



MINUTES

May 24, 2018

PRESENT: John Hall (Chair), Liz Craig, Tom Burgess, Nick Lee, Mark Andrews

ALSO PRESENT: Mike Conklin, Director of Environmental Affairs; Liz Larkin, Recording Secretary; Paul Szymanski, Arthur Howland & Associates; George Logan, REMA Ecological Services, LLC; Sigrun Gadwa, REMA Ecological Services, LLC; Jeff Shamas, VHB; Steven Kochis, VHB; Cathy Smith, Norwalk River Watershed Association

ABSENT: Kathie Mandel & Rick Stow (notified of intended absences)

I. CALL TO ORDER

Mr. Hall called the meeting to order at 7:30 p.m.

II. PUBLIC HEARINGS

A. WET#2508(S) ASML USA, LLC – 77 Danbury Road – demolish existing accessory building, relocate existing driveway, construct building addition and associated stormwater management and utilities (cont.)

Mr. Hall noted for the record he was absent for the last meeting but he has listened to the Public Hearing audio recording on-line and has visited the site.

Mr. Szymanski reviewed the response letter Arthur Howland & Associates provided to address the questions and comments from the Third Party Review Letter and Staff Report. He confirmed no additional disturbance will be needed at the five leak-off areas where storm water discharges to the river because they will cut and cap each of the discharge pipes and leave them in place. Ms. Craig confirmed that the groundwater has been examined using deep test holes within the last two weeks with the recent storm events.

Mr. Conklin read the Staff Report into the record. He asked that all the trees be removed be represented on the plans as it is misleading to show only the larger trees. Ms. Gadwa confirmed the three large trees along the river will be retained and provided a photo of this area. Ms. Craig questioned why the stormwater basins are so close to the riverbank. Mr. Szymanski responded that the proposal is an improvement for the runoff on the site rather than the current sheet flow. Mr. Logan added that there is Japanese Knotweed where the basin is proposed as this area will

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already be disturbed with the removal of the invasive. Ms. Craig raised concern about this removal process as the plant is prone to break up and affect the downstream habitat. She inquired about leaving the Knotweed as it is currently stabilizing the bank. Mr. Logan confirmed excavation is the best way to remove Japanese Knotweed. Ms. Gadwa added that it would be irresponsible to leave this invasive at the site and noted the basins themselves provide a riparian habitat.

Mr. Szymanski confirmed he could shift the northwest basin 10 – 15 feet further away based on the feedback from the Commission. Mr. Conklin agreed this would be beneficial as to avoiding direct wetland impact. Mr. Conklin also asked if the emergency spillway on the eastern basin could be shifted westward to eliminate the direct wetland impact at that location. Mr. Szymanski stated this could not be shifted due to the 30" outfall location. Ms. Craig then confirmed the water table is found at 74 inches below the surface of the existing gravel parking lot.

Mr. Logan stated it would be difficult to tell with certainty where the proposed plantings will be placed. He suggested providing general details of sections and what plants would be installed. Mr. Lee stated any changes to the plan could be brought in as a field change. Mr. Conklin noted that the trees need to be on the plan for clarification in the future and staff should not need to hunt for the trees. A discussion ensued about the sizes of the proposed mitigation plantings. Mr. Szymanski and Mr. Logan agreed the proposed location and plant sizes will be amended on the revised plans that will be submitted to the commission.

Mr. Hall noted the site is intensely used and he hopes the property owners can look at the entire parcel for remediation opportunities. He was questioning why they chose the location for the new addition and the entire layout of the site. Mr. Szymanski stated there are real architectural reasons for the building to be in the proposed location. He stated the architect can attend the next hearing to go over those details.

Mr. Shamas stated the original reports showed mitigation areas however the applicant should not receive mitigation credit for the stormwater basin area because they will always be maintained as drainage features and not be left to revert to natural area in the future. He noted moving the basins out of the wetlands would be a benefit and questioned the actual wetland boundary as there were no flags at the site when he conducted his site visit. He suggested alternatives that would reduce the pressure on the river. Mr. Shamas also stated there should be weekly monitoring during construction and after any ½ inch or greater rain event. Mr. Szymanski committed to a 70% removal of disturbance in the actual wetland from the current plan.

