

**INLAND WETLANDS COMMISSION
MINUTES
Regular Meeting of April 27, 2016 at 7:30 p.m.
Council Chamber, Newtown Municipal Center
3 Primrose Street, Newtown, CT**

These Minutes are subject to Approval by the Inland Wetlands Commission

Present: Mary Curran, Suzanne Guidera, John Davin, Mike McCabe and Craig Ferris

Staff Present: Steve Maguire, Land Use Enforcement Officer, Dawn Fried, Clerk

Ms. Curran opened the meeting at 7:34 p.m.

PENDING APPLICATIONS

Application IW #16-06 by Andrew Urbanski, property located at 12 Beckett Village for landscape renovations and site improvements.

Mr. Dirk Sabin, Sabin Landscape Architects of New Milford, CT, spoke on behalf of the applicant, Mr. Urbanski. Mr. Sabin addressed the Commission's concerns from the previous IW meeting.

Mr. Sabin presented the revised map and described the changes in detail. Per the Commission's request Mr. Sabin updated the site plan which showed that he will not be altering the course of the stream.

Mr. Sabin addressed the location of the silt fence. An instream temporary silt trap will be added where the stream exits the property. Mr. Sabin stated that it would work better than a typical silt fence because the water goes through and catches the sediment without tipping over due to large flow.

The last issue Mr. Sabin discussed was the Commissioners' concerns regarding the lawn abutting the stream. The Commission requested native buffer plantings to be placed along the stream in place of the grass and moss that is currently there. Mr. Sabin stated that instead of digging out the colonized moss and creating large beds there will be native plants placed within the moss and grass. Native wetland plants discussed were: Cinnamon Fern, Turtle Flower, Cardinal Flower, etc.

Ms. Curran requested a motion. Mr. Davin moved that **Application IW #16-06 by Andrew Urbanski, property located at 12 Beckett Village for landscape renovations and site improvements be approved with standard conditions A, B, C, D, E, F, O and P.**

The approved plans are: Urbanski Residence, 12 Becket Village, Dated April 26, 2016, and all supporting documents. Mr. McCabe seconded. All in favor.

Application IW #16-08 by Iroquois Pipeline Operating Company, property located on Stonebridge Trail to install a launcher, a mainline valve and an above ground receiver at existing mainline valve stations.

Mr. James D. Ransom, Project Delivery, Director, Iroquois Gas Transmission System, Shelton, CT and Christa Y. Fine, Environmental Analyst, Iroquois Pipeline Operating Company gave an overview of the project. The purpose of the project is to add facilities to the pipe which will enable them to perform inline inspections every 3 to 5 years. The proposed project area will be approx. 19,000 square feet and the excavation of the property will be 4,000 square ft.

There will be two installation areas. The project will involve adding a launcher, receiver and a mainline valve facility on Iroquois's existing right-of-way. One installation area will be on Canterbury Road. This area will have the mainline valve and the launcher. The launcher is a barrel that will be used to insert an electronic tool with a camera. The other end of the pipe will be the installation of the receiver which will receive data. The receiver will be on Stone Bridge Trail.

The site work will be within 100 ft. of the wetland area but will not impact the wetlands. The project will start in September and will take 8 weeks. Before the project starts an environmental inspector will be providing training on the safety aspects and environmental issues. The inspector will be on-site for the entirety of the project to ensure the wetlands areas will not be impacted. The soil that is excavated will be used for the grading and will stay on site. After the project is completed the area will be reseeded and mulched.

Ms. Curran requested a motion. Mr. Ferris moved that **Application IW #16-08 by Iroquois Pipeline Operating Company**, property located on Stonebridge Trail to install a launcher, a mainline valve and an above ground receiver at exiting mainline valve stations with a recommendation to make repairs to surface water issues on road from wetland area above **be approved with standard conditions A, B, C, D, E, F, O and P. The approved plans are: Proposed Newtown Loop Receiver Installation Project Site Plan dated revised 4/27/16 and all supporting documents.** Mr. Davin seconded. All in favor.

Application IW #16-10 by GRC Construction LLC, property located at 112 Huntington Road for improvement of existing farm road to 16 feet wide with two 15 inch RCP pipes to be used for stream crossings.

Mr. Greg Carrick, 112 Huntingtown Rd., Newtown, gave an overview of the project. The property has 23 acres with an existing farm road that is 80 years old. Mr. Carrick proposed to clear out the invasive plants and vines, clean up the debris on the property and repair the road.

Mr. Carnrick also spoke about removing a section of another road that was started years ago but never completed. By removing the old road 3700 sq. ft. of wetlands will be restored.

