

ENVIRONMENTAL PROTECTION COMMISSION
REGULAR MEETING
May 2, 2012
7:30 P.M.
Room 206, Town Hall

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

Commission Members Present: Michael Tone, Pete Kenyon, Wynne Shapiro, Rick Rohr, Keith Kearney, Vickie Riccardo

Staff : Jacobson

Court Reporter: Syat

Channel 79 recorded the meeting

Mr. Tone called the following agenda item:

EPC-16-2012, Kaali-Nagy Partners, LLC, 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

Rob Frangione, P.E. represented the applicant.

Mr. Tone said the Commission has received a petition to hold a public hearing, therefore, the Commission is obligated to hold a hearing.

Mr. Kenyon asked for trees removed to be flagged and more information on the biofiltration system.

Ms. Riccardo asked the applicant to address maintenance of the bioretention area, and whether the owners would share responsibility, and if blasting would be required.

The hearing was scheduled for June 6, 2012.

Mr. Tone called the following agenda item:

EPC-07-2012, Ruth & Ian Crowe, 26 Raymond Street, proposing replacement house and related site development within an upland review area. The site is shown on Assessor's Map #36 as Lot #101.

Jacek Bigosinski, Architect represented the applicant. He provided a plan he said was revised to move the wall, as requested at the last meeting.

The Commission continued the application to June 6 to allow the Commission members time to review the plans.

Mr. Tone called the following agenda item:

EPC-10-2012, Dale & Hillary Miler, 5 Tokeneke Beach Drive, proposing a septic system in an upland review area. The site is shown on Assessor's Map #67 as Lot #67.

Mr. Tone postponed discussion until later in the meeting.

Mr. Tone called the next agenda item:

EPC-12-2012, Brian Clas & Maggie Morrow, 9 Hickory Lane, proposing an addition with an upland review area. The site is shown on Assessor's Map #26 as Lot #39

Ms. Shapiro was recused for this application.

Mark Lebow represented the applicant. He said they are proposing a two story addition with a patio extension. He said a rain garden will be installed in the lawn and some wetland lawn area will be recovered. The patio will be set in stone dust.

Mr. Tone asked about the net increase in impervious surface. Mr. Lebow said 240 square feet.

Mr. Kenyon asked about the shape of the rain garden being different than the planting plan. Mr. Lebow said the size was provided by the landscape designer and the shape will be clarified on the plan.

Mr. Rohr asked about the tree to be removed. Mr. Lebow said the tree is currently not in good condition. They can plant a replacement tree elsewhere on the property. Mr. Rohr suggested the tree be at least 3-4" caliper.

Mr. Rohr made a motion to approve the application with the above conditions. Mr. Kenyon seconded the motion and it passed 5-0.

Mr. Tone called the next agenda item:

EPC-13-2012, Tucker & Elaine Scott, 655 Hollow Tree Ridge Road, proposing green house in an upland review area. The site is shown on Assessor's Map #3 as Lot #34

Mr. Scott represented himself.

Mr. Tone said the proposed greenhouse is a use permitted as-of-right under section 4.1.a of the regulations.

Mr. Tone made a motion to approve the greenhouse as submitted. Mr. Kenyon seconded the motion and it passed 6-0.

Mr. Tone called the next agenda item:

EPC-14-2012, Patric & Xenia Mesot, 11 Queens Lane, proposing construction activities related to new house construction within an upland review area. The site is shown on Assessor's Map #63 as Lot #99

Lenny D'Andrea, P.E. and Aleksandra Moch, Wetland Scientist represented the applicant. He said the house, septic and pool were removed from the upland review area. The proposal requires a ZBA variance because of the lot configuration. He said a portion of the proposed deck will be in the upland review area. They are proposing to treat the first flush of runoff from the site.

Ms. Moch said wetland buffer is dominated by invasive species. She said they are proposing to remove invasive vines and four dead, or dying trees in the upland review area. They will replace the trees with 4 Amelanchier or River Birch and seed the area with meadow mix.

Mr. Tone asked how the restored area will be demarcated. Mr. D'Andrea said they would consider using boulders.

Mr. Kenyon asked about the elevation of the basement and Cul-tec units relative to the groundwater. Mr. D'Andrea said the area was previously filled and groundwater is at least 8 feet in depth. He said the footing drains are separate from the roof drains.

Mr. Kenyon asked about tree removal and a planting plan. Mr. D'Andrea said they are removing 11 trees and preserving the trees in the upland review area and planting according to Ms. Moch's recommendation. They do not have a planting plan for the rest of the site.

The Commission continued the item until June 6 to receive a plan to demarcate the restored area and a more detailed phasing and maintenance plan for the restored area.

Mr. Tone called the next agenda item:

EPC-15-2012, Paul & Karen Curth, 1 Ironwood Lane, proposing an addition within an upland review area. The site is shown on Assessor's Map #10 as Lot #37.

Loren Meyer, Architect represented the applicant. He said they located the majority of the addition over the existing driveway. He said they are proposing a rain garden for one half of the area of the new addition.

Mr. Tone asked if they will excavate in the area of the existing driveway. Mr. Meyer said they will use a small machine and only excavate 42" for the new footings.

Mr. Tone asked about the existing runoff. Mr. Meyer said it is sheet flow from the driveway.

