

**INLAND WETLANDS AND WATERCOURSES COMMISSION MEETING
MONDAY, NOVEMBER 7, 2011
TOWN HALL 7:00 P.M.**

Present: Chairman Bruce Burnett, Sue Ryan, Robert Orciari, Robert Wesneski, Don Prigitano, alternate member Marie Etter and Land Use Coordinator Polly Redmond. Absent: David Keepin, Victoria Elliott and alternate Garrett Jacques and IWZEO Karen Nelson.

PUBLIC HEARING

1. OPEN HEARING – ESTABLISH QUORUM.

Chairman Burnett calls the hearing to order at 7:00 p.m. All regular members present are seated with M. Etter seated for D. Keepin.

2. JIM ROTONDO, P.E., FOR CARL COPPOLA – APPLICATION FOR CONSTRUCTION OF 3200 SQUARE FOOT (FIRST FLOOR) COMMERCIAL/RETAIL BUILDING, 122 LITCHFIELD ROAD, POST OFFICE PLAZA.

Chairman Burnett reads the call to hearing as published in the Republican-American on 10/27/11 and 11/4/11. Receipts for notification of this hearing, sent by the Land Use Coordinator, to neighbors within 200 feet of 122 Litchfield Road are noted.

James Rotondo, P.E. presents plans by Rotondo Engineering titled (Sheet 1) General Concept Plan/Proposed Commercial Building & Residential Lot, (Sheet 2) Site Grading/Development Plan/Commercial Building – Post Office Plaza/Proposed Commercial Building & Residential Lot, (Sheet 3) Site Grading/Development Plan/Residential Lot, (Sheet 4) Soil Test Data & Sanitary Design Calculations, (Sheet 5) Construction Details and (Sheet 6) Erosion & Sedimentation Control Plan dated 10/31/11 and are reviewed. Application is for construction of a 5200 square foot commercial/retail building (3200 square feet, first floor) on Parcel 1, which contains 8 acres.

TAHD written approval has not been received at this time.

Mr. Rotondo presents a report dated 11/3/11 from Penelope C. Sharp, Environmental Consultant, Northford, CT. Copies will be made for commission members and a copy will remain on file. Mr. Rotondo explains that information from the State of CT DEEP regarding endangered species in the area of the eastern edge of the property is still outstanding and Ms. Sharp will submit those findings once she receives them.

Mr. Rotondo has contacted CT DOT and sent plans to them last month for their review. Jim Lapan/DOT relayed to Mr. Rotondo verbally that there are no problems with the development, which has frontage on a state highway, and that a report from DOT will be forthcoming.

Town Engineers, W.M.C. Consulting Engineers, has submitted a report dated 11/1/11 after reviewing the site plans. Mr. Rotondo addresses their comments made with the following responses.

Concerning Site Grading/Development Plan – Commercial Building:

- 1) Hydraulic calculations will be provided.
- 2) Will do sizing with 15" ADS pipes instead of 12".
- 3) An environmental assessment has been completed.
- 4) Will provide silt fence backed by staked hay bales within the upland review area.
- 5) Can cut back on filling and will look at the parking arrangements again. Mr. Rotondo believes that contour 94 could be left alone and outfall of plunge pool could be minimized.
- 6) Will discuss this item with applicant regarding blasting and volume of rock to be excavated.
- 7) With W.M.C.'s question of whether excavated rock will be processed and re-used on site, Mr. Rotondo explains that detail can be shown on a revised plan for needed material on site and material to be taken away.

- 8) Detail will be provided regarding amounts of topsoil to be placed on ledge and what measures will be taken to ensure it does not erode and wash down toward the wetlands.
- 9) Mr. Rotondo will look at the design of the rain garden and may install an under drain. W.M.C. notes that there is shallow decomposed rock and ledge at DP-12 to the west which Mr. Rotondo believes not to be a problem.
- 10) Measures to renovate the stormwater runoff from the parking lot areas other than deep sumps and trap hoods will be looked at again by Mr. Rotondo. This is also a comment from Sean Hayden, NWCD.
- 11) Mr. Rotondo responds to W.M.C.'s comment that there is no construction entrance shown to access the site development area noting that there is an existing driveway onto the site and a tracking pad will be used in the area of construction.
- 12) Soil types will be added.

