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MINUTES

January 11, 2018

PRESENT: John Hall (Chair), Liz Craig, Kathie Mandel, Mark Andrews, Tom Burgess, Rick Stow

ALSO PRESENT: Mike Conklin, Director of Environmental Affairs; Liz Larkin, Recording Secretary; Tom Quinn, Peak Engineers, LLC; Kate Throckmorton, Environmental Land Solutions, LLC

ABSENT: Nick Lee (notified of intended absence)

I. CALL TO ORDER

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

II. PUBLIC HEARINGS - None

III. APPLICATIONS READY TO BE REVIEWED

A. WET#2498(I) YATES – 15 Olmstead Hill Road – proposed new home construction and associated activities within a regulated area

Mr. Conklin, Ms. Craig, Mr. Burgess, Ms. Mandel and Mr. Andrews indicated they visited the site.

Mr. Quinn described the lot was formed via subdivision in 1952 and consists of 1.58 acres which is non-conforming in the 2-acre zone. He noted the driveway is on the right side of the property and needs to meet the 1962 Planning and Zoning Regulations. Mr. Quinn confirmed Otto Theall flagged the wetlands corridor on the western side and there is an additional wet area and pond to the south. He also established that the property has been in the family for 150 years.

Mr. Quinn stated they tested for septic suitability at the top of the bank. He noted some historic cutting of sand and gravel in the area created this berm which protects the pond. Anything that drains to the back portion of the site will be intercepted by the existing berm. In addition, they propose a rain garden and roof discharge off the front and sides to allow the runoff to go into the ground and infiltrate.

Mr. Quinn stated the area shown in brown on the plan is included in the re-seeding plan for a

meadow and there will be 2-man boulders partially buried along the limit of lawn. He noted the total area proposed to be improved is 37,000 sq. ft and the regulated area improvements include 15,000 sq. ft. of disturbance. He added that the plan includes all appropriate soil and erosion controls. He also noted the basin that was installed by the entrance was installed for farming and will be opened and filled in with this proposal.

Mr. Hall asked if the driveway can be straighter, rather than undulating, as it could constitute less disturbance cutting through two regulated areas. Mr. Andrews stated it was odd that water does not flow out on either side of the berm. Mr. Quinn explained they could utilize the existing driveway, which is one of his alternatives. Ms. Craig asked about the history of the berm. Mr. Quinn described the land was utilized for sand and gravel. Mr. Conklin stated when the soil was mined the soil was scooped out and a berm was left by not disturbing that area. Ms. Craig inquired if the site is within a public water supply area. Mr. Quinn responded that they are not as this is south of the reservoir. Mr. Conklin stated the pond flows to the Comstock Brook but noted there is land in between.

Ms. Throckmorton provided the planting plan and wetland enhancement information. She confirmed there is a large meadow 50 – 70 ft. from the wetlands that will be undisturbed. She proposed new shade trees by the driveway to replace the two pines that will be removed for the driveway construction and dogwoods to block the old driveway. There are also supplemental shrubs and a seed mix for the rain garden to capture the runoff on the northern portion of the site. Ms. Throckmorton noted there is some Japanese Knotweed present that can be easily managed and eradicated in three years time.

Ms. Throckmorton confirmed she is proposing white pines and swamp white oaks. Ms. Craig asked why the soil stockpile area is so large and asked that trees be depicted on the plans for future applications. Mr. Quinn responded that he has been told some stockpile areas are not realistic and has shown it as worst possible scenario. Mr. Burgess questioned the “buried” boulders on the plans. Mr. Quinn confirmed this is so that owners can put them in the ground a bit farther, but does not affect the demarcation.

Mr. Andrews inquired if a smaller house footprint was considered. Mr. Quinn confirmed it was considered but the septic serves a 6-bedroom home, although they propose 5-bedrooms only. Mr. Conklin asked if there would be room for a pool outside the regulated area. Mr. Quinn responded that a small pool could fit. Ms. Craig asked for the typical size of a home when the subdivision was approved in 1963. Mr. Quinn reviewed the coverage maximums and confirmed they are abiding by the Planning and Zoning Regulations.

