

ENVIRONMENTAL PROTECTION COMMISSION
REGULAR MEETING/PUBLIC HEARING
MINUTES
September 2, 2015
7:30 P.M.
Room 206, Town Hall

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

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

Staff: Jacobson

Reporter: Syat

Channel 79 recorded

Ms. Riccardo called the meeting to order at 7:30 p.m. She thanked Rick Rohr for his years of service on the Commission.

Mr. Joosten moved to take agenda items EPC-32-2015 and EPC-33-2015 out of order.

Ms. Riccardo called the following agenda item:

EPC-32-2015, Reilly Builders LLC, 76 Nearwater Lane, proposing new house construction within an upland review area. The site is shown on Assessor's Map #51 as Lot #63.

Jacek Bigosinski represented the Applicant. He said the proposal is for a new house to be constructed partially within an upland review area.

The Commission determined a public hearing would be in the public interest.

Mr. Kearney moved to schedule a public hearing on the application for October 7. Mr. Millard seconded the motion and it passed 5-0.

Ms. Riccardo called the next agenda item:

EPC-33-2015, Michael Nikolas, 2 Silver Lakes Drive, proposing a two lot subdivision with new house construction and related site development in an upland review area. The site is shown on Assessor's Map #37 as Lot #15.

Steve McAllister, P.E. represented the Applicant. He said the proposal is for a two lot subdivision.

The Commission determined the activity to be significant and would require a public hearing.

Mr. Joosten moved to schedule a public hearing on the application for October 7. Mr. Millard seconded the motion and it passed 5-0.

Ms. Riccardo called the next agenda item:

EPC-32-2011 Request to amend permit by Andrew & Pamela Whitaker (originally William Corcoran) 327 Middlesex Road to construct a stone wall and deck.

Doug Hoffman, Hoffman Builders represented the Applicants. He said the surveyor determined that the stone wall was built outside of the 100 year flood line. He described the request to add a generator, HVAC units, a propane tank, and a rear deck.

Mr. Joosten moved to approve the application subject to conditions that will be set forth in the approval to be sent to the applicant. Mr. Millard seconded the motion and it passed 5-0.

Ms. Riccardo called the next agenda item:

EPC-25-2015, Kevin & Elizabeth Murphy, 267 Brookside Road, proposing filling and grading, and restoration of an upland review area. The site is shown on Assessor's Map #5 as Lot #18.

Doug DiVesta, P.E. represented the Applicant. He said they are seeking an after the fact permit for clearing that took place in the 50 foot upland review area from the wetland identified by Tom Pietras. He said they are proposing to replant and provide a line of boulders to demarcate the restored area.

Mr. Joosten moved to approve the application subject to conditions that will be set forth in the approval to be sent to the applicant. Mr. Sweeney seconded the motion and it passed 5-0.

Ms. Riccardo called the next agenda item:

EPC-26-2015, Peter Grant, 154 West Avenue, proposing filling and grading within a regulated area and upland review area. The site is shown on Assessor's Map #20 as Lot #17.

Jacek Bigosinski, Architect, represented the Applicant. He introduced Aleksandra Moch, Wetland Scientist. He said they are proposing to build the wall at a higher elevation than was previously approved and extend the wall to the west.

Ms. Moch reviewed her report on the wetland functions and values and the proposed wetland and upland mitigation planting.

The Commission discussed a conservation easement. Mr. Jacobson said the wetland and upland are a small, isolated area. The proposed wall will be sufficient deterrent for future encroachment.

Don Sibilio, contractor said the wall will make the lot easier to develop and will offer better protection for the wetland.

Mr. Kearney moved to approve the application subject to conditions that will be set forth in the approval to be sent to the applicant. Mr. Joosten seconded the motion and it passed 5-0.

Ms. Riccardo called the next agenda item:

EPC-27-2015, Paul Harris, 14 Clocks Lane, proposing a house addition and septic system within an upland review area. The site is shown on Assessor's Map #64 as Lot #'s 60 & 61.

Dean Martin, P.E., represented the Applicant. He said they are proposing to renovate the existing house and add on. A portion of the fill for septic system and retaining wall, and a portion of one of the buildings are within the upland review area. He said they are e proposing planting within the upland review area.

Ms. Riccardo asked if there is a maintenance plan for the drainage system. Mr. Martin said he will provide one.

Mr. Joosten moved to approve the application subject to conditions that will be set forth in the approval to be sent to the applicant Mr. Sweeney seconded the motion and it passed 5-0.

Ms. Riccardo called the next agenda item:

EPC-28-2015, Nikhil & Antonia Basu, 24 Sunswyk Road, proposing filling and grading in a regulated area. The site is shown on Assessor's Map #62 as Lot #11.

Mr. Basu represented himself. He described the history of the drainage issue which started in 2005 when work was done at 29 Sunswyk Road.

The Commission discussed the proposal and found that the proposed solution to fill a portion of the lawn a portion as a seasonal pond is a reasonable solution to a problem the Applicants are experiencing through no fault of their own.