Site Grading/Development Plan – Residential Lot

13-18) Refers to Parcel 2, residential lot, and does not apply to this application, therefore, it will not be addressed at this time.

Concerning Construction Details:

- 19) Will add trenching details for all storm pipes and utilities to revised plans.
- 20) Mr. Rotondo notes that there is a standard cross-section provided on the site plans which he will modify to show where ledge is.
- 21) W.M.C. suggests the level spreader detail be revised to incorporate a more rigid control structure that is less susceptible to erosion such as precast concrete curbing. Mr. Rotondo notes that precast concrete curbing is one option and he will show detail on revised plans.
- 22) W.M.C. recommends a geotextile be used under the Granular Fill associated with the Plunge Pool Detail. Mr. Rotondo notes that modification to the existing detail will be made.
- 23) Mr. Rotondo explains that he referred to the Stormwater Quality Manual for rain garden design and will add information as to exact types of plantings.
- 24) Correction to spelling will be made.
- 25) Mr. Rotondo will submit an Operations and Maintenance plan with the submission of revised plans.

Erosion & Sedimentation Control Plan:

- 26) Will add information on the overall expected area of disturbance due to construction activities for both parcels in the project narrative.
- 27) Will add the proposed disturbance of the upland review area due to construction activities for both parcels in the project narrative.
- 28) Will add start and completion dates in the project narrative.

W.M.C. report remains on file in the Land Use office.

R. Orciari questions the need for a sewer line trench from the septic system to the primary with Mr. Rotondo stating yes, a trench would be needed. R. Orciari would like this shown on revised plans with Mr. Rotondo noting that though it is not a requirement of TAHD he will add to the revised plans. R. Orciari mentions that the activity is within 100 feet of a watercourse and that silt fence will be needed. Mr. Rotondo explains that there is notation that silt fence will be installed around the perimeter already and will include staked hay bales. R. Orciari questions protection from silt into the proposed rain garden with Mr. Rotondo explaining that once construction is complete, the rain garden will be constructed. R. Orciari questions what happens if the power is out for an extended period of time and there is nothing to pump the septic uphill? Mr. Rotondo answers that a generator would be required. R. Orciari questions if that would be a TAHD requirement to which Mr. Rotondo states he will check into that. Mr. Coppola states that the existing tank has been pumped out in the past and the new septic could be pumped out as well if there was a major power outage. Regarding Penny Sharp's report, R. Orciari states he would like her to look at 1) the change in groundwater flow to the wetlands

versus surface flow and answer the question of how important is it to the wetlands, also looking at impervious surfaces. 2) Have her look at the thermal load into the stream and 3) answer what is the flow rate of the stream in cubic feet per second? Mr. Rotondo explains that P. Sharp was looking at the quality of the wetlands and that he is not sure she is qualified to answer these three questions. He informs the commission that he could provide CFs. Mr. Orciari continues with 4) asking whether the connecting part of the sidewalk proposed is necessary? Mr. Rotondo believes it to be a benefit to the town to make it into a "plaza" though it could be removed from the plans. The commission's census is that it should be removed to lessen impervious surface. Lastly, Mr. Orciari refers to the cut in front of the property's parking lot and notes that he would like to see a planting plan for that area. Mr. Rotondo explains that planted grass is being proposed for that area which contains a 2:1 slope. He notes that Penny Sharp's recommendation called for heavy planting of vegetation. R. Orciari notes that plowing of snow in the parking lot could end up pushing the snow into the wetlands and he has concern for this possibility. Mr. Coppola states that the snow could be taken off the property by truck instead of being plowed.

R. Wesneski questions whether P. Sharp reported on the value of the wetlands close to Route 118? Mr. Rotondo explains that she did and *Table 1: Summary of Wetland Functions and Value Analysis* is included in her report on page 9. He reports that P. Sharp's upmost concern for impacts to wetlands was during construction.

