

ENVIRONMENTAL PROTECTION COMMISSION  
SPECIAL MEETING/PUBLIC HEARING  
MINUTES  
August 7, 2013  
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, Wynne Shapiro, Rick Rohr, Alan Armstrong, Eric Joosten, Ed Sweeney, and Keith Kearney.

Staff: Jacobson

Court Reporter: Syat

Channel 79 recorded the meeting.

Ms. Riccardo called the first agenda item:

EPC-14-2013, Estate of Beatrice Richards, et.al., 123 Five Mile River Road, proposing construction of two residences within an upland review area. The site is shown on Assessor's Map #67 as Lot #2.

Mr. Kearney said he watched the DVD of the July 24 public hearing. Mr. Joosten and Mr. Armstrong said they watched the testimony of Mr. Burke from the previous application hearing regarding water on Five Mile River Road and his driveway.

The Commission discussed the draft resolution and made final revisions.

Mr. Joosten made a motion to approve the resolution as modified. Mr. Armstrong seconded the motion and it passed 7-0.

Ms. Riccardo called the next agenda item:

EPC-30-2013, Eric & Mylene Gaaserud, 35 Driftway Lane, proposing rain garden in a regulated area. The site is shown on Assessor's Map #65 as Lot #14.

Jeff Kuffel, Round Meadow Nursery, represented the applicant. He said they are proposing to build a rain garden and selectively remove trees that are not healthy. He said they would use the fill to level other areas of the lawn.

Mr. Armstrong asked if more fill would be brought in. Mr. Kuffel said approximately 20 yards of topsoil.

Ms. Riccardo asked if the remaining soil in the rain garden would be adequate to grow the plants. Mr. Kuffel said they will add topsoil and the plants will be chosen that will take both wet and dry conditions.

Ms. Shapiro made a motion to approve the application. Mr. Armstrong seconded the motion and it passed 7-0.

Ms. Riccardo called the next agenda item:

EPC-31-2013, Curtis & Arlene Butler, 106 Stephen Mather Road, proposing pool, pool house, and terrace in a regulated area. The site is shown on Assessor's Map #1 as Lot #29.

Beth Evans, Wetland Scientist, represented the applicant.

The Commission determined that the project may have a significant impact on the regulated area and will require a public hearing. The Commission scheduled the hearing for September 18, 2013.

Ms. Riccardo called the next agenda item:

EPC-32-3013, Scott & MaryEllen Moore, 23 Redcoat Pass, proposing garage construction in an upland review area. The site is shown on Assessor's Map #63 as Lot #52B.

This item was continued to September 18 at the applicant's request.

Ms. Riccardo called the next agenda item:

EPC-33-2013, Bud & Liz McGarry, 18 Stony Brook Road, proposing wall reconstruction in an upland review area. The site is shown on Assessor's Map #18 as Lot #84.

Mr. McGarry represented himself. He said they are re-building the wall in the same location with a footing to improve the stability.

Mr. Joosten made a motion to approve the application. Mr. Rohr seconded the motion and it passed 7-0.

Ms. Riccardo called the next agenda item:

EPC-34-2013, Lynn & Robb Neuner, 558 Hoyt Street, proposing house addition and deck in an upland review area. The site is shown on Assessor's Map #3 as Lot #146.

Jacek Bigosinski represented the applicant. He said they are proposing an addition outside the upland review area and a wrap-around porch with a portion in the upland review area. He said they originally planned to provide a rain garden, however, the area intended for the garden is in the flood zone and close to a neighbor. He said the engineer, Steve Trinkaus, said the small amount of runoff should be directed by sheet flow over the lawn.

Ms. Shapiro asked about the conservation easement on the property. Mr. Bigosinski said they were not touching that area.

Lynn Neuner said they purchased the property in 2003. She said the developer gave the Land Trust an easement in 1978. She said she met with Chris Filmer after they bought the property and reviewed the easement.

Mr. Rohr asked if they would use stone under the deck. Mr. Bigosinski said they would.

Mr. Rohr made motion to approve the application with the condition that stone is used under the deck. Ms. Shapiro seconded the motion and it passed 7-0.

Mr. Rohr made a motion to approve the minutes of July 10 as amended. Mr. Sweeney seconded the motion and it passed 6-0. Ms. Riccardo abstained.

Mr. Joosten made a motion to approve the minutes of July 24 as amended. Ms. Shapiro seconded the motion and it passed 6-0. Mr. Kearney abstained.

Ms. Riccardo called the following public hearing item:

EPC-29-2013, Town of Darien, Department of Public Works, 95 Rose Lane, proposing to replace a storm drain with a box culvert as part of replacement of upstream drainage system. The site is shown on Assessor's Map #25 as Lot #12.

