



MINUTES

September 26, 2013

PRESENT: Frank Wong, Chair, Elizabeth Craig, Nick Lee, Dennis Delaney

ALSO PRESENT: Patricia Sesto, Director, Environmental Affairs; Liz Larkin, Recording Secretary; Will Patty, neighbor; Steve Trinkaus, Trinkaus Engineering; Tim Geitz, neighbor; Leslie & Larry Slavin; Paul Holub, Paul Gerard Holub Architect & Associates

ABSENT: Elisa Pollino (notified of intended absence), John Hall

I. CALL TO ORDER

Mr. Wong called the meeting to order at 7:41 p.m.

II. PUBLIC HEARINGS

A. WET#2192(S) – HALLMAN – 25 Spoonwood Road – “corrective action” for clearing a wooded area (cont.)

Ms. Sesto confirmed that she has not heard from the Hallmans, and reminded the commission that they had granted a 2 meeting extension at the last hearing.

B. WET#2202(I) – WILTON YOUTH FOOTBALL – 131 Middlebrook Farm Road – convert existing sod field to a new artificial turf field at Middlebrook School

Ms. Sesto read the documents into the record and noted that the applicant has requested a continuance due to the engineer being out of town.

Ms. Craig and Mr. Delaney indicated they visited the site.

Mr. Patty, neighbor at 174 Ridgefield Road, stated that he was concerned about the environmental impacts of the drainage. He confirmed there is a long drainage way that runs down towards the Comstock Brook. His concern relates to water quality and quantity changing with this installation of the synthetic turf field. He stated he and his neighbor that have a shared driveway have experienced issues with flooding even with the existing grass field. He confirmed that he hired Professional Engineer, Steve Trinkaus to review the application.

Mr. Trinkaus confirmed that he was hired by Mr. Patty to provide his opinion on the stormwater management relating to the proposed turf on the site. He described the movement of stormwater through the field surface. He noted that there is 940 linear ft. of 24 in. perforated plastic pipe on the plan, with an expected level of infiltration as detailed by the applicant's engineer. He described his concern that there is no evidence that the soils can infiltrate the stated volume as there was no testing completed. He also noted a conflict with terminology. The plan identifies a bio-filter is proposed, when in fact, its design is more in keeping with a detention pond.

Mr. Trinkaus stated that a major drawback of a turf surface is there is more runoff as there is no real grass taking in the water. He stated that the storage of the runoff is not enough compensation; treatment has to be included. The CT DEEP minimum goal for suspended solids attenuation is 80%, but there is no evidence in the application to conclude this goal is being met.

Mr. Trinkaus noted that small pieces of rubber are present in the turf as filler, and these can break up and become small particles in the runoff. He stated this can have an adverse impact to the Patty's wetland and the Comstock Brook. He added there is already erosion on the Patty's property. Mr. Trinkaus expressed concerned about the thermal impacts of the runoff as the turf gets extremely hot with these black rubber pieces. He stated that this should be held and treated as there is no evidence it will infiltrate into the ground. This can cause degradation of the stream channel morphology.

Mr. Trinkaus stated that there is insufficient separating distance between the top of the infiltrators and the bottom of the artificial turf base. Further, the applicant's report uses a design infiltration rate of 3 inches per hour, but there is no test data to support this claim. A test done at ground level should not be acceptable as any regrading will change the bulk density of the soil and consequently its ability to infiltrate. He concluded by stating that there is insufficient information that this should keep the commission from approving this application. Without a working stormwater management system there will be increased volume of insufficiently renovated runoff, that will result in erosion and channelization towards the brook and decreased water quality.

Mr. Patty read an excerpt from the Inland Wetlands Regulations to reiterate to the commission what their responsibility is in preserving, maintaining and improving water quality. He then read the definition of pollution and stated that the thermal affect would be considered pollution. He stressed that he is not against the idea of having an artificial turf field, he just wants to ensure it is done properly. He stated that monitoring should be a condition of approval to ensure there are no future issues.

Mr. Geitz, neighbor at 170 Ridgefield Road, asked Ms. Sesto why this would not be considered as a significant level activity. Ms. Sesto confirmed that there is no physical intrusion and it is more than 100 feet to the watercourse. Mr. Geitz restated that monitoring should be required to ensure compliance as he is concerned about the new septic he recently installed on his property. He noted there is a high water table in the area. He questioned why the Health Department was not involved.

Mr. Lee asked if the commission could conduct a site walk of the Patty and Geitz properties and they were both amenable. Mr. Wong confirmed that any water quality testing is completed at the point of discharge, and would not be conducted downstream.

With no further questions or comments, Mr. Wong continued the Public Hearing until the next meeting on October 10, 2013.

