

**INLAND WETLANDS COMMISSION  
MINUTES**

**Regular Meeting of September 9, 2015 at 7:30 p.m.**  
Council Chambers, Newtown Municipal Center  
3 Primrose Street, Newtown, CT

**These Minutes are subject to Approval by the Inland Wetlands Commission**

**Present:** Mary Curran, Kristen Hammar, Suzanne Guidera and John Davin

**Staff Present:** Robert Sibley, Deputy Director of Planning and Land Use, Steve Maguire, Land Use Officer, Dawn Fried, Clerk

Ms. Curran opened the meeting at 7:32 p.m.

**PENDING APPLICATIONS**

**IW #15-01 149 Mount Pleasant Road, Walter Kilcourse.** Construct building and associated site improvements.

Ms. Curran requested a motion. Ms. Hammar moved that application IW#15-10 be approved. Ms. Guidera seconded. All in favor.

**Approval with standard conditions A, B, C, D, E, F, L, O and P. The approved plans are: Brook Channel Restoration Plan, 149 Mount Pleasant Road, Dated 8/19/15 and Pogond Brook Plaza, 149 Mount Pleasant Road, Dated 1/5/15.**

**PUBLIC HEARING**

**IW #15-16 by Covered Bridge Newtown, LLC**, property located at 13 Hawleyville Road and 9 Covered Bridge Road for a wetland application to construct a 4,160 square foot diner with necessary site improvements and construction of 180 residential affordable housing units in six buildings with necessary site improvements. Dated August 5, 2015.

Attorney Peter Scalzo, Two Stony Hill Road, Bethel, CT, representative for the applicant gave an overview of the project. Mr. Scalzo stated there is public water and sewer on the site. He also submitted the affidavit that the abutters were notified and introduced the team that will be representing the client.

Dainius Verbickas, PE, Principal, Artel Engineering Group, LLC, Brookfield, CT, presented the project site maps and described the property. The proposed diner will be on 3.72 acres of commercial property with direct access to Hawleyville Road and the six buildings with 180 units with parking underneath and a community building (club house), will be on 22 acres of residential property.

Mr. Verbickas pointed out the modifications made to the initial site plan based on suggestions given by the Planning and Zoning Commission. The modifications are as follows:

- Add an alternate point of access to the site for emergency use.
- Enlarge the covered bridge crossing that enters into the site and span the existing railroad trestle while keeping the abutments in place
- Add another 12 foot wide driveway to access the diner from the central location of the housing units and church which will allow the tenants to access without having to use the main entrance way.
- Add an additional 12 foot egress into the diner entryway as a second point of access. It was originally proposed one way in and one way out.
- Widen entryway to diner with an added second lane.

Mr. Verbickas stated the following:

- There will be no impact to the wetlands surrounding the proposed housing units which are centrally located on the property.
- The wetland area was demarcated in 2003 and has remained the same.
- There is a wetland area near the railroad bed which will not be disturbed.
- The grading of the site will follow the natural contours.

The stormwater from the parking lot and roof for the diner and housing units will be routed and captured through a series of catch basins that will gather together into a Vortechnic separator. The separator will then remove sediments from the water and discharge into a detention basin, designed for a hundred year storm, that will run off into a level spreader followed by a final discharge into wetlands.

Ms. Jodie Chase, Wetland Scientist, East Lyme, CT, described the property and stated the site has not changed since her initial visit on 2005 and that the wetland system is still basically the same. Ms. Chase stated there are three wetland corridors and two wetland pockets. Ms. Chase described in detail each wetland system and its location on the property. Ms. Chase stated there will be a direct impact on one low value wetland system but does not feel the system needs to be replicated because of the other adequate surrounding wetland systems.

Ms. Abigail Adams, Landscape Architect, Brookfield, CT, described in detail the planting plan for the diner and residential area.

Ms. Hammar questioned what percentage of the site is going to be impervious surface. Mr. Verbickas did not have the information available but will have it for the next meeting.

Ms. Curran questioned if the covered bridge will be removed. Mr. Verbickas stated the intention is to move the existing structure but is unsure if it will be preserved or remain onsite. A new covered bridge will replace the existing bridge with a 24 foot wide driveway and an additional 5 foot wide sidewalk for pedestrians. The intention is to have the bridge covered and the sides exposed possibly with a criss-cross pattern along the outer edges. Also, the intention is to preserve the abutments with a similar elevation but the bridge will be widened from approximately 18 feet to 36 feet.

Mr. Davin asked how the bridge will be supported with a wider road. Mr. Verbickas stated there will be new abutments beyond the outer edges of the existing abutments.

Mr. Davin asked how the stream will be protected during construction. Mr. Verbickas stated he will have the details of that information at the next meeting.

Ms. Guidera asked about the quality of water running off into the catch basin. Ms. Guidera was concerned about the oil from the cars mixing with the run off and entering into the wetland areas. Mr. Verbickas stated prior to discharge from any of the catch basins onsite the stormwater gathered from the paved surfaces will be routed to a vortex swirl concentrator into a box where the sediments settle out. He stated he will look into utilizing other remediation options and will have a management maintenance plan available for the property association. Ms. Guidera asked for a study to be done on the pollutants.

Ms. Hammar asked if the destruction of the existing canopy will have an overall impact on the wetlands. Ms. Chase stated there will be a substantial buffer that will not be impacted. The short term destruction associated with construction is the primary issue but the long term will have a tree canopy in the buffer.

