

**INLAND WETLANDS COMMISSION
MINUTES**

Regular Meeting of November 12, 2014 at 7:30 pm

Meeting Room #3, Municipal Center, 3 Primrose Street, Newtown, CT

These Minutes are Subject to Approval by the Inland Wetlands Commission

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

Ms. Salling opened the meeting at 7:38 pm.

PENDING APPLICATIONS

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.

After a brief discussion, Ms. Peters motioned to approve the application with standard conditions A, B, C, D, E, F, L, N, P and the approved plans are:

- The Preserve at Newtown Open Space Conservation Subdivision for 16, 19 Robin Hill Road and 168 Sugar Street, Newtown CT, dated 7/22/14 revised 10/3/14, dated received 10/3/14; and
- Buffer strips will be installed on lots 13 and 14 as illustrated on the above-mentioned plans, however, the exact location, length, width and composition of the buffer strips will be determined and approved by the Inland Wetland Agent;
- The plantings on site will be monitored for two growing seasons and will be replaced if needed within that time period;
- The commission would request that the proposed road "Deer Hill Drive" off of Scudder Road from the road elevation 758 (300) through 764 (450) on the southwestern side of the road be relieved of the requirements by the Planning and Zoning Subdivision Regulation 4.01.100 for planting streetscape trees and that the required grading specifications be pulled back as far as acceptable by the Town Engineer to limit encroachment into the wetland area and retain the natural vegetation and existing topography as much as possible within the southwestern section of road (150 ft.) as described above.

Mr. Ferris seconded the motion. The motion was unanimously approved.

IW #14-22 Philip Hubbard, PH Architects, LLC, 22 Old Farm Road. Application for a 24' x 24' x 6' thick concrete pad.

Mr. Sibley opened discussion stating that this type of activity is typically signed off by a wetlands agent as a non-regulated activity. Upon request, the applicant submitted an application and a site investigation wetlands report (prepared for the applicant by JMM Wetlands Consulting).

Jim McManus of JMM Wetlands Consulting in Newtown provided an overview of his report and explained his determination that there is no regulated activity, that the swale located southwest of the

site is not a regulated watercourse, and in reviewing historical aerial photographs he determined the swale was created as a result of pipes placed in the area in either the 50's or early 60's. He found no wetland soils and the only vegetation relating to this is Phalaris, which is common in agricultural land. He considers this a non-regulated conveyance way and characteristically does not meet the intermittent watercourse definition set by the State. The swale collects surface water from points west and the soils are not saturated below two feet and are moderately well-drained.

Ms. Peters and Mr. Ferris asked if water runoff from the concrete pad would cause adverse impacts on the wetlands below. Mr. McManus said whatever water that would run off the pad will trickle through a great deal of vegetation prior to hitting the wetland. He referenced pictures in his report.

Ms. Peters stated that with any future development on this site, that detailed plans be submitted before activities are initiated. For the record, Ms. Salling noted that the commission received two letters requesting a public hearing. After the commissioners reviewed the regulations in regards to the public hearing process, the commissioners agreed the current application does not warrant a public hearing, although future development may require one.

After a thorough discussion, Ms. Salling stated that after reviewing the application and the wetlands report; and after considering the requests for a public hearing, the commissioners agreed that a public hearing is not appropriate in this case and that the application should be approved as a non-regulated activity. With no more discussion, Ms. Hammar motioned that the application be approved as a non-regulated activity. Mr. Ferris seconded the motion and all were in favor.

ACCEPTANCE OF APPLICATIONS

IW #14-24 123 High Rock Road, Pequot Fish & Game Club.

APPROVAL OF MINUTES – Ms. Peters motioned to approve the Inland Wetlands Meeting minutes of October 22, 2014. Ms. Hammar seconded the motion. Changes: In the first paragraph, change “extend” to “extending”. The minutes are approved unanimously as amended.

ADJOURNMENT – Ms. Peters motioned to adjourn the meeting at 8:15 pm. Ms. Hammar seconded the motion and all were in favor.

Respectfully submitted by Tammy Hazen