

ENVIRONMENTAL PROTECTION COMMISSION
REGULAR MEETING/PUBLIC HEARING
MINUTES
April 1, 2015
7:30 P.M.
Room 206, Town Hall

Vice-Chairman Rohr called the meeting to order at 7:30 P.M

Commission Members Present: Rick Rohr, Jim Millard, Eric Joosten, Keith Kearney, and Lucia Zachowski

Staff: Jacobson

Reporter: Syat

Channel 79 recorded

Mr. Rohr welcomed Lucia Zachowski to the Commission. He said Lucia has a broad interest in environmental and conservation matters. She has been very active with the Friends of Gorham Pond and the New Canaan Nature Center. In her career, she was a marketing professional. He said the Commission is pleased to have her on board.

Mr. Rohr 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.

Aleksandra Moch, Wetland Scientist, represented the Applicant. She said the revised sketch shows the area topography. She provided a photo of a proposed gravel bed to accommodate runoff.

Mr. Kearney asked about the material for the border. Ms. Moch said they would use railroad ties.

Mr. Rohr asked if they would place fabric underneath the stone. Ms. Moch said they would.

Mr. Kearney moved to approve the application with a condition that fabric be placed under the stone. Mr. Millard seconded the motion and it passed 5-0.

Mr. Rohr 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.

Tom Quinn, P.E. represented the Applicant. He described the proposed drainage system. He said runoff from 972 square feet of new impervious surface would be directed to Cultec units. He said they will reduce peak flows for all design storms 2-50 years.

Ms. Zachowski asked if they have a provision for maintenance. Mr. Quinn said they included it in their report.

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

Mr. Rohr 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. (Public hearing closed March 4).

The Commission will deliberate and vote on this application on April 15. Staff will draft a resolution for approval with conditions.

Mr. Rohr called the next agenda item:

EPC-7-2015, Knobel Hill, LLC, 40 Locust Hill Road, proposing stone wall construction within an upland review area. The site is shown on Assessor's Map #64 as Lot #49.

Attorney Robert Maslan represented the Applicant. He introduced Penny Glassmeyer, Wes Stout, L.A., and Doug DiVesta P.E.

He described the proposed reconstruction of the stone wall and said the regulated activity on the site is very little.

Mr. Rohr asked if they are changing the grade behind the wall. Mr. DiVesta said they are but not within the upland review area.

Ms. Zachowski asked if they are proposing to remove the rock outcrop, and will there be a change in the drainage pattern. Mr. DiVesta said the outcrop will remain and there will be no changes to the drainage pattern in the regulated area. He described the proposed drainage system for the project.

Wes Stout described the wall construction. He said it will be a dry laid wall farther away from the wetland.

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

Mr. Rohr called the next agenda item:

EPC-8-2015, Peter & Amy Doering, 101 Brookside Road, proposing garage and pool construction and related site grading within an upland review area. The site is shown on Assessor's Map #15 as Lot #'s 36 & 37.

Mark Lebow, L.S. represented the Applicant. He introduced Mr. & Mrs. Doering, Doug DiVesta, P.E, and Ray Forhan, designer. He described the proposed new construction and the removal of pavement and the existing garage.

Mr. Rohr asked about the increase in impervious surface area. Mr. DiVesta said there will be a net increase of 372 square feet of impervious surface. He said they will be providing Cultec units for the increase in runoff. He said there is currently no storage on-site.

Ms. Zachowski asked if the retaining wall will withstand the 100 year flood. Mr. Lebow said all of the improvements will be above the 100 year flood elevation. He said the closest point of the wall to the water's edge is 60 feet.

Mr. Rohr asked if they included the surface area of the pool as impervious. Mr. DiVesta said they did.

Mr. Rohr asked if they considered alternatives with less disturbance in the upland review area. Mr. Lebow said they could consider a smaller pool or other alternatives but they considered that they were also removing activity in the upland review area and is a tradeoff. He said they believe there will be no impact to the regulated area.

Mr. Jacobson recommended the planting plan be focused more on the area adjacent to the river. Mr. Lebow said they would work with staff.

Mr. Joosten moved to approve the application with a revised planting plan to be approved by staff. Mr. Kearney seconded the motion and it passed 5-0.

Mr. Rohr 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 (Continued from March 4).

Attorney Bruce Hill represented the applicant. He introduced Kevin Kurlya, Kate Throckmorton, L.A. ,Michael Boice, Landscape Designer, and John Wicks, Architect. He said the Commission left the hearing open for Todd Ritchie to respond to Craig Flaherty. He provided a letter from Mr. Ritchie describing the plan changes in response to Mr. Flaherty's comments.

Mr. Boice described the changes to the planting plan including the introduction of more native shrubs and substitutions for non-native plants. He said they will be removing approximately 9000 square feet of lawn and substituting meadow plants.

Mr. Hill said that the design team discussed the 40 inch Oak and concluded that they would not be able to keep it, and it would be unlikely to survive if they tried.

Ms. Zachowski asked if they could transplant two large Cherry trees designated to be removed. Mr. Bocie said it would not be practical to try to move them because of their size. He said it would take several years of pruning to before it could be attempted.

Mr. Rohr opened the hearing to the public.

Charles Teschner, 5 Tokeneke Trail, said he is concerned that the environmental assessment is deficient and he questioned the time of year for the evaluation of habitat.

Ms. Throckmorton reviewed her response to Mr. Teschner's letter and said the birds described do not nest in this area and the river otter would not be impacted. She said the proposed plantings and shore protection will expand wildlife habitat.

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

To assist the Planning & Zoning Commission, which heard this application before the Commission's vote, the members present noted they are likely to approve it with conditions.

Mr. Rohr 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 (Continued from March 4).

Jacek Bigosinski represented the Applicant. He introduced Ernest Bothwell and Wayne D'Avanzo, P.E. He provided revised plans and a planting plan.

Mr. Jacobson said he reviewed the revised plans with Darren Oustafine and the outstanding issues have been resolved.

Mr. Rohr asked about groundwater in the basement. Mr. D'Avanzo said they raised the basement floor on the revised plan but there will still be seasonal high groundwater. He said the proposed sump pump and Cultec units are adequate to handle the flow.

Mr. Rohr asked if there will be a planting plan for the rain garden. Mr. Jacobson said one should be required.

Mr. Joosten asked about the large Tulip Tree. Mr. Bigosinski said they had an arborist evaluate the tree and they concluded that it would not survive the construction. He said they will plant additional trees.

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

The Commission will deliberate and vote on this application on April 15. Staff will prepare a draft resolution for approval with conditions.

Mr. Rohr was recused for the following agenda item.

Mr. Joosten acted as chair for the update on 122 Delafield Island Road.

Mr. Jacobson said that Mr. Ginsberg has been in touch with the Applicant and they are still working on putting together a thorough application. The weather has been a factor in doing the coastal work. There is no work allowed on the property other than work by the consultants necessary to preparing an application.

Mr. Joosten moved to approve the minutes of March 4 as amended. Mr. Millard seconded the motion and it passed 3-0. Mr. Rohr and Ms. Zachowski abstained.

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

The meeting adjourned at 9:05 p.m.

Respectfully submitted,

Richard Jacobson
Environmental Protection Officer