Mr. Sibley had a variety of questions and requests:

- Mr. Sibley requested the revised site engineering report and environmental report be submitted.
- Mr. Sibley asked which version of the Army Corp methodology was used in the Environmental report. Mr. Sibley requested that the revised assessment states the functionality and quality of the wetlands.
- Mr. Sibley requested the assessment report to portray the functionality of the basins and would also like the locations of the basins be referenced in the report.
- Mr. Sibley requested to see the earlier soil report.
- Mr. Sibley asked if the applicant would be amenable to best management practice and a mitigation plan associated with removal of invasives. Ms. Chase stated it would be a tremendous undertaking to remove the barberry.

- Mr. Sibley requested that a written statement be added to the assessment report stating the filling of “Wetlands A” is not going to have a significant impact to the wetlands system.
- Mr. Sibley questioned if any alternatives were considered to avoid or lessen the impact of “Wetlands A” or the filling of “Wetlands A”. Mr. Verbickas stated unfortunately “Wetlands A” will be impacted with no alternative option.
- Mr. Sibley requested a river functionality plan.
- Mr. Sibley requested an impervious surface disturbance plan.
- Mr. Sibley requested a revised bridge span plan.
- Mr. Sibley requested a comparison between the previous IW approval and the proposed plan.
- Mr. Sibley requested a storm water maintenance schedule. It should be a plan detailing the water shed size and the impact and quantity of water.
- Mr. Sibley requested a best management plan or a spill response plan in regards to the location of the dumpster.

Mr. Maguire asked if there was a buffer behind the pool area. Ms. Adams stated there was no planting buffer but one can be added.

### **Public Participation**

Lila Dean, Old Hawleyville Road, has concerns with the applicant’s information because it’s missing the Grace Church piece of information.

Terry Laslow, Old Bethel Road, has concerns with the traffic impact.

Janet McEwan, Hillcrest Drive, has concerns with the number of buildings on the property and the disturbance of the wetlands, watercourses and wildlife.

Linda Nobes, Covered Bridge Road, has concerns with pollution and contamination, too many buildings on only 25 acres, and also concerned for the wildlife and natural surroundings.

Ed Adams, Hillcrest Drive, has concerns with the size of the project, losing open space and loss of wildlife and the beautiful landscape. Objects to the project.

Heather Wilson, Hillcrest Drive, has concerns with the removal of the historic bridge, and the loss of wetlands and wildlife.

Amy Cox, Pond Brook Road, has concerns with the protection of Pond Brook and preserving the water quality. Ms. Cox is also concerned about the impervious surface and is hoping this project is done correctly in regards to protecting the environment.

Ms. Curran requested a continuation of the public hearing to the next Inland Wetland meeting on September 23, 2015.

**IW #15-19 198 Hattertown Road, Renata Adler.** Pond maintenance including excavation and removal of sand, sediment and debris from existing pond area.

Dainius Verbickas, PE, Principal, Artel Engineering Group, LLC, Brookfield, CT, represented the applicant, Ms. Renata Adler. Mr. Verbickas presented the site map and described the project. The proposed project is the excavation of 3 to 4 feet of the upper pond and the removal of the sediments. There will be approximately 110 cubic yards of sand and silt removed. Ms. Adler spoke about the dramatic change in the water flow over the past year. There is presently no flow of water because of an historic dry spell. The excavation is an anticipation of future water flow. There are two waterfalls connected with the pond but at this time are not running.

The Commission would like to visit the site and will continue this discussion at the next Inland Wetland meeting on September 23, 2015.

**IW #15-18 32 Schoolhouse Hill Road, Rand Whitney Container.**

Construct building addition and associated amenities (parking, loading, storm water, utilities, lighting, landscaping, etc.)

Mr. Will Walter, Civil Engineer, BSC Group, Glastonbury, CT, representative for the applicant, Rand Whitney Container. Mr. Walter presented the site map and described the project. Rand Whitney Container is expanding their production and would like to expand the facility from the existing 127 thousand square feet to approximately 310 thousand square feet. Mr. Walter is proposing to relocate and reconfigure the intersection at Edmond Road and Schoolhouse Road to make for a safer entrance.

Mr. Walter stated the following:

- The water shed will not change.
- The stormwater will be collected thru roof leaders, catch basins, and piping.
- There are three wetland areas, two of which will not be impacted, one associated with Tom Brook and one located on the northwest side of the site. The only wetland area that will be impacted is a result of a drainage ditch.
- The water flow will be captured, treated and discharged.
- The water velocity will be reduced before it discharges to the wetlands.
- There was a hydraulic analysis done which was required by the town.

- The short term protection for water quality was addressed, which pertains to the erosion control during construction.
- The long term protection for water quality was addressed, which pertains to treating the storm water before it gets to the wetlands after completion of project.

Ms. Hammar questioned if there are any mitigation plans for the storm water pipe that is part of the storm water management system. Ms. Hammar was also concerned that the size of the storm water management system was very small in comparison with the very large impervious site. Lastly, Ms. Hammar questioned how the velocity of the water was being managed.

Mr. Sibley recommended researching a Vortechnic chamber system rather than a baffle system for better handling of spill potential.

Mr. Maguire questioned the location of the retaining wall.

The Commission will visit the site. Ms. Curran continued the meeting to September 23, 2015.

### **IW #15-12 190 Walnut Tree Hill Road, Wes Thompson. Riverbank restoration.**

This application was tabled.

### **APPROVAL OF MINUTES for September 9, 2015**

Under IW #15-01 change “on” to “in”, and change “lead” to “led”. Ms. Curran requested a motion to approve minutes with the suggested revisions. Ms. Hammer so moved. Mr. Davin seconded. All in favor.

### **OTHER BUSINESS**

No new business.

### **ADJOURNMENT**

Ms. Curran requested a motion to adjourn meeting. Mr. Davin so moved. Ms. Hammar seconded. All in favor. The meeting adjourned at 10:03 pm.