III. APPLICATIONS READY TO BE REVIEWED

A. WET#2215(I) – SLAVIN – 87 St. John’s Road – removal of 6 trees and pruning of 3 trees within a regulated area

Ms. Craig, Mr. Lee, and Mr. Delaney indicated they visited the site.

Mrs. Slavin stated that they had some trees come down in recent storms. They have several trees that they feel are dangerously close to the house and are asking for permission to remove 6 trees and prune 3 others on their wooded property.

Ms. Sesto pointed out that their plan was slightly different than the aerial GIS view, as the trees to be removed are actually on the north side of the stream. Ms. Craig stated that she thought the two black birches by the driveway are important to the integrity of the streambank. Ms. Sesto indicated that she did readily see the threat from these two trees and two other birch trees to the west. Mrs. Slavin stated that she had two licensed arborists come to the house and they thought the trees were vulnerable. Mr. Lee asked for the rationale on removing the trees next to the stream. Mrs. Slavin responded that a large oak fell during Sandy and blocked their driveway and they would like to avoid this issue in the future. Ms. Craig stated that this area is protected and not near the house so she was not sure why they would want to remove them. Mr. Lee stated that the Black Birches are not long living trees. Ms. Craig asked if they would consider replanting anything else in the area and suggested dogwoods.

Ms. Sesto raised concern relating to the impact of remaining trees in the area in the process of removing the large trees on the property. Mr. Lee asked how they would get the trees out. Ms. Slavin stated they would use bucket trucks. Mr. Wong stated it is important to ensure the remainder of the lot stays intact.

Mr. Lee MOVED to APPROVE WET#2215, SECONDED by Mr. Delaney and CARRIED 3-1-0 with Ms. Craig voting against the application as she thinks they should replace trees which is not the intent.

B. WET#2219(I) – LAMONTE – 5 Edgewater Drive – one-story rear addition

Ms. Craig and Mr. Delaney indicated they visited the site.

Mr. Golub explained the one story addition that is being proposed on the site. They will extend two existing baths and the master bedroom. The addition will be built on four piers so there will be minimum disturbance to the areas.

Ms. Sesto asked if the Health Department required a B100a. Mr. Holub indicated that the Health Department already signed off on the plan. Ms. Craig asked what is proposed underneath the new structure. Mr. Holub stated that it would be returned to grass and indicated there is a pathway around the garage they would like to maintain. Mr. Holub confirmed that they already received a variance for the 30 ft. setback.

Mr. Lee MOVED to APPROVE WET#2219, with the General and normal Special Conditions, SECONDED by Mr. Delaney and CARRIED 4-0-0.

IV. APPLICATIONS TO BE ACCEPTED

A. WET#2227(I) – MINOGUE/SMITH – 93 Kent Road – B100a 75 feet from a wetland

Mr. Wong MOVED to ACCEPT WET#2227, SECONDED by Mr. Delaney and CARRIED 4-0-0.

V. APPROVED MINOR ACTIVITIES

A. WET#2224(M) – EMERICK – 275 New Canaan Road – replace roof over existing deck with extension of 4 ft, 25 ft from a wetland

B. WET#2220(M) – KUPERMAN – 326 Thayer Pond Road – generator installation 25 ft. from a wetland

C. WET#2223(M) – ARBOGAST – 58 Scarlet Oak Drive – generator installation and two above ground propane tanks 25 ft. from wetlands

Ms. Sesto provided a brief explanation of the approved minor applications.

VI. CORRESPONDENCE

A. CUTE ASSOCIATES, LLC – 991 Danbury Road – request to lift Cease & Desist Order

Ms. Sesto confirmed that the final as-built has not been received so the Cease and Desist should remain on the property until local and state health departments have confirmed compliance.

VII. OTHER APPROPRIATE BUSINESS

A. Violations

- 1. Kevin Smith & Carol McDonnell-Smith – 281 Sturges Ridge Road**
- 2. Jim DeVito – 40 Honey Hill Road**
- 3. Chemlali – 161 Linden Tree Road**
- 4. Lussier – 347 Thayer Pond Road**

Ms. Sesto noted that the Smith's have a soil scientist coming out to confirm if a watercourse is present so they are making progress.

Ms. Sesto confirmed that town counsel has taken over the DeVito and Ciganik issues.

Ms. Sesto also noted that the Chemlali's are actively working on their mitigation, as are the Lussiers.

B. APPROVAL OF MINUTES – September 12, 2013

Mr. Delaney MOVED to APPROVE the minutes, as drafted, SECONDED by Mr. Lee and CARRIED 4-0-0.

VIII. ADJOURN

Mr. Wong MOVED to ADJOURN at 8:51 p.m., SECONDED by Mr. Delaney, and CARRIED 4-0-0.

Respectfully Submitted,
Liz Larkin
Recording Secretary