

ENVIRONMENTAL PROTECTION COMMISSION  
REGULAR MEETING/PUBLIC HEARING  
MINUTES  
March 4, 2015  
7:30 P.M.  
Room 206, Town Hall

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

Commission Members Present: Vickie Riccardo, Ed Sweeney, Jim Millard, Eric Joosten, and Keith Kearney

Staff: Jacobson

Reporter: Syat

Channel 79 recorded

Ms. Riccardo called the following 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.

Ms. Riccardo said this item will be continued to April 1 at the Applicant's request.

Ms. Riccardo called the next agenda item:

EPC-05-2015, John & Julie Hekker, 85 Goodwives River Road, proposing filling and grading to create parking spaces within an upland review area. The site is shown on Assessor's Map #49 as Lot #3.

Doug DiVesta, P.E., represented the Applicants. He said the property is one third of an acre in a one acre zone. He said the Applicants have received a variance from the ZBA to create parking spaces in the front setback area. He said the owners currently parallel park on the road and it is a safety issue. He said the plan provides for storm water quality treatment.

Ms. Riccardo asked about tree removal. Mr. DiVesta said two trees, a pine and apple tree, are proposed to be removed.

Mr. Joosten asked if they proposed to replace the trees. Mr. DiVesta said they would agree to a condition of approval to replace trees.

Ms. Riccardo provided suggested revisions to the storm water maintenance plan. Mr. DiVesta said he would revise the maintenance plan.

Mr. Sweeney moved to approve the application with a tree replacement to be reviewed with staff and a modified drainage maintenance plan. Mr. Millard seconded the motion and it passed 5-0.

Ms. Riccardo called the next agenda item:

EPC-06-2015 Eric Bergwall, 7 Lantern Lane, proposing house additions within an upland review area. The site is shown on Assessor's Map #26 as Lot #4.

Domenic Cartelli, contractor, represented the Applicant. He said they are proposing an addition outside the upland review area and a deck within the review area. He said the deck is proposed to have a roof with gutters. He said they have retained an engineer to do test holes and size the drainage system.

The Commission continued the application until April 1.

Ms. Riccardo called the next agenda item:

EPC-19-2013 and 31-2013 Curtis & Arlene Butler, 106 Stephen Mather Road, requesting amendment to permits to consolidate three rain gardens into one.

Dan Gordon, L.A., represented the Applicants. He said the Butlers have two previous permits for a building addition and pool. He said they are proposing to combine the three rain gardens into one area adjacent to the conservation area and with the same capacity and similar plant material.

Ms. Riccardo asked if they will incorporate the rain garden into the conservation easement. Mr. Butler said they will incorporate it and it will be less likely to be disturbed in the new location.

Mr. Millard moved to approve the request to amend the permit. Mr. Joosten seconded the motion and it passed 5-0.

Ms. Riccardo called the following public hearing to order.

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.

Attorney Bruce Hill represented the Applicant. He introduced Mr. Kuryla, Michael Boice, landscape designer, Kate Throckmorton, environmental consultant, and Todd Ritchie, P.E.

He said the property is a two acre parcel with enhanced zoning setbacks because it is a rear lot. He said the zoning setbacks and flood elevation dictate the location of the house.

Ms. Riccardo asked for the size of the disturbed area to be provided. Mr. Hill said they will provide the area.

Mr. Ritchie described the testing for the septic and stormwater system. He said they located the house on the high point of the property to remove the house from the flood zone. He described the drainage system and said it was designed to hold the volume of the one inch rainfall event. He said they did not take into account infiltration.

Ms. Riccardo asked them to provide a maintenance plan for the drainage system. Mr. Hill said they will provide one.

Mr. Hill said Craig Flaherty, P.E., was retained to review the drainage by an adjacent property owner.

Ms. Throckmorton reviewed her combined coastal site plan report and environmental assessment. She said the property is being maintained mostly as lawn with some large trees. She said there is a 40 to 50 foot wide natural area adjacent to Tokeneke Brook which will be maintained and enhanced. She said they will be reducing the lawn area.

Ms. Throckmorton submitted a portion of the natural resources data map for the area and said the site does not contain any areas of state or federal listed species. She said the birds described in the letter from Charles Teschner do not nest on the site. She said the state river otter population is healthy. She said the property will be enhanced for wildlife. She said she made recommendations in her report for tree protection and additional erosion and sediment controls.

