarks into the record referring to the revised plan on the wall:

- A. The grading plan approved under the permit would be expensive to implement and would require the installation of a sanitary sewer pump station (at an estimated of \$150,000 to \$200,000) to serve the homes on the lower end of the property. The new (revised) plan would call for sixteen (16) units with a larger first floor footprint along a 450 foot road with a cul-de-sac. The end units would be served by grinder pumps for sanitary sewer service. There would be no need to install a pump station.
- B. The revised plan would require less impervious surface.
- C. A Vortechnic (storm water quality) unit (same size and location per original plan) would be installed (to cleanse surface run off before it entered into the wetland).
- D. The approved plan called for a Conservation Easement that would contain 2.11 acres of land. The revised plan would add .11 acres of mitigation area resulting in a total of 2.22 acres of easement area.
- E. The upland review area would be slightly less than the area shown on the approved plan.
- F. Several conditions of Permit 2006-24 (listen to audio tape for details of proposed changes) would require modification under the revised plan.
- G. As previously noted, the goal of the (forensic) study was to improve the economics of the project while not increasing the impact to the regulated areas.

Recording Secretary Peter Arburrr noted that the Commission could not act on this item until action is taken by the Commission to transfer the permit over to the new property owner.

Commissioner Igielski noted the Commission can either accept the request for Permit Modification of Permit 2006-24 or request the submission of a new permit application.

Commissioner Igielski noted that should the Commission move to address the request as a Permit Modification, you (Mr. Cassidy) should sit down with the Town Engineer and come back with new or revised conditions for comparison with the approved conditions.

Commissioner Igielski noted in the past a request for a Permit Modification was for a minor change or changes, whereas: in this case major changes are involved.

Mr. Cassidy noted the plan with the proposed modifications is more positive and represents no major changes to the wetland.

Motion made by Commissioner Igielski to consider the request to be a Permit Modification of PERMIT 2006-24 and was seconded by Commissioner Pappa. There was no discussion. Vote was 6 yes, 0 no and motion was carried.

ITEM VA

Election of Officers

Office of Chairman

Motion made by Commissioner Igielski to place in nomination the name of Philip Block and was seconded by Alternate Zelek.

There was no other name placed in nomination. There was no discussion. Vote was 5 yes, 0 no, 1 abstention (Block) and motion was carried.

NOTE: Mr. Block assumed the position of the Chair.

Office of Vice-Chairman

Motion made by Commissioner Pappa to place in nomination the name of John Igielski and was seconded by Commissioner Shapiro.

There was no other name placed in nomination. There was no discussion. Vote was 5 yes, 0 no, 1 abstention (Igielski) and motion was carried.

Office of Secretary

Motion made by Commissioner Igielski to place in nomination the name of Mark Pappa and was seconded by Commissioner Shapiro.

There was no other name placed in nomination. There was no discussion. Vote was 5 yes, 0 no, 1 abstention (Pappa) and motion was carried.

ITEM VB

2009 Meeting Dates

Motion made by Commissioner Igielski to accept the proposed meetings dates for 2009 plus the Special and Regular Meeting dates for January 2010 and was seconded by Commissioner Pappa. There was no discussion. Vote was 6 yes, 0 no and the motion was carried.

ITEM VI A

Water Line Installation on Styles Avenue

Mr. Ferraro updated the Commission on the complaint that was received at the November 2008 meeting and entered the following remarks into the record:

- A. The surface runoff from Styles Avenue did flow from the street onto and across the property (at 31 Henry Avenue). NOTE: The work on the project had not been completed at the time of the November meeting.
- B. The placement of curbing (along the gutter line) and grading (behind the curb) now prevent the water from flowing onto the property.

Chairman Block noted there would be no need to keep the item on the agenda.

ITEM VII

PUBLIC PARTICIPATION ON NON-AGENDA ITEMS: NONE

ITEM VIII

COMMUNICATIONS AND REPORTS

Commissioner Igielski asked the Chair to initiate the procedure to open the Commission's Rules and Procedures to incorporate the changes outlined in the February 5, 2008 letter from the Town Attorney. There was an extended discussion by Commission members (listen to audio Tape for details of the discussion). It was the decision of the Chair to place the item on the agenda for the February meeting. Commission members were requested by Chairman Block to review the Rules and Procedures and be prepared to discuss the matter at the February meeting.

Motion made by Commissioner Igielski to adjourn meeting at 9:10 p.m. and was seconded by Commissioner Pappa. There was no discussion. Vote was 6 yes, 0 no and motion was carried.

Peter M. Arburr, Recording Secretary

Commission Members
Tayna Lane, Town Clerk
Town Manager John Salamone
Edmund Meehan, Town Planner

Councilor Myra Cohen
Chairperson, Town Plan and Zoning Commission
Anthony Ferraro, Town Engineer
Ben Ancona Jr., Esquire, Town Attorney
Lucy Robbins Wells Library (2)