Mr. Conklin noted there is a previously permitted project underway at the site where petroleum is being removed under an existing permit. He advised Mr. Szymanski that there is a monitoring well on site that should not be disturbed.

Ms. Smith of the Norwalk River Watershed Association (NRWA) raised concern about any flow or velocity changes to the river with the proposed changes. She also raised a concern about the type of materials that will be loaded and off-loaded on the loading dock near the river. Mr. Szymanski offered to meet with the NRWA at the site to discuss the concerns.

With no further questions or comments, the Public Hearing was continued until the next meeting on June 14, 2018.

B. WET#2513(S) BALASUBRAMANIAM – Overidge Lane (Map#4 Lot#34-1) – proposed new single-family residence within a regulated area (cont.)

Mr. Conklin stated the applicant requested a continuation for the hearing.

III. APPLICATIONS READY TO BE REVIEWED

A. WET#2512(I) SPOSATO – 4 Ivy Lane – proposed building additions to residence and new A/C within a regulated area (cont.)

Mr. Cugno addressed the comments submitted by the Conservation Commission by noting the invasive shrubs in the wetlands will be removed, the debris piles in the wetlands are being removed and provided a plan with a Rain Garden designed using the UCONN Rain Garden app. He confirmed all new roof leader drains will be tied to the Rain Garden. He also confirmed the owners agree with only using environmentally friendly lawn care practices.

Ms. Craig MOVED to APPROVE WET#2512, with the General and normal Special Conditions, SECONDED by Mr. Andrews and CARRIED 5-0-0.

IV. APPLICATIONS READY TO BE ACCEPTED

Mr. Lee MOVED to ADD a new Corrective Action Application for 50 Sunset Pass to the Agenda for Acceptance, SECONDED by Mr. Andrews and CARRIED 5-0-0.

Mr. Lee MOVED to ACCEPT WET#2520, SECONDED by Mr. Andrews and CARRIED 5-0-0.

V. APPROVED MINOR ACTIVITIES - None

VI. CORRESPONDENCE

Mr. Conklin advised that a letter was received by Mr. McFarland of 14 Partrick Lane asking for an extension of their Corrective Action Application deadline until the August 9, 2018 meeting. The Commission discussed the violation and the timeframe of the meetings and agreed that waiting until August is unacceptable. The members discussed providing an extension into July.

Mr. Lee MOVED to DIRECT STAFF to issue a letter in response to the McFarland's Letter that he needs to provide the Corrective Action Application by the first meeting in July, SECONDED by Ms. Craig and CARRIED 5-0-0.

VII. OTHER APPROPRIATE BUSINESS

A. POCD Questionnaire Discussion – The Commission discussed the letter that was provided by Mr. Hall in relation to the Inland Wetlands Board and the Plan of Conservation & Development. The members suggested a stronger look at upland review areas under construction and to keep water runoff on site which will allow for more groundwater recharge.

B. VIOLATIONS

- i. **WET#2449(I) – MCFARLAND – 14 Partrick Lane** – “corrective action” for tree clearing

This item was discussed above under Correspondence.

- ii. **LESKA – 50 Sunset Pass** – construction of a patio in a regulated area without a permit

Mr. Conklin advised that Mr. Leska built a patio and a shed without a permit and as this is his second violation a Municipal Citation was issued. Mr. Conklin confirmed the applicant paid the fine and submitted his “Corrective Action” Application which was accepted previously in the meeting.

C. Approval of Minutes – May 10, 2018 Meeting Minutes

Ms. Craig noted that she thought the Meeting Minutes of May 10th were too brief. The Commissioners expressed their satisfaction with the quality and thoroughness of the minutes in general, particularly in light of the time constraints on staff. The Commission agreed that it would be a good idea to mention all names of those who speak.

Mr. Lee MOVED to APPROVE the May 10, 2018 Meeting Minutes, SECONDED by Mr. Burgess and CARRIED 5-0-0.

VIII. ADJOURN

Mr. Andrews MOVED to ADJOURN at 9:29 pm, SECONDED by Mr. Burgess and CARRIED 5-0-0.

Respectfully Submitted,
Liz Larkin
Recording Secretary, Environmental Affairs