The overall project will have 3,300 square feet of disturbance but with the additional 3,700 square feet of wetlands from the removal of the old road (20 ft. wide and 200 feet long), the wetland area will gain 400 square feet of wetlands which ends up being 110% of mitigation.

There will be 2 stream crossings each with twin 15 inch RCP pipes at each crossing. There will be minimal excavation. The required length of the pipes is 16 feet.

Mr. Ferris discussed the wetlands on the edge of the road and the necessity for extra pipes installed at different locations. Mr. Ferris was concerned the water could potentially get through the space. Mr. Ferris stated the road is not higher than the wetland and the water might flow over the top of the road. Mr. Ferris thinks the road might be holding back the water. Mr. Ferris suggested putting pipes where the standing water is currently pooled.

Mr. Carnrick presented a report from James McManus, soil scientist, evaluating the property.

Ms. Guidera asked how the old road will be removed. Mr. Carnrick stated it's a dirt road that will be taken off site if necessary.

Mr. McCabe discussed the elevation of the additional pipes and the flow of water.

Mr. Carnrick will discuss the placement of other pipes with Mr. Maguire and Mr. McManus. Mr. Carnrick suggested 1 inch above the other pipes. Mr. Maguire suggested leaving it to Mr. Carnrick's discretion when out in the field.

Ms. Curran requested a motion. Mr. McCabe moved that Application IW #16-10 by GRC Construction LLC, property located at 112 Huntington Road for improvement of existing farm road to 16 feet wide with two 15 inch RCP pipes to be used for stream crossings. Recommendation for possible coarse gravel apron below driveway along with supplemental drainage to allow sufficient flow in areas not around RCP pipe crossing locations be approved with standard conditions A, B, C, D, E, F, O and P. The approved plans are: Data Accumulation Plan prepared for GRC LLC 112 Huntingtown Road, Revised Dated 4/27/16 and all supporting documents. Mr. Ferris seconded. All in favor

PUBLIC HEARINGS

PUBLIC HEARING RESCHEDULED TO MAY 11, 2016.

Application IW # 16-09 NERP Holding and Acquisitions LLC, property located at 116 South Main Street, Newtown, CT for the development of a Tractor Supply Company 19,097 sq. ft. retail building and associated site improvements.

Application IW #16-04 by Hunter Ridge, LLC, property located at 41, 43, 45 & 47 Mt. Pleasant Road, to construct 29 single family units and associated site improvements including driveway, parking, drainage and utilities as shown on plans.

Mr. Ferris read the legal notice for the record.

Mr. Larry Edwards, J. Edwards and Associates, LLC of Easton CT, spoke on behalf of the applicant, Hunter Ridge, LLC.

Mr. Edwards started his presentation by addressing three concerns the Commission and public had at the last Inland Wetland meeting.

Mr. Edwards addressed the first concern which was the picnic area by the pond. Mr. Edwards presented a revised drawing with a refined view of the five picnic areas. Mr. Edwards stated the following:

- the picnic areas would be available to residents of the facility
- the existing trees will not be disturbed
- the areas will be centralized in the lower portion of the parcel
- the areas will be mulched
- to reserve the picnic areas the residents will have to go through the homeowners association
- the picnic areas will not impact the neighbors
- the picnic areas will be used for passive recreation

Mr. Edwards addressed the second issue which was to provide screening along the lower detention basin next to Mr. Pilchard's driveway. Mr. Edwards added the screen to the revised site plans as well as an evergreen buffer along the edge closest to Mr. Pilchard's driveway.

Mr. Edwards addressed the third issue which he stated is more of a P&Z issue. A neighbor had concerns that the increased run-off would have an impact on his driveway. Mr. Edwards stated the run-off comes from the state roadway and will not come from the project. Mr. Edwards had a drainage analysis done which showed that the 15 inch pipe under the driveway is undersized for the flow capacity coming from the state road. Mr. Edwards prepared a plan proposing that the applicant replace the 15 inch pipe with a 24 inch pipe.

It will require the owners of both driveways to agree to have the pipe replaced by the applicant. Mr. Edwards would like take care of this issue now rather than having to go back to the IW Commission to get approval after the pipe is installed.

The Commission had a lengthy discussion regarding the proximity of the picnic areas next to the lake front. Ms. Curran suggested moving the tables closer to the buildings rather than by the water. The Commission suggested pulling the picnic areas back 25-ft from the water. Mr. Edwards will revise the picnic area to show 25-ft from water.

The Commission also had a discussion regarding garbage issues from the picnic areas and how it would be maintained. Mr. Edwards will revise the plans to show garbage pails placed in the picnic areas.

Mr. Edwards pointed out that this cluster housing development is better than the original 14 one-acre lot subdivision. The cluster housing will have fewer disturbances compared to single family home owners. The lake is a huge part of what the property has to offer.

Public Participation

Marybeth Dinoto, Orchard Lane, had concerns that the sanding and salting of the roads will deposit into her pond. Ms. Dinoto feels the town will not be able to handle cleaning additional roads. Ms. Dinoto is also concerned that Toll Brothers will come in, build and leave. Who then enforces the rules of the property? Lastly, what will happen at the lake when the parties start, who will oversee the activities?

Robert Grossman, 49 Mt. Pleasant Road, stated that this project will attract nuisances at the lake. There are going to be teenagers having parties at the lake, drinking beer, loud music and camp fires. Dr. Grossman feels this is totally unacceptable. Dr. Grossman also is concerned about the boats on the lake and the lake activity. Toll Brothers builds their houses and then "gets the hell out of there". Dr. Grossman also stated that this is a totally inappropriate use of land and Toll Brothers is totally irresponsible and recommends that the IWC turns down this proposal.

Kelly Berigen, 8 Mt Pleasant Terrace, is concerned that the property is not gated and anyone can use the visitor parking and access the lake at any time. Ms. Berigen was concerned about the youngsters going down the path to the lake, having parties and littering. Lastly, Ms. Berigen was concerned about the additional traffic from those not living in the development.

Ben Pilchard, 53 Mt. Pleasant Road, thanked Mr. Edwards for giving consideration to screening the area by the driveway. Mr. Pilchard's concern was plant maintenance and who would oversee the plantings. Mr. Pilchard asked if something could be written into the contract. Mr. Maguire said it would be a planning and zoning issue. Mr. Pilchard also thanked Mr. Edwards

for the drainage consideration. Mr. Pilchards suggested putting the property address on the site maps rather than formal names. Mr. Pilchard has concerns about a large number of boats on the lake and the lake under growth. Mr. Pilchard also questioned ambulance access. Mr. Edwards response was that it's not any different than a state park. Lastly, Mr. Pilchard stated that whatever is approved at this meeting will be setting a precedent for the next parcel.

Mr. Maguire went on the record saying you can't make restrictions upon speculated impacts down the road or speculated boat traffic but the reality is that there is public access on the lake and we have to focus on current impacts from the proposal and we can't speculate on future events.

Mr. Edwards pointed out that many of these issues are for Planning and Zoning.

Mr. Edwards stated that the amount of potential impact to the lower portion of the property was significantly lessened with this new proposal. He also stated that Toll Brothers ultimately may not be the ones who develop this property. There has been a lot of interest in this project and a good number of different developers.

Mr. Edwards feels the Conservation Commission might be able to make recommendations regarding some of the issues regarding the conservation easement.

Mr. Edwards stated that restrictions at the pond's edge would not be unreasonable and he will come up with a list of reasonable suggestions for activities and maintenance.

Mr. Davin suggested a figure eight for the picnic areas. Mr. Edwards will redesign the picnic areas.

Mr. Edwards is not proposing any boat access at this time.

Linda Sobo, 36 Taunton Lake Drive, lives on the other side of the lake and is concerned with the addition of 29 families. Ms. Sobo stated that the impact will be enormous. Also, noise pollution is a real concern. Ms. Sobo is also concerned the pond will become a "dead pond" if not taken care of properly. The lake needs to be treated and will the new homeowners contribute?

Mr. Maguire stated that anything in the future that is done on the lake would have to go through the Inland Wetland Commission for approval.

The Commission moved to continue Application IW #16-04 by Hunter Ridge, LLC to the next Inland Wetland meeting on May 11, 2016 in Council Chambers in the Newtown Municipal Building.

APPROVAL OF MINUTES for April 13, 2016.

Under “Public Participation”, fifth paragraph, change “is does” to “it does”. Ms. Curran requested a motion to approve minutes with approved changes. Ms. Guidera so moved. Mr. McCabe seconded. All in favor. The minutes from April 13, 2016 were approved.

ACCEPTANCE OF APPLICATIONS

Application IW #16-11 by Town of Newtown, property located at Toddy Hill Road over Curtis Pond Brook to reconstruct existing Bridge No. 096-024 to minimize traffic interruptions during construction.

Application IW #16-12 by The Natures Edge, property located at 45 Tauton Lake to remove a wetland violation, build walls and patio, level lawn area and replant native shrubs and grasses.

ADJOURNMENT

With no new business, Ms. Curran asked for a motion to adjourn. Mr. Davin so moved. Mr. Ferris seconded. All in favor. The meeting on April 27, 2016 was adjourned at 9:27 pm.

All correspondences are accessible in the Newtown Land Use Office.
A recording of this meeting is available in the Newtown Land Use Office.

Respectfully Submitted, Dawn Fried, Clerk.