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TOWN OF WILTON  
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MINUTES

June 28, 2018

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

**ALSO PRESENT:** Mike Conklin, Director of Environmental Affairs; Liz Larkin, Recording Secretary; Casey Healy, Gregory & Adams; Kate Throckmorton, Environmental Land Solutions; Craig Flaherty, Redniss & Mead; Carver Glezen, Triton Environmental; Paxton Kinol, Wilton Heights, LLC; Anthony Boccanfuso, Neighbor; Jeff Kaplan, Neighbor; John O'Byrne, Neighbor; Alexis Boccanfuso, Neighbor; Chris Green, Property Owner; Jerry Green, Property Owner

**ABSENT:** Nick Lee (notified of intended absence)

**I. CALL TO ORDER**

Mr. Hall called the meeting to order at 7:31 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. Conklin read a letter into the record from the Agent requesting a continuation and providing approval to extend the timeframe for the Public Hearing.

**III. APPLICATIONS READY TO BE REVIEWED**

- A. WET#2521(I) CLUNE – 50 Middlebrook Farm Road** – new septic system for cottage in an upland review area

Mr. Conklin read a letter into the record from the Agent requesting a continuation of the hearing in order to allow South Norwalk Electric & Water to comment.

**IV. PUBLIC HEARINGS**

- A. WET#2519(S) WILTON HEIGHTS – 300 Danbury Road** – redevelopment of properties with two buildings that will consist of retail space and residential units within a wetland

Mr. Conklin, Mr. Hall, Ms. Craig, Mr. Stow and Mr. Andrews indicated they visited the site.

Mr. Healy waived the reading of the documents and described the location of the proposed redevelopment of two buildings which will be retail and residential in nature. He stated the application is before the board as there are wetlands, a wetland crossing and upland review area on this site. Mr. Healy indicated they submitted written responses to the Staff Report and there will be further responses provided on or before the next meeting being held on July 12, 2018.

Ms. Throckmorton explained the existing conditions on the site including where the intermittent watercourse traverses the property and the associated wetlands. She defined where the slopes are and where the stormwater collects and discharges to the Norwalk River. She stated the wetlands are naturally wooded with a canopy of shade trees and understory trees with leaf litter on the ground and non-native invasive plants.

Ms. Throckmorton described the function of the wetland where it conveys water off the hillside, gently slopes and settles out the sediment. This provides infiltration for surface conveyance to the Norwalk River through three direct discharges off the parking area with small pipes and footing drains.

Mr. Flaherty showed how the pipes take the water across the road and into the river, which he described as channelized over time. He stated the soils have been worked over and there are septic systems present with an impacted gravel lot. With this proposal, the site will be divided into two buildings keeping the footprints as small as possible. There are 74 residential units which Mr. Flaherty described as being in a smart location in the town center and near the Wilton Train Station.

Mr. Flaherty showed some offsite improvements including a new sidewalk for safety purposes. As the site is being built over existing parking area, the property owners are asking to construct underground parking with green roofs which reduces the impervious surface. Mr. Flaherty confirmed the trash receptacles will be enclosed and the loading docks for the retail floor will be covered so that none of the runoff will flow to the stormwater management system. These stormwater systems include catch basins which flow to an oil/grit separator and into a rain garden where some will infiltrate and some will be held in the detention system. Mr. Flaherty stated the runoff under the existing conditions is 100% untreated and the proposal will equate to 87% of runoff being treated. In addition, there is a micropool collecting runoff from the roof of the southern building with a large infiltrator out front. This slows the water and reduces peak flow by 3% - 18% depending on the severity of the storm.

Mr. Flaherty described the wetland crossing and stated the State Department of Transportation wants to maintain the crossing with a fully operational intersection. The abutment for the crossing will be a maximum 3 ft. over the watercourse so any stormwater flows are unobstructed.

Ms. Craig raised concern about the proximity of the north building to the resource. Mr. Flaherty stated there is about 50 ft. to the building edge and they require about 10 ft. to work around the structure for siding, painting and window installation. Mr. Conklin confirmed soil and erosion measures will be in place. Mr. Flaherty confirmed they are proposing a 6 ft. chain link fence at the ridge line.

Ms. Throckmorton reviewed the landscaping and planting plans. All areas will be landscaped and the wooded area will be replanted for the proposed woodland walk. The front of the site will have street trees that are native and salt and sand tolerant. All disturbed areas will be re-seeded and naturalized and they will supplement the understory trees with special perennials for pollinators.

Ms. Craig raised concern about the removal of 50 trees on the site and asked what impact this will make on the wetlands. Ms. Throckmorton responded that there will be no impact as the water is being filtered and treated with three direct discharges being removed. Ms. Craig asked how much of the buffer in the northeast corner is being removed. Ms. Throckmorton responded there is temporary disturbance but the whole area will be re-forested. Mr. Hall stated this location would not affect the watercourse and Ms. Craig countered that this is a big development in a small area. Ms. Throckmorton counted eight trees being removed in this specific location and they are not clearing to the wetland line. She added that the canopy will remain. Ms. Craig stated there will not be enough sun for those plants to grow there. Mr. Flaherty added that the runoff flows away from the watercourse and toward the building due to topography.

Mr. Healy noted they received a letter from Norwalk River Watershed Association (NRWA) and they will prepare responses for the next meeting on July 11, 2018.