Mr. Millard asked if the property was developed or not. Ms. Throckmorton clarified that she meant the site was previously disturbed and developed as lawn, not developed as a house site.

Mr. Boice said they are proposing to remove 21 trees. 16 are within the proposed house location. He said 11 of the trees are hardwoods. He described the proposed planting plan. He said he will work with Ms. Throckmorton to add additional native shrubs.

Ms. Riccardo opened the hearing for public comment.

Mary Moore, 9 Tokeneke Trail spoke in favor of the application.

Ted Conway said he also supports the application.

The Commission continued the public hearing until April 1.

Ms. Riccardo called the following public hearing to order.

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.

Alan Broadbent, Landscape Architect, represented the Applicants. He described the existing site conditions. He said there are approximately 6000 square feet of wetland on the site and 6500 square feet of upland review area. He said the previous developer ignored the Commission's regulations. He said the Laurelrock Company is a design build firm with an environmental conscience. He described the objectives of the project. He said there will be no increase in impervious surfaces and they will be maintaining the detention system installed by the developer without disturbing it. He described the proposed plantings and invasive species removal. He said the proposed improvements are designed to have no wetland impacts.

Ms. Riccardo asked if they would consider a maintenance plan and a conservation easement. Mr. Broadbent said they would provide a maintenance plan. He said he has discussed the easement with his clients and he will ask them if they would offer that in connection with an approval.

Mr. Sweeney asked about the sheet flow that will run off the site. Mr. Broadbent said the flow that comes off the existing patio and lawn is currently causing erosion. He said by reducing the slope they can reduce the flow velocities.

Mr. Millard asked if the material to be removed will be used behind the wall. Mr. Broadbent said yes, they tried to balance the cuts and fills.

Ms. Riccardo opened the hearing for public comment.

Sue Skerrett, 97 ½ Mansfield Avenue provided photos of the site taken from her property. She said she had previously submitted her concerns in an e-mail. She said she has met with Mr. Broadbent and she is not opposed to the project but she would like to see the property maintained in a natural state if the project is approved.

Adele deLoizga Carney said she was speaking on behalf of Mr. & Mrs. Spangenberg, 91 Mansfield Avenue. She said she wants to make sure there is no disturbance to the strip of land adjacent to number 91 and the retaining wall on the property line. Mr. Broadbent said they will not be disturbing any area within 40 feet of that property line.

Mr. Jones said he was willing to offer the conservation easement.

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

Ms. Riccardo called the following public hearing to order.

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 introduced Ernest Bothwell and Wayne D'Avanzo, P.E. He provided colored copies of the site plan and a portion of the 1986 approved subdivision map. He said the access from Christie Hill Road would require crossing wetlands. The access from Waterbury is over a right-of-way across 19 Waterbury Lane. He said they are proposing to remove 11 trees.

Wayne D'Avanzo P.E., discussed the drainage study. He said they have just received the engineering comments and have not had time to respond. They have not been able to do soil test holes because of the weather.

Ms. Riccardo asked about a stormwater maintenance plan.

Ms. Riccardo opened the meeting to the public.

Stephanie Grillo said she is the builder of 19 Waterbury Lane. She asked about the large Tulip tree next to the right-of-way and if it can be saved.

Mr. Bigosinski said they will have an arborist evaluate the tree.

Mr. Bothwell said he is concerned about trying to save the tree since all of the utilities will be installed in an excavation that goes near the tree.

The Commission continued the public hearing to April 1.

Mr. Joosten moved to approve the minutes of February 4 as amended. Mr. Kearney seconded the motion and it passed 4-0. Mr. Sweeney abstained.

Mr. Joosten moved to add discussion of the Town Plan of Conservation and Development to the agenda. Mr. Sweeney seconded the motion and it passed 5-0, having received at least a two thirds majority.

The Commission reviewed Ms. Riccardo's draft memo to the Planning and Zoning Commission and made suggestions. Ms. Riccardo and Mr. Joosten will make final revisions to the memo.

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

The meeting adjourned at 10:05 p.m.

Respectfully submitted,

Richard Jacobson  
Environmental Protection Officer