Ms. Riccardo said the EPC is limited in the scope of their review to impacts on wetlands and watercourses. The Commission's authority is limited to the Rose Lane properties.

Darren Oustafine, P.E. represented the applicant. He said he has a B.S in civil engineering, and 13 years experience as Assistant Town Engineer. He introduced Joe Canas, P.E., Tighe & Bond. He said Mr. Canas also has a B.S in civil engineering and is a Certified Flood Plain Manager. He provided an overview of the project and said they have fine-tuned the recommendation of the 2010 Milone & McBroom study regarding the flooding in the Intervale Road and Abby Road area.

Mr. Oustafine said the project will not cause or increase flooding along the Noroton River. He described the project watershed compared to the entire Noroton River watershed. He said the peak flow of the project watershed reaches the river long before the peak of the entire watershed. He said they will require permanent and temporary easements for the project

Mr. Rohr asked what storm event they designed for. Mr. Oustafine said the 50 year storm.

Joe Canas provided handouts to describe the project alternatives that were considered and rejected. He said the wetland disturbance has been minimized. There will be no increase in peak flow for the 50 year storm and actually a slight reduction. He said the project watershed has a time of concentration of 30 minutes. The river itself has a time of concentration of hours. He provided drawings of the increased area of flow in the channel versus the larger area of flooding that takes place from the river overflowing.

Mr. Sweeney asked why the design is for the 50 year storm and not the 100 year. Mr. Canas said the 100 year storm would require a much bigger pipe and many more inlets.

Mr. Canas was asked about the impact of the project on the FEMA flood insurance. Mr. Canas said there would be no change in the FEMA levels of risk. He said flood rates are going up regardless of this project.

Mr. Rohr asked how many new inlets are proposed. Mr. Canas said six, and existing inlets will be enlarged. Mr. Rohr asked how the disturbed areas would be restored. Mr. Canas said they could provide a planting plan.

Chairman Riccardo opened the hearing for public comments.

Lois McGowen, 18 Park Lane said the insufficient drainage infrastructure near her home is not being addressed. She is concerned with an increase in discharge. Mr. Oustafine said there will be no increase in flow.

Matt Abourezk, 20 Park Lane, said the project would add a dramatic amount of water. He provided photos of the outlet pipe during the April 2007 storm. H said he would prefer a direct outlet to the river.

Steve Pietrie, 6 Park Lane, said he would be impacted by flooding. He referred to the Milone & McBroom study and the Stamford Holly Pond study. He said he is concerned with the discharge and high scour at the outlet.

Mr. Rohr asked if they were going to clear the channel downstream. Mr. Oustafine said there was no plan to go further downstream. He said the velocity dissipaters are located at the outlet and their model shows the channel can handle the flow.

Mr. Canas said the 50 year event produces 68 cfs and a velocity of 5.65 fps. He said the outlet is designed per Conn DOT specifications.

Mr. Sweeney asked if they considered going down Rose Lane. Mr. Canas said the topography won't allow for cover.

Ms. Shapiro asked about future maintenance of the system. Mr. Canas said the catch basins would all have sumps.

Patrick Murphy, 6 Park Lane, said he is concerned with increased velocities and the increase in long duration storms and erosion. He provided photos of a mockup of what the pipe would look like. He said he is concerned with access by children.

Mr. Oustafine said the longer storms are measured in inches of rain. He said the storm is measured in volume. He said children can access the existing pipe. He said they could look into blocking access but that would require frequent cleaning. He said they cannot address the existing problem but they will not make it worse.

Howard Seymour, 22 Park Lane, said they need to address the main problems of flooding before moving water more quickly. He said this is a significant activity that will diminish the wetland. He said there needed to be mitigation and that the Commission would not allow a private developer to destroy wetlands.

Mr. Oustafine said that there will be no extra water. He said water quality is more important and will be improved with the additional sumps.

Mr. Canas said the mitigation included the energy dissipater, the water quality improvement and they will provide a planting plan.

Keith Boros, 26 Park Lane said the Milone & MacBroom study called for alternate discharge locations. He said there are downstream obstructions and the discharge should be on the other side of the Maple Street bridge. He said the Town has abandoned the current storm system and permitted illegal discharges to the drainage system. He said bigger pipes will mean more water and more development.

Mr. Canas said the grade on Holmes goes up while the pipe would have to go down. He said it would be more expensive.

Mr. Sweeney asked for a more information on construction costs for all of the alternatives.

The Commission continued the public hearing to September 4 at 7:30.

Ms. Shapiro made a motion to adjourn. Mr. Joosten seconded the motion, and it passed 7-0. The meeting adjourned at 10:15 p.m.

Respectfully submitted,

Richard Jacobson  
Environmental Protection Officer