Mr. Rohr suggested pushing the rain garden to the edge of the lawn. Mr. Meyer said they would be able to relocate the rain garden. Mr. Rohr asked about the plantings along the driveway edge. Mr. Meyer said they can relocate them near the stream edge.

Mr. Rohr made a motion to approve the application with the condition to relocate the rain garden and relocate the Arborvitae to the easterly property line. Ms. Shapiro seconded the motion and it passed 6-0.

Mr. Tone called the next agenda item:

EPC-17-2012, Robert & Justine Stewart, 24 Cross Road, proposing pool construction within an upland review area. The site is shown on Assessor's Map #69 as Lot #11

Jeff Kuffel, Landscape Architect, represented the applicant. He said they are proposing a pool with a portion within the upland review area. They are proposing to remove four trees. Their planting plan includes trees, shrubs, and ground cover to similar to the previously installed rain garden.

The Commission discussed the pool fence location. Mr. Kueffel said they can move the fence close to the pool and keep the new plantings on the outside of the fence.

Mr. Tone made a motion to approve the application with the above stipulation to relocate the fence. Mr. Rohr seconded the motion and it passed 6-0.

Mr. Tone called the next agenda item:

EPC-18-2012, Woodway Country Club, 540 Hoyt Street, proposing to reconfigure parking lot and drainage for pool complex within an upland review area. The site is shown on Assessor's Map #3 as Lot #137

Brian McMahon, P.E. represented the applicant. he said the proposal is to reconfigure the existing parking lot and decrease the pavement area by 0.13 acres. They propose to add stormwater treatment to provide a net benefit to water quality leaving the site.

Mr. Tone asked if they have a maintenance plan for the stormwater system. Mr. McMahon said they will provide one.

Mr. Tone made a motion to approve the application with the above stipulation. Mr. Kenyon seconded the motion and it passed 6-0.

Mr. Tone called the public hearing to order:

Steven J. and Tracy D. Culliton, and George & Jill Sullivan, 225 and 235 Brookside Road, Request to install 280 square feet of paved driveway within a conservation easement area.

EPC-11-2012, Steven J. and Tracy D. Culliton, 225 and 235 Brookside Road, proposing driveway construction and related grading in an upland review area. The site is shown on Assessor's Map #5 as Lot #17-2, 17-3.

Attorney Wilder Gleason represented the applicant. He introduced Kate Throckmorton, Landscape Architect.

Mr. Gleason described the property and the conservation easement. He described the proposed relocation of a stone wall to extend the lawn area. He said the wall is outside the easement area and in the upland review area. He said there will be no adverse impact to the wetland.

Mr. Gleason discussed the easement language and proposed use of the easement. He said there will be 10 trees removed and 13-14 replacement trees.

Kate Throckmorton said of the 10 trees to be removed 7 are in the easement. She described the proposed rain garden, which will receive the flow from the driveway and the overflow swale from the rain garden. She said there will be a net decrease in lawn area, no work in the wetland, and the new driveway area will be porous pavers.

Mr. Tone asked about the proposed additional easement area. Mr. Gleason said they are showing a 1:1 ratio. He said they also have an alternative plan of 2:1. He said they are offering plantings in the new conservation easement area.

Ms. Throckmorton said they could supplement planting in the larger easement area.

Mr. Tone asked about the area proposed to be used within the easement. Mr. Gleason said 240 square feet of driveway and 400 square feet of related activity.

Mr. Tone asked about the maintenance of the pavers. Ms. Throckmorton said it will depend on the type of pavers. Mr. Tone asked if the area proposed to be filled is currently grass. Ms. Throckmorton said yes.

Mr. Rohr asked if they could provide tree wells to protect some of the existing trees. Ms. Throckmorton said they could look at relocating a portion of the wall.

Ms. Throckmorton said, in summary, there are no direct wetland impacts, they are proposing protections during construction, monitoring by Environmental Land Solutions, and new planting to include trees, shrubs, and herbaceous material.

Mr. Rohr asked if they considered whether the proposals could be separated. Mr. Gleason said the proposals could be separated but they do not feel it is necessary because there is no impact on the wetlands.

Mr. Rohr asked if they considered moving the transformer. Mr. Gleason said the cost would be substantial and there would be no reduction in impacts.

Ms. Riccardo asked if the island would have a curb. Ms. Throckmorton said yes.

Mr. Kenyon asked if the additional easement area could be more contiguous to the current easement.

Mr. Kearny said they could push the wall back and add to the easement area.

Mr. Tone said he would prefer a 2:1 ratio of easement offered because of the precedent involved and the possibility of future requests.

The applicant was asked to provide sketches addressing alternative wall locations and possible alternative easement areas greater than 1:1.

The public hearing was continued until June 6, 2012.

Mr. Tone recalled the following item for deliberation and decision:

EPC-10-2012, Dale & Hillary Miler, 5 Tokeneke Beach Drive, proposing a septic system in an upland review area. The site is shown on Assessor's Map #67 as Lot #67.

The Commission reviewed draft resolution.

Mr. Kenyon made a motion to approve the application. Mr. Kearney seconded the motion and it passed 6-0.

Minutes of previous meetings: April 4: Held over to June 6.

Mr. Kenyon made a motion to adjourn. Mr. Tone seconded the motion and it passed 6-0. The meeting adjourned at 10:20 p.m.

Respectfully submitted,

Richard Jacobson
Environmental Protection Officer