

ENVIRONMENTAL PROTECTION COMMISSION
REGULAR MEETING/PUBLIC HEARING

MINUTES

February 4, 2015

7:30 P.M.

Auditorium, Town Hall

Chairman Riccardo called the meeting to order at 7:30 P.M

Commission Members Present: Vickie Riccardo, Rick Rohr, Jim Millard, Eric Joosten, and Keith Kearney

Staff: Jacobson

Reporter: Syat

Channel 79 recorded

Ms. Riccardo called the following agenda item:

EPC-24-2014, Sun Homes Darien, LLC, 36, 42 & 48 Wakemore Street, proposing expansion of a residential community and construction within an upland review area. The site is shown on Assessor's Map #8 as Lot #'s 226, 227, 228, 229 & 230. (Hearing closed January 21)

Ms. Riccardo said she watched the hearing of January 7 on Channel 79. Mr. Joosten said he watched the January 7 meeting on DVD.

The Commission reviewed the proposed condition and made clarifications.

Mr. Kearney arrived at 7:37.

The Commission discussed the proposed easement swap.

Mr. Joosten said he thinks the overall proposal by Kensett will be a good thing. He said the isolated wetland is a useless wetland and he is in favor of the swap.

Mr. Kearny moved to approve the proposed easement swap. Mr. Millard seconded the motion and it passed 4-1. Mr. Rohr was opposed.

Mr. Kearny moved to approve the application with the conditions as modified. Mr. Millard seconded the motion and it passed 4-1. Mr. Rohr was opposed.

The Commission will send a separate memo to the Planning & Zoning Commission regarding addressing the roof drains currently connected to the Wakemore Street drainage, and a recommendation to codify the developer's offer to pave Wakemore Street.

Ms. Riccardo called the next agenda item:

EPC-01-2015, Kevin Kuryla, 9A Tokeneke Trail, proposing new house construction and related site development activity within an upland review area. The site is shown on Assessor's Map #65 as Lot #8-2.

Ms. Riccardo said the Commission would hold a public hearing on a new home development because it would be in the public interest.

Attorney Bruce Hill represented the applicant.

Mr. Rohr asked for a tree removal list with sizes. He asked if there will be ground water in the crawl space. Mr. Rohr asked them to consider alternatives including a smaller house.

Mr. Kearny moved to schedule a public hearing for March 4. Mr. Joosten seconded the motion and it passed 5-0.

Ms. Riccardo called the next agenda item:

EPC-02-2015, David & Robyn Jones, 93 Mansfield Avenue, proposing wall construction, filling, and grading within an upland review area. The site is shown on Assessor's Map #17 as Lot #27.

Allan Broadbent, L.A. represented the Applicants.

The Commission considered the application to be a significant activity. Mr. Jacobson said there will be neighbors who will wish to comment and recommend the Commission schedule a public hearing.

Mr. Rohr said he is concerned about setting a precedent for other future owners to fill and construct walls within the upland review area. He said there would not be an opportunity to see the ground due to the snow cover.

Mr. Broadbent said he will provide photos of the area taken before the snow cover.

Ms. Riccardo asked the Applicants to consider a conservation easement.

Mr. Kearney moved to schedule a public hearing for March 4. Mr. Millard seconded the motion and it passed 5-0.

Ms. Riccardo called the next agenda item:

EPC-03-2015, James J. Baker, Jr. 21 Winding Lane, proposing shed construction within an upland review area. The site is shown on Assessor's Map #64 as Lot #9.

Aleksandra Moch, Wetland Scientist, represented the Applicant. She said the upland review area is currently being maintained as lawn. She said there is a steep slope to a wooded wetland. She said the wetland provides some functions including wildlife habitat, ground water recharge, detention and sediment removal. She said the proposed shed will be located over an area that is partially lawn, ledge and ornamental grasses.

Mr. Rohr said he is concerned with adding 364 square feet of impervious surface directed toward the neighbor's property. He said he would like more information on the topography and the pipe on the property line.

Ms. Moch said they will have a gravel bed under the shed to receive runoff. She said there would be no negative impact on the wetland if the pipe is too small and it backs up into the wetland.

Mr. Baker said the pipe is 40 to 50 feet back from the proposed shed.

The Commission requested more information on the topography and the direction of the runoff for the March 4 meeting.

Ms. Riccardo called the next agenda item:

EPC 04-2015, Ernest Bothwell, 23 Waterbury Lane, proposing new home construction and related site development activity within an upland review area. The site is shown on Assessor's Map #28 as Lot #30-1.

Jacek Bigosinski, A.I.A. represented the Applicant. He said the lot has been in existence since about 1985.

Ms. Riccardo said the Commission would hold a public hearing on the new home because it would be in the public interest.

Mr. Rohr asked about the proposed basement elevation. Mr. Bigosinski said it would be above the existing grade.

Mr. Kearney moved to the schedule a public hearing for March 4. Mr. Joosten seconded the motion and it passed 5-0.