Ms. Craig asked Mr. Conklin what he thought about the driveway. Mr. Conklin responded that it does not directly impact the wetland. Mr. Hall noted that the driveway runoff will flow to the rain garden. Mr. Conklin asked if pervious materials can be used for the driveway in the regulated areas. Mr. Quinn stated it could remain gravel in those locations. Mr. Conklin stated there is not much infiltration there as the water table is high. Mr. Andrews questioned the need for a rain garden in the upland review. Mr. Quinn responded that they considered curbing and lifting the driveway but this would require a fill package which he does not recommend. Mr. Conklin asked if the roof drains can be discharged without piping to the regulated area. Mr. Quinn offered to pull back the two roof drains and confirmed the rain garden is not a true depiction as they are not digging down for this purpose. Instead, it will be a 9 – 12 in. high curb

that's planted. Mr. Conklin suggested using pervious pavers in the courtyard for better infiltration. Mr. Quinn suggested drywells in lieu of the courtyard pavers. Ms. Craig suggested scaling down the size of the garage and parking area. Mr. Quinn took a red pen to the plan and amended the parking area.

Ms. Craig inquired how the construction vehicles will access the site and again noted she was concerned about the size and location of the soil stockpile. Mr. Quinn showed how and where the trucks will be moving around the site. He added there will not be much compaction if there is only 6 inches of stockpile and the area is well drained.

A discussion ensued relating to the theoretical nature of the plan as this is not the final building layout. Mr. Hall stated that as long as an application is within the confines of what the commission regulates, it will be approved and at the time of permitting, if the plan is substantially changed, it would come back before the commission. Ms. Craig asked if this is the model we want to follow in our town. Mr. Hall countered that the 100 foot regulated area does not mean there can be no development. Ms. Craig stated she wants the regulated areas protected to their greatest extent. Mr. Conklin noted in this case, the surface water flows into a wetland which is more of a wet meadow which may be able to handle the runoff due to the conditions. Mr. Hall suggested increasing the size of the meadow on the bottom of the plan.

Ms. Craig asked if a bioswale can be used in lieu of a rain garden. Ms. Throckmorton responded that the lower wetland is completely protected by the berm and the water cannot move. Mr. Andrews pointed out that there is an open area at the end of the berm that should be extended. Mr. Conklin asked if the berm was outside the 100-year flood line. Mr. Quinn stated he would look into this question and will come back with a revised plan based on the discussions.

With no further questions or comments, WET#2498 was continued to the next meeting being held on January 25, 2018.

IV. APPLICATIONS READY TO BE ACCEPTED

A. WET#2499(I) KUMAR – 45 Branch Brook Road – proposed in-ground pool and associated activities within a regulated area

Mr. Burgess MOVED to ACCEPT WET#2499, SECONDED by Ms. Mandel and CARRIED 6-0-0.

V. APPROVED MINOR ACTIVITIES - None

VI. CORRESPONDENCE

A. WET#1885(S) ANSPACH – 232 Ridgefield Road – permit extension clarification

Mr. Conklin explained an error was made at the last meeting regarding this owner's permit extension request. He stated that an old permit was used in the calculation and this more recent permit number should have received the extension.

Ms. Craig MOVED to GRANT the extension to the permit, SECONDED by Mr. Andrews and

CARRIED 6-0-0.

VII. OTHER APPROPRIATE BUSINESS

Mr. Andrews MOVED to ADD 10-20 Westport Road Permit Determination to the Agenda, SECONDED by Mr. Stow and CARRIED 6-0-0.

A. 10-20 Westport Road Permit Determination

Mr. Conklin advised the bridge that was permitted at 10-20 Westport Road has a crumbling footing that needs to be fixed immediately. The proposal is to hand dig a temporary footing which will be 4 ft. x 10 ft. big and 6 – 8 ft. deep so they can shore up the footing. He added that the metal is flaking off and they will weld new steel pieces underneath the bridge.

The Commission agreed this is a true emergency and does not have a negative impact to the wetlands. The Commission agreed that a minor emergency permit is appropriate.

B. Violations

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

Mr. Conklin stated there was nothing new to report.

- ii. **CAREY – 217 Olmstead Hill Road** – unauthorized clearing of land within regulated areas

Mr. Conklin stated there was nothing new to report. Ms. Craig asked if their application was already due. Mr. Conklin stated he would re-visit the dates.

C. Approval of Minutes – December 14, 2017 Regular Meeting

Mr. Andrews MOVED to APPROVE the meeting minutes from the December 14, 2017 Regular Meeting, SECONDED by Ms. Mandel and CARRIED 6-0-0.

VIII. ADJOURN

Mr. Stow MOVED to ADJOURN at 9:46 pm, SECONDED by Mr. Andrews and CARRIED 6-0-0.

Respectfully Submitted,
Liz Larkin
Recording Secretary, Environmental Affairs