

INLAND WETLANDS COMMISSION
MINUTES
Regular Meeting of October 8, 2014 at 7:30 pm
Council Chambers, Municipal Center, 3 Primrose Street, Newtown, CT

These Minutes are Subject to Approval by the Inland Wetlands Commission

Present: Mary Curran, Craig Ferris, Anne Peters and Sharon Salling; **Not Present:** Kristen Hammar; **Staff Present:** Rob Sibley, Deputy Director of Planning and Land Use; Steve Maguire, Land Use Enforcement Officer; and Tammy Hazen, Clerk

Ms. Curran opened the meeting at 7:32 pm.

CONTINUATION OF PUBLIC HEARING

Ms. Curran opened the meeting and discussed the Public Hearing process. The applicant has submitted revised plans and reports on Friday, October 3rd. Since the commissioners need time to review the updates and walk the staked site, the public hearing will remain open until the October 22nd meeting. The Town attorney provided an opinion letter that confirms the public notice and the owner permission components of the application are sufficient for the commission. The public was informed that the file is available for review in the Land Use Agency office.

IW #14-15 KASL, LLC and IBF, LLC, 16 and 19 Robin Hill Road, Scudder Road, and 168 Sugar Street.
Application for a 23 lot Open Space Conservation Subdivision (OSCS) development.

Thomas Beecher, Esq. with Collins Hannafin, P.C., 148 Deer Hill Avenue in Danbury, opened discussion and introduced the applicant's team: George Trudell, 48 South Main Street, Newtown, CT; Daniel Kroeber, P.E., Milone and MacBroom, Cheshire, CT; and William Root, Certified Soil Scientist and Wetlands Ecologist with Milone and MacBroom. Mr. Trudell submitted a request for extension of 30 days.

Mr. Kroeber presented a PowerPoint presentation outlining their response to questions posed at the previous meeting. Revised site plans included additional wetland flags and incorporated other Town departments' comments. Revised Wetland Delineation Reports were submitted along with a non-significant impact statement and vernal pool findings.

Mr. Root said that the wetlands have not changed much since flagged in 2001. He reviewed a Dymar field delineation report showing that vernal pools were far enough away from the proposed development but that there is one area questionable that is closer to the development. Ms. Peters asked about the timing of their field work. Mr. Root said he had reviewed the area in the spring but had returned in September.

Mr. Kroeber said there is a total of 19.5 acres of wetlands on the property. They staked out the road center line and the homes that are in proximity of the wetlands. To limit encroachment by homeowners into the wetlands, native buffer plantings are shown on the revised plans. Regarding the watershed question, Mr. Kroeber displayed two graphics to explain existing and proposed conditions. Mr. Root said he does not expect any significant impacts to the wetlands or watercourses.

Mr. Ferris asked about accumulative flow rates of the three larger watersheds. Mr. Kroeber reviewed the information.

Mr. Kroeber then reviewed answers to questions posed by the residents, including the concerns over notification. Regarding drainage concerns on Scudder Road, Mr. Kroeber explained that there are 60 acres of watershed draining down towards Scudder Road that is not part of the applicant's property. The proposed development has a smaller contribution. The proposed water quality basin will allow mitigation of peak flow rates.

Since the staff and commission had no more questions, public comment was opened.

Gene Eames of 10 Ferris Road, Bart Rasmussen of 55 Scudder Road, and Robert Zupko of 5 Ferris Road shared concerns over the notification issue. Ms. Peters said that the letter from the Town's attorney, which is public record, answered these questions and is available in the applicant's file.

Laura Terry, 64 Robin Hill Road, Ed Kiernan, 34 Scudder Road, and Linda Nash, 7 Ferris Road all shared concerns over water and impacts to the wetlands. Mr. Kroeber explained in detail the storm water drainage systems, the basin located along Scudder Road and the topography of the area. Bart Rasmussen of 55 Scudder Road shared concerns over contamination of Deep Brook. Mr. Kroeber explained that they are maintaining State requirements for water quality.

The commission will review the revised plans and walk the site. The public is encouraged to review the file in the Land Use office. Atty. Beecher made a closing statement, noting that there will be no significant impacts to the wetlands or watercourses on or off the site and that there will be no potential effects to vernal pools with a possible exception to one area one that is approximately 500 feet from one of the proposed developments.

Ms. Curran noted that the next Public Hearing will be held on October 22, 2014 in the Council Chambers in the Newtown Municipal Center at 7:30 pm.

APPROVAL OF MINUTES – Ms. Salling motioned to approve the minutes of September 10, 2014. Ms. Peters seconded the motion. Changes are: 1st page, 2nd to last paragraph, 2nd line, "...the applicant's authorized [add: *agent*] ..."; 5th line down, ... Milone and MacBroom, [remove *said*] explained that he" The minutes were approved as amended.

ACCEPTANCE OF APPLICATIONS – None

ADJOURNMENT – Mr. Ferris motioned to adjourn the meeting at 9:07 pm. Ms. Peter seconded the motion an all were in favor.

Respectfully submitted by Tammy Hazen