Mr. Kearney moved to approve the application subject to conditions that will be set forth in the approval to be sent to the applicant. Mr. Joosten seconded the motion and it passed 5-0.

Ms. Riccardo called the next agenda item:

EPC-30-2015, Sean & Sharon Epps, 25 Three Wells Lane, proposing terrace and pergola construction within an upland review area. The site is shown on Assessor's Map #4 as Lot #28-8.

Seri Bueti, contractor, represented the Applicant. He said they are proposing a patio that will encroach into the upland review area. He said they would like to set the patio in concrete. He said they will provide planted beds over gravel around the perimeter to receive the runoff.

Mr. Millard moved to approve the application subject to conditions that will be set forth in the approval to be sent to the applicant. Mr. Joosten seconded the motion and it passed 5-0.

Ms. Riccardo called the next agenda item:

EPC-31-2015, Juliana & David Abbott, 76 Hanson Road, proposing terrace construction within a regulated area and upland review area. The site is shown on Assessor's Map #09 as Lot #106.

Matt Biron, Landscape Architect, represented the Applicant. He said they are proposing to expand the patio to allow for more useable outdoor space. He said they will remove invasive species and add additional native plants. They will also improve the wetland demarcation and plantings near the driveway entrance.

Ms. Riccardo asked for a maintenance plan for the existing drainage system. Mr. Biron said they can provide a plan.

Mr. Joosten moved to approve the application subject to conditions that will be set forth in the approval to be sent to the applicant Mr. Millard seconded the motion and it passed 5-0.

Ms. Riccardo called the next agenda item:

EPC-34-2015, Robert & Debra Riley, 64 Dubois Street, proposing filling and grading within an upland review area. The site is shown on Assessor's Map #43 as Lot #56.

Mr. & Mrs. Riley represented themselves. Mr. Riley said they are proposing a low stone wall to level the rear yard and will leave plant native plants adjacent to the stream

Mr. Jacobson said he does not see any concerns for impact to the watercourse, however, the Planning & Zoning Commission will require an engineer's opinion on the possible impacts of the wall on adjacent properties..

The Commission tabled the application to review the additional information to be provided.

Ms. Riccardo called the following public hearing item:

EPC-29-2015, 40 Hanson Road LLC, 40 Hanson Road, proposing house replacement and related site work within a regulated area and upland review area. The site is shown on Assessor's Map #9 as Lot #112A.

Wes Stout, Landscape Architect, represented the Applicant. He introduced Todd Ritchie, P.E.

Mr. Stout described the spike of wetland at the head of the much larger 35 acre wetland extending south to the high school. He said they are proposing a 5:1 ration of wetland restoration to filling. He described the proposed planting plan and invasive species removal. He said they rejected the idea of having a basement due to the high water table.

Ms. Riccardo asked if the cleanup would be done by hand. Mr. Stout said it would.

Mr. Ritchie described the stormwater management system including infiltrators and rain gardens.

Ms. Riccardo asked if there is a maintenance plan for the system. Mr. Ritchie said he would provide one.

The Commission discussed the need for a conservation easement. Mr. Stout said his client would prefer not to provide an easement. He said they attempted to provide a clear boundary between the development and the natural area. He said they could improve the demarcation with a low stone wall along the edge of the restored wetland.

Ms. Riccardo asked for comments from the public.

Susan Wilson, 24 Hanson Road said she was concerned about runoff water and displacement of water by the swimming pool. She said she was also concerned about the potential impact on trees along her property line and the road.

Mr. Ritchie described the drainage design as assuming there is currently no development on the property therefore it is a very conservative design. He said the displacement of water by the pool displaces ground water once at the time of construction.

The Commission and Applicant discussed ways to reduce site disturbance, minimize impacts to the trees and use alternate erosion control methods such as coir logs.

There were no other members of the public who wished to speak.

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

Mr. Joosten moved to add to the agenda an update regarding the Order to Cease and Correct for George & Jill Sullivan, 235 Brookside Road,

Mr. Jacobson said the area is no longer being maintained as lawn but due to the dry conditions it is too early to determine what natives from the seed mix will survive. He will continue to monitor the site

Mr. Joosten moved to approve the minutes of July 1 as amended. Mr. Sweeney seconded the motion and it passed 4-1. Ms. Riccardo abstained.

Mr. Sweeney moved to approve the minutes of August 11. Mr. Kearney seconded the motion and it passed 5-0.

The Commission proceeded to deliberate on EPC-29-2015, 40 Hanson Road LLC, 40 Hanson Road.

The consensus of the Commission was that the Applicant has proposed sufficient mitigation for the proposed wetland filling. The Commission discussed conditions of approval including: a tree protection plan and parking plan to protect the tree root systems during construction; replace silt fence with coir logs in the restoration area; reducing the area of disturbance along the westerly property line and a maintenance plan for the drainage system and a low stone wall demarcation along the restored wetland boundary.

Mr. Joosten moved to approve the application with the conditions discussed. Mr. Sweeney seconded the motion and it passed 5-0.

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

The meeting adjourned at 9:30 p.m.

Respectfully submitted,

Richard Jacobson
Environmental Protection Officer