R. Wesneski questions the possibility of a detention basin with Mr. Rotondo explaining that one was presented in the original plan before revisions were made and the application was submitted.

Mr. Rotondo notes that Sean Hayden walked the property and that his first verbal comments were concerning the following: Monitoring wells to which Mr. Coppola notes that monitoring wells were installed to monitor oil when he first purchased the property. Sean Hayden questioned contamination of the site and Mr. Coppola states at this time that testing was done on the property and will provide a document showing the results of the testing. A copy of Sean Hayden's report dated 11/7/11 is received for the file at this time. Copies will be made for commission members.

S. Hayden's report, in addition to his comments during the site walk, questions whether the sewer line is new or existing to which Mr. Rotondo comments he is not sure. Concerning lot clearing limit symbols, Mr. Rotondo will provide that detail on revised plans as well as for diversions/sedimentation trap. S. Hayden's fourth comment is similar to W.M.C.'s concerning double silt fence barrier and Mr. Rotondo notes that E&S Control Details will be revised. Comment 5) made by S. Hayden is in regards to page numbering which Mr. Rotondo will change and 6) concerns construction entrance detail also addressed by W.M.C. Mr. Rotondo notes that revised plans will show a tracking pad.

S. Hayden refers to the Stormwater Management Plan and Mr. Rotondo states all recommendations made can be added including calculations for ground water recharge volume. Mr. Rotondo answers to S. Hayden's comment #3, page 2, under Stormwater Management Plan, stating that there is no primary treatment proposed of stormwater collected by a catch basin network under the parking area. Mr. Rotondo notes that this has already previously discussed and that he will look at ways to provide treatment including calculations for groundwater recharge volume.

Discussion on parking requirements of the Zoning Regulations is discussed. R. Orciari states that it is difficult to know how many parking spaces would be required without knowing the use of the building. For example, a medical building would require more spaces, whereas a retail office would not. Mr. Rotondo notes that the 28 proposed parking spaces are in accordance with Zoning requirements.

R. Orciari requests information on where the state's catch basins are to see if drainage is close to the reserve area. Mr. Rotondo refers to the site plan and shows the location of the one catch basin that discharges into the wetlands in the area on the most western side of the property. R. Orciari questions whether there is a

maintenance schedule for cleanout of the three proposed catch basins to which Mr. Rotondo states that W.M.C. Consulting Engineers requested this information and it will be provided.

At this time Chairman Burnett opens the floor for public comment.

Janet Burritt, 31 Whetstone Road, questions the amount of wetlands on site. Land Use Coordinator P. Redmond refers to the application and notes 3.49 acres of wetlands on site is reported.

Michael Rybak, 100 Litchfield Road, states that although he is the town attorney, he disqualifies himself as such due to the proximity and closeness of his residential property to the proposed site. His main concern is the environmental impact to the brook that flows behind the existing building on the property and eventually onto his property. M. Rybak has concern for the amount of impervious surface which may affect the temperature of the brook and the trout that are found there. He also has concerns over blasting effects as well as trash that may result from more development that may end up in the brook. He gives credit to Mr. Coppola for cleaning up the site in the past and he adds that he trusts in his proposal for development of the property.

Bruce Perran, 58 Cemetery Road, questions if the proposal is dealing with the existing parking lot, i.e., re-contouring to which Mr. Rotondo explains that the existing parking lot will remain as is with just new striping for spaces. B. Perran makes mention of the runoff/drainage problem at the corner of Cemetery Road and Route 118 that causes a dangerous situation for cars when freezing occurs. Mr. Coppola notes that it may be a cause of snow being piled in that area and that he will have Mr. Rotondo look into this area. B. Perran inquires as to whether Parcel 2, the residential lot, is being reviewed as wetlands located on that property may have an effect on Parcel 1. Chairman Burnett notes that when an application for development of Parcel 2 comes before this commission, any wetland matters will be discussed at that time.

With no further comments from the public, Chairman Burnett references Section 7.6 of the IWWC Regulations and makes certain items noted in that section have been or will be presented by the applicant and his engineer.