Mr. Glezen confirmed they were hired for Phase I and Phase II Environmental Studies and they have found several areas of impacted soils they will remove from the site. Two locations of impacted soils are within wetlands. The excavated soils will be loaded onto a truck and hauled off site. Ms. Mandel asked for the timeframe of this activity. Mr. Glezen responded it would take about one week to complete and they will conduct demolition abatement. He also confirmed less than 200 cubic yards will be removed. Mr. Kinol added that he assumes they will find more contaminants when they open up the site but these areas will drain away from the wetlands.

Ms. Craig asked if the project can be scaled down as the neighbors will see the buildings. Mr. Flaherty noted they are considering white colors for the front of the building and muted colors in the back with a 300-400 ft. stand of vegetation in between. Ms. Craig confirmed the future tenants would have a view of the wetland and a woodland walk. She asked that this walkway be shifted to disturb less of the buffer and add more shade trees.

Mr. Conklin asked if the infiltration galleries will be affected by the contaminated materials found on the site. Mr. Glezen confirmed the Connecticut Transfer Act requires testing of the water to ensure compliance. Mr. Kinol added that Wilton Heights, LLC has a nursery where the plants are started with fertilizer and brought in later.

Ms. Craig asked about the type of bridge being proposed for the wetland crossing. Mr. Flaherty described this as a component bridge with an abutment five feet out. Mr. Conklin suggested an on-site monitor and certification by the engineer at the completion of the project.

Mr. Boccanfuso, of 13 Crowne Pond Lane, stated this proposal would lead to a monstrosity out his window. He raised concern about the underground garage being constructed with bedrock present and the blasting that will be necessary. He noted a mistake on the cross section and asked what other mistakes may be made in the process. Mr. Healy stated the Crowne Pond

development was blasted when installed.

Mr. Kaplan, of 8 Greenbriar Lane, stated he sees benefits from this proposal and submitted a petition in favor of the application with 86 signatures.

Mr. O'Byrne, of 18 Crowne Pond Lane, stated he has full confidence that the applicant and the board will do the right thing for this site. He noted that when Route 7 was widened, Crowne Pond sold some land to the state which included the construction of a new stone wall. He would like to note that the wall should be protected when blasting and construction are taking place. Mr. Hall confirmed this is more of a Planning & Zoning request as this board only looks at wetland issues.

Alexis Boccanfuso, of 13 Crowne Pond Lane, stated she currently looks down on a one-story residence which is 200 ft. away. She submitted a petition against the application with 29 signatures. She is opposed to building in the residential area with a high density building next to significant wildlife habitat. She is concerned the blasting will affect everyone in the vicinity. She added that the additional lighting required with this type of use will impact creatures and residents. Mr. Hall confirmed she has no expertise in this area. Ms. Boccanfuso stated the southern building does not have a covered loading dock as stated in the presentation and the Plan of Conservation & Development suggests that natural areas remain.

Mr. Chris Green, of Whitewood Lane, stated his home was private until Crowne Pond was built. He stated nobody from Whitewood fought their development and they lived through an entire year of blasting for Crowne Pond.

Mr. Jerry Green, of Whitewood Lane, stated the entire Center was covered in dust when Crowne Pond was being built. He is impressed with the plan for the parcels.

Mr. Flaherty responded to the public comments by noting blasting is not this Commission's purview. He confirmed they will conduct pre and post blasting inspections and the buffers they are proposing are substantial. They are adhering to all requirements of zoning for setbacks and screening. He added that this Commission cannot deny this application because neighbors can see the building or the lights. He also confirmed they are proposing a Conservation Easement of 3.4 acres.

With no further questions or comments, the Public Hearing was continued until July 12, 2018.

## **V. APPLICATIONS READY TO BE ACCEPTED**

Ms. Craig MOVED to ADD WET#2525 to the Agenda for acceptance, SECONDED by Mr. Stow and CARRIED 5-0-0.

**A. WET#2525(M)ANDERSON – 7 Hearthstone Lane** – proposed shed adjacent to a wetland

Mr. Andrews MOVED to ACCEPT WET#2525, SECONDED by Ms. Mandel and CARRIED 5-0-0.

## **VI. APPROVED MINOR ACTIVITIES**

**A. WET#2523(M)SAFKO – 117 Middlebrook Farm Road – proposed LP tanks 25 ft. from wetlands**

**B. WET#2524(M)CONSTANCE – 14 Cardinal Lane – install two A/C condensers**

Mr. Conklin provided a brief review of the recently approved Minor Activities.

**VII. CORRESPONDENCE - None**

**VIII. OTHER APPROPRIATE BUSINESS**

**A. VIOLATIONS**

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

Mr. Conklin advised that based on the recent letter received from the McFarlands, there will be a Show Cause Hearing at the next meeting of the Commission on July 12, 2018.

**B. Approval of Minutes – June 14, 2018 Meeting Minutes**

Ms. Craig MOVED to APPROVE the June 14, 2018 Meeting Minutes, SECONDED by Mr. Andrews and CARRIED 5-0-0.

Ms. Craig MOVED to ADD the POCD Meeting Discussion to the Agenda, SECONDED by Mr. Andrews and CARRIED 5-0-0.

**C. POCD Meeting 6/21/18 Recap**

Mr. Conklin stated the meeting went well and the Town is recommending all new plantings installed for future proposals will be native and non-invasive.

**IX. ADJOURN**

Ms. Mandel MOVED to ADJOURN at 9:49 pm, SECONDED by Mr. Stow and CARRIED 5-0-0.

Respectfully Submitted,  
Liz Larkin  
Recording Secretary, Environmental Affairs