Ms. Riccardo called the next agenda item:

EPC-29-2014, Peter Grant, 154 West Avenue, requesting amendment to site plan for additional stormwater detention for sump pump.

Jacek Bigosinski, A.I.A. represented the Applicant. He said that since the approval of their application, they have done additional soil testing. He said the Commission's condition of approval required them to return with a revised drainage plan if they added a sump pump to the plan. He said the revised plan adds Cul-tec units for the sump pump.

Ms. Riccardo said the maintenance plan will need to be revised. Mr. Bigosinski said they would provide a revised maintenance plan.

Mr. Kearney moved to approve the amendment to the application. Mr. Joosten seconded the motion and it passed 5-0.

Ms. Riccardo called the following public hearing item:

EPC-34-2014, Eric & Allie Glasband, 54 Nearwater Lane, proposing new house construction and related site development within an upland review area. The site is shown on Assessor's Map #51 as Lot #74.

Renato Gasparian, contractor, represented the Applicant. He introduced Aleksandra Moch, Soil Scientist.

Ms. Riccardo asked if Mr. Glasband is the contract purchaser. Mr. Gasparian said the Glasbands are under contract to purchase the property.

Ms. Moch said the site is slightly over an acre. She said the wetland area is currently maintained as lawn. She said the wetland currently has minimal function. She said the impervious surface area is 5,200 square feet at present and they are proposing to add approximately 2,200 square feet of impervious surface for a total of 7,400 square feet. She said there is minimal grading required and there is no basement proposed. She said they are proposing to provide stormwater attenuation for all storms 2-50 years using infiltrators. She said they are also offering plantings as mitigation.

Ms. Riccardo asked if they have a drainage maintenance plan. Mr. Gasparian said they will provide one. He said they also intend to provide a catch basin sump which was not included on the plan.

Ms. Riccardo opened the hearing for public comment. There were no members of the public who wished to speak.

Mr. Kearny moved to close the public hearing. Mr. Joosten seconded the motion and it passed 5-0.

The Commission proceeded to deliberate on the application.

Mr. Joosten moved to approve the application with conditions that a sump be added to the catch basin and the Applicant shall provide a drainage maintenance plan. Mr. Rohr seconded the motion and it passed 5-0.

Ms. Riccardo called the following public hearing item:

EPC-35-2014, David & Sandra Kirchoff, TR et. al, 1 Beverly Place, proposing new house construction and related site development within an upland review area. The site is shown on Assessor's Map #62 as Lot #83.

Attorney Robert Maslan represented the Applicant. He introduced Katherine Kamen, L.A., and Lou DiMarzo, P.E. He said the site is one and a third acres with a house and septic system with no drainage system. He described the wetlands on the property and provided photos. He responded to questions from the previous meeting. He said there are three 24" Oak trees to be removed. With respect to the inconclusive test holes, he said the engineer will explain them. He said the house will have a crawl space with no sump pump.

Mr. Maslan said they will disconnect the septic system and connect to Town sewer. He said the stormwater treatment in the rain gardens is for water quality and not detention.

Mr. DiMarzo said the inconclusive tests were because they encountered rock fill. He said they will remove the existing soils and add 30” of soil for infiltration.

Mr. Rohr said they may lose soil in the loose rock. Mr. DiMarzo said they can use a non-woven fabric barrier. Mr. Rohr said they should provide a detail for the rain garden for the Planning & Zoning Commission application.

Mr. Rohr asked about the condition of the existing pipe which will be under where the bridge is proposed. He said it should be evaluated before construction starts to determine if it should be replaced.

Mr. Maslan said the existing propane tank may need to be removed and may encroach into the upland review area.

Ms. Riccardo opened the hearing for public comment. There were no members of the public who wished to speak.

Mr. Joosten moved to close the public hearing. Mr. Rohr seconded the motion and it passed 5-0.

The Commission proceeded to deliberate on the application.

Mr. Rohr made a motion to approve the application. Mr. Joosten seconded the motion and it passed 5-0.

The Commission will send a recommendation to the Planning & Zoning Commission, acting as the Conservation Commission recommending the rain garden detail be provided to assure soil does not infiltrate into the loose rock, and also recommend an evaluation of the existing pipe prior to construction.

The Commission discussed Ms. Riccardo’s draft comments to P&Z regarding the Town Plan of Conservation and Development.

Mr. Rohr moved to approve the minutes of January 7 as amended. Mr. Millard seconded the motion and it passed 3-0. Mr. Riccardo and Mr. Joosten abstained.

Mr. Kearny moved to approve the minutes of January 21, 2015. Mr. Joosten seconded the motion and it passed 5-0.

Mr. Joosten moved to adjourn. Mr. Millard seconded the motion, and it passed 5-0.

The meeting adjourned at 9:40 p.m.

Respectfully submitted,

Richard Jacobson
Environmental Protection Officer