R. Orciari asks Michael Rybak if there has been any damage to his property from the brook as a result of high water, as in the case of tropical storm Irene. M. Rybak states that with heavy rains, one could hear the brook running fast and that fish are probably picked up and relocated but that in all, the forested canopy has handled fast running water for years.

M. Etter refers to the parking lot and questions whether the lot could be reconfigured by eliminating an area of grass in the area of the drop-off mailbox (south side of the property) and adding parking spaces in its place. Mr. Rotondo explains that if parking spaces were in this area, people would have to walk a greater distance across the lot which could be a safety hazard. Land Use Coordinator P. Redmond questions whether the exit location from the parking lot could be moved to the furthest area along the west side of the property allowing for more parking on the south side/middle of the lot and eliminating a center exit being used by patrons of the existing building and the proposed building. Mr. Rotondo will contact the CT DOT to inquire as to the elevation, presently at 114, and the possibility of bringing it up 8 feet with the relocation of the exit.

Janet Burritt questions whether stream flow is out of the commission's control because it is unknown what is going on upstream in the area of Davis Road. R. Orciari states that the commission must look at each individual site and contend with the first inch of rain. Mr. Rotondo states he will look at peak flows, and if higher, he will propose putting in a containment to release the water slowly. He notes that it is the intent to recharge the groundwater and keep it on site as noted by Michael Rybak.

Mr. Rotondo states that he will coordinate revisions to the site plans with W.M.C. Consulting Engineers and will also forward Sean Hayden's and Penny Sharp's report to them. This will provide for W.M.C.'s final comments on revisions made in a timely manner.

S. Ryan **motioned** to continue the hearing to the next regularly scheduled meeting on December 5, 2011, seconded by M. Etter. Motion passed unanimously and the hearing adjourned at 8:35 p.m.

REGULAR MEETING

1. **OPEN MEETING – ESTABLISH QUORUM.**

Chairman Burnett called the meeting to order at 8:35 p.m. and the same quorum exists.

2. **APPROVE MINUTES OF PREVIOUS MEETING:** 10/3/11.

S. Ryan **motioned** to approve the minutes with one amendment to page 2, item 3, line 17 to read: "25.5 feet separating distance...". D. Prigitano seconded the motion and it passed unanimously.

3. **POSSIBLE DISCUSSION/POSSIBLE DECISION - CARL COPPOLA – APPLICATION FOR CONSTRUCTION OF 3200 SQUARE FOOT (FIRST FLOOR) COMMERCIAL/RETAIL BUILDING, 122 LITCHFIELD ROAD, POST OFFICE PLAZA.**

No discussion.

4. **REVIEW 2011 LEGISLATION AND REGULATIONS ADVISORY.**

The matter will be placed on the next IWWC agenda for December 5, 2011.

5. **ANY OTHER BUSINESS.**

Land Use Coordinator Redmond has signed off on three applications for 1) Robert Lesniewski, 166 Woodchuck Lane, addition to home, no wetlands, 2) Don Truskauskus, 99 Scoville Hill Road, 10/35 cow barn, no activity within 100 feet of a wetlands and 3) Greg McGinn for Russel Schleich, 87 North Road, detached garage, no activity within 100 feet of a wetlands.

LUC Redmond notes that TAHD sent notice that a permit was issued by them for 36 Garden Lane for work involving new pump chamber in same location.

6. **COMPLAINTS/ENFORCEMENT ACTIONS.**

IWZEO report is received and reviewed. An addendum to the report is expected and once received it will be forwarded to commission members.

7. **CORRESPONDENCE.**

Copies of Habitat received and distributed. Information on the CT Assoc. of Conservation & Inland Wetlands Commissions, Inc.'s Environmental Conference is received. Board of Selectmen meeting minutes of 10/19/11 received. Copy of CT Wildlife Magazine is received.

8. **INVOICES.**

IWZEO Karen Nelson's invoice for 22 hours covering 9/15/11 through 10/24/11 is received.

R. Wesneski **motioned** to approve the invoice, seconded by S. Ryan. Motion passed unanimously.

9. **ADJOURN.**

S. Ryan **motioned** to adjourn the meeting at 8:50 p.m., seconded by R. Wesneski. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator