

**INLAND WETLANDS AGENCY
REGULAR MEETING MINUTES
MAY 5, 2008**

The regular meeting of the Madison Inland Wetland Agency was held Monday, May 5, 2008 at 7:30 p.m. in Madison Town Hall, Meeting Room A.

MEMBERS PRESENT

C. Thomas Paul, John Mathieu, Rodney Bascom, Glenn Falk, Barbara Yaeger

ALTERNATES PRESENT

Bill Freeman, Robert Speziale, Theodore Aub

MEMBERS ABSENT

Lee Schumacher, David Newton

OTHERS PRESENT

Robert Kuchta, Inland Wetlands Enforcement Officer; Mary Haburay, Land Use Assistant; and Michael J. Ott, Assistant Town Engineer/Director of Public Works.

Chairman Tom Paul called the regular meeting of the Madison Inland Wetlands Agency to order at approximately 7:35 p.m. Mr. Freeman and Mr. Aub were seated for the evening.

PUBLIC HEARINGS – Scheduled for 8:00 P.M.:

NONE

REGULAR MEETING AGENDA ITEMS:

- 1. 08-06: 57 COPSE ROAD.** Map 37, Lot 24-1. Owners: Thomas G. Becker & Oliver W. Becker; Applicant: Allison M. Becker. Regulated Activity Permit for construction of a portion of a dwelling, septic system, driveway, and grading within 100 ft. of a wetland.

Thomas A. Stevens, P.E. and L.S., with offices located at 141 Durham Road, Madison, presented the application for construction of a driveway shown in yellow on the presentation plan, and for construction of a septic system and house. Mr. Stevens recalled comments from the last meeting regarding the positioning of the house and the possible rotation of the house to bring the closest corner of the house further from the wetlands. In response to that, Mr. Stevens stated that they revised the plan to show the house in a symmetrical format, rotated to the northeast corner, bringing it 28' to the wetland boundary. Mr. Stevens recalled concerns regarding the circular driveway and its proximity to the wetlands. Mr. Stevens demonstrated that the driveway was truncated with parking provided in front of the house. Mr. Stevens stated that the septic system and

the driveway have been adjusted to be more than 50' from the wetlands. Mr. Stevens also noted that the silt fence was moved to allow construction equipment to get around the house. Mr. Stevens demonstrated very minor filling in front of the house, and that the driveway will be paved and allowed to sheetflow. Mr. Stevens demonstrated that the footing drains would discharge via a level spreader. Mr. Stevens invited questions.

Mr. Mathieu asked what would happen with stockpiled material. Mr. Stevens stated that the material would be spread on the site for the driveway and that he does not anticipate there will be enough to remove from the site. Mr. Mathieu asked how close the lawn would come to the wetlands. Mr. Stevens stated that the lawn would come just to the north of the silt fence as shown on the plans, as it exists now. Mr. Paul invited comments from Mr. Kuchta. Mr. Kuchta recalled that he saw some grass below the existing stonewall, which is parallel to the silt fence. Mr. Kuchta suggested some orange construction fence at the corner of the house to add a visual indication of the limits and the slope. Mr. Mathieu asked how much material would be stockpiled and was concerned about moving it around the site. Mr. Stevens perceived that the stockpile would be moved around to the back of the house most likely with a front loader. Mr. Stevens stated that the material is about 95 yards, which is mostly the driveway. Mr. Paul asked Mr. Ott whether he looked at this application, and also whether he looked at #08-08. Mr. Ott stated that he did look at #08-08, and that he walked it a couple of times, but suggested that it would have to be treated separately from this application. Ms. Yaeger asked whether the wetlands are continuous from the site for #08-08 to this site. Mr. Ott suggested that it would not be fair to this applicant to bring information from #08-08 into discussion on this application. Ms. Yaeger was concerned about sand and salt running off the driveway during sheetflow. Mr. Stevens stated that he does not see the need to sand or salt this driveway.

Based on the application as submitted, **upon a motion by Mr. Mathieu, seconded by Mr. Bascom, it was unanimously voted that the Madison Inland Wetlands Agency approves the request for Regulated Activity Permit for construction of a portion of a dwelling, septic system, driveway, and grading within 100 ft. of a wetland for application #08-06: 57 COPSE ROAD; Map 37, Lot 24-1; Owners: Thomas G. Becker & Oliver W. Becker; Applicant: Allison M. Becker, as presented at the meeting and as shown on the following record plan:**

- *Inland Wetlands Regulated Activity Plan Lot 2 Green Walk Prepared for Allison Becker Assessor's Map 37, Lot 24 Copse Road Madison, Connecticut sheet 1 of 1 dated 3/17/08, revised to 4/24/08, and prepared by Thomas A. Stevens & Associates, Inc.*

The motion carried 7-0-0.

IN FAVOR: Paul, Mathieu, Bascom, Falk, Yaeger, Freeman, Aub

OPPOSED: none

ABSTAINED:none

2. **08-07: 297 BOSTON POST ROAD.** Map 36, Lot 15. Owner/Applicant: Shoreline Unitarian Universalist Society. Regulated Activity Permit for expanded parking and stormwater management within 100 ft. of a wetland.

Mark Young, L.S., of Russell W. Waldo and Associates, 89 State Street, Guilford, presented the application for expansion of the parking lot within 100' of inland wetlands. Mr. Young demonstrated the inland wetland boundary line in green on the presentation plan and noted that it was flagged and approved in the early 1980's. Mr. Young demonstrated the existing gravel parking lot, which he stated is not very well defined. Mr. Young sought to pave the parking area, and stated that they considered gravel material but that gravel tends to get washed off during heavy rain events. Mr. Young also stated that a parking lot of this size requires some circulation area, which will also cause gravel to get pushed off the edge. Also, Mr. Young indicated that gravel poses a problem because it would get muddy during springtime. Mr. Young demonstrated the stormwater treatment to handle the first inch of runoff and details of the infiltration galleries. Mr. Young anticipated very effective treatment onsite because test pits revealed sandy soils. Mr. Young proposed Cape Cod curbing. Mr. Young stated that they plan to use a grass pave unit in one area, which serves as a soil reinforcement and will be useful for the occasional event where a lot of parking is needed. However, Mr. Young stated that the grass pave unit is not suitable for the entire site because it cannot handle continuous traffic and it is very difficult to plow in the winter. Mr. Young reported that they had a lighting consultant look at the site, and that lights will be required which might be of concern in terms of wildlife. Mr. Young demonstrated the lighting plan and stated that once you get away from the parking lot, the lighting will not be a distraction and will be "dimmer than the full moon". Mr. Young presented an alternative using washed stone, which he stated is expensive and still presents the problem of the gravel migrating off the edge. Mr. Young summarized that traditional asphalt pavement is a good product. Mr. Young demonstrated the grading plan and suggested that the material removed will match what will be brought in, so that the maximum change in grade is about 2' overall. Mr. Young suggested that the stormwater treatment is being significantly improved, which is probably the biggest concern for this site in terms of impacts to the wetlands. Noting the lack of shade on the parking lot, Ms. Yaeger requested information regarding the heat of the water coming off the parking lot and flowing into the wetlands. Mr. Young stated that he did not have any figures, but that running the water underground first will allow much of the water to infiltrate into the groundwater, and that the water will have time to cool off and equalize the temperature by contact with the ground and evaporation before it reaches the wetlands. Mr. Young suggested that this is more of a concern with trout streams because trout are very sensitive to changes in temperature. Mr. Mathieu was concerned about how snow would be plowed on the site. Mr. Young stated that the overall parking area would be suitable for snow storage. Mr. Mathieu suggested that the concern should be brought to the attention of the church and overseen. Mr. Young stated that the berm on the site would also help minimize flow from the snow pile into the wetlands. The president of the church society was present to state that they will handle maintenance of the berm. Mr. Bascom asked why this project was being pursued. Mr. Young stated that the existing parking lot is too small and tends to get potholes, and the people are pulling off the edge of the existing parking area and parking on the grass, creating more depressions. Mr. Bascom asked what the net increase in space is by this project. Mr. Young anticipated that the parking lot is approximately doubling including the overflow parking. Mr. Bascom asked how far on average the edge of the parking lot is being moved, which Mr. Young demonstrated on the plan. Mr. Bascom asked whether

a herringbone configuration or slanted spaces would bring the parking area back in a bit. Mr. Young disagreed that a herringbone design would bring it closer, but conceded that he would have to look into it. Mr. Bascom suggested that it might be an alternative, and that any reduction in the width of this project would help. Mr. Mathieu added that a herringbone design would ensure that traffic flow would be one way. Ms. Yaeger asked whether paving the driveway and using a permeable surface for the parking spaces was considered. Ms. Yaeger was concerned about the volume of pavement so close to the wetlands. Mr. Young responded that one problem with permeable surfaces is that none of them will stand up to the traffic and daily use. Mr. Young stated that the porous pavement type surfaces also require significant maintenance and are difficult to plow and sand. Mr. Young failed to see a significant advantage to using a porous surface as opposed to collecting rainwater and infiltrating it. Mr. Young reminded the Agency that the stormwater treatment is an improvement over what exists now. Mr. Bascom pointed out that the parking area is not paved now and the water is not concentrated like what is being proposed. Mr. Young stated that currently there is no treatment and that the runoff is dirty coming off the existing site. Mr. Young remarked that they don't have a choice in terms of the area because the church needs the space.

Mr. Bascom requested comments from Mike Ott, Assistant Town Engineer. Mr. Ott stated that he had a lot of comments on this application and apologized to the applicant because he forgot to look at this application, which he conceded had been sent to him earlier in the process. Mr. Ott stated that he does not necessarily agree that stormwater is not treated under existing conditions. Mr. Ott stated that the lot is gravel and/or processed stone and is much smaller with a lot of little depression storage in it. Mr. Ott stated that he visited the site on a number of occasions, and that there is grass buffer that will filter stormwater before it reaches the wetlands if it ever does reach the wetlands. Mr. Ott also agreed with Mr. Bascom that angled parking allows for narrower travel lanes, thereby reducing the size of the parking area. Mr. Ott suggested that while an infiltration practice is a good practice, there are other ways for treating the stormwater on this site, such as reducing the size of the parking lot and regrading it because the soils are sands and gravels, there's a deep water table, and there are gentle slopes here. Mr. Ott suggested that they could mimic what happens today with the stormwater and create planted areas to accept the runoff. Mr. Ott stated that the proposed gallery sizing is probably about half of what it needs to be. Mr. Ott summarized that because of the proximity of the wetland associated with the Neck River and the amount of pavement requested, perhaps the applicant would like to consider some of his suggestions. Mr. Young stated that he tried to use a vegetated swale around the edges of the area to collect the water, but that the problem is that the entire area has to be regraded to do that and it would affect a number of the existing pine trees. Mr. Ott stated that shrinking the lot would allow grading to occur within the existing limits. Mr. Young argued that shrinking the lot would result in a loss of parking spaces. Mr. Bascom asked where spaces would be lost and what the necessary capacity actually is. Mr. Young stated that the church requested 98 spaces. The president of the church stated that 98 is double the existing spaces and that their membership has grown. Mr. Young added that slanting the spaces is going to increase the length. Mr. Bascom stated that he would be surprised to see spaces lost and that the applicant needs to look further into that. Mr. Young argued that about

30% of the spaces would be lost. However, Mr. Young agreed to go back and look at it. Mr. Young stated that they did consider the alternatives being suggested, but that he had nothing drawn up to present. Mr. Bascom reiterated his opinion that there is a more efficient way to do this and was concerned about an expansion of an existing gravel parking lot by 40' of paved surface toward the wetlands. Mr. Bascom stated that if they could reduce the amount of pavement with maybe a loss of a couple of spaces, that's better from the perspective of the Agency that is only concerned with the impacts to the wetlands. Mr. Bascom stated that he totally agreed with Mr. Ott's concerns and that they need to take another look at this. Mr. Aub was concerned about the water discharge going into the wetland in terms of soil and stability and the effect of soil deposition in the area. Mr. Aub was concerned that the existing wetland area could develop into a pond as material continues to be deposited into it, and stated that he would like to see a couple of other areas created to discharge water to. Mr. Young stated that that was the whole point of the berm. However, Mr. Young recognized the legitimate concern and suggested that a bit of cross-slope could be established to avoid the creation of a pond.

Mr. Paul asked where this application stands in terms of timing. Mr. Kuchta stated that this application could be continued to the next regular meeting on June 2nd to allow the applicant to modify the plan. Mr. Young agreed to explore alternatives in light of comments this evening, but did not feel that while alternatives may be feasible they will be prudent. Mr. Bascom asked where the closest abutter is located. Mr. Young demonstrated the closest neighbor and explained that the plan was designed to save the existing pine trees in an effort to protect the neighbor and provide screening. Mr. Paul summarized what the Agency wants to see at the next meeting:

- Narrower parking lot design with herringbone effect
- Work on west side to install catch basins in area where site slopes down
- Sheetflow berm
- Look at capacity of infiltration
- Look at overflow area to ensure it does not seal itself off and hold water on a permanent basis

Mr. Bascom suggested that perhaps a public hearing should be held on this, and that the applicant should sit down with Mike Ott and go over the plans to improve this proposal based on this evening's comments. Mr. Ott pointed out that the overflow parking is an intrusion into the wetland buffer. Mr. Ott discussed a couple of alternatives he thought might be available to the applicant, and clarified that when he suggested a swale, he meant to hold stormwater, not to convey water. Herb Gram of 287 Boston Post Road expressed that he has concerns and asked whether the Agency would like to hear them tonight so the applicant could address them or whether he should wait for the public hearing. Mr. Bascom suggested that the concerns that were already raised tonight were not simplistic and would require a complete redesign of the plan, so that it might be more appropriate to hold public comments until the public hearing. **Upon a motion by Mr. Bascom, seconded by Mr. Mathieu, it was unanimously voted to schedule this application for public hearing June 2, 2008 and to direct the applicant to work together with the Engineering Department to address his concerns and concerns that were raised by the Agency in this meeting.**

The motion carried 7-0-0.

IN FAVOR: Paul, Mathieu, Bascom, Falk, Yaeger, Freeman, Aub

OPPOSED: none

ABSTAINED:none

Mr. Bascom left the meeting at approximately 8:40 p.m. Mr. Speziale was appointed to sit for Mr. Bascom for the rest of the evening.

3. **08-08: 75 LANTERN HILL.** Map 37, Lot 21-12. Owners: Richard A. & Erica Michaud; Applicant: Richard Michaud. Regulated Activity Permit for construction of wetland enhancement swale within 100 ft. of wetland.

Mr. Kuchta reported the applicant's request to postpone this application to June 2, 2008.

4. **SECTION 13 APPROVALS:**

Mr. Kuchta reported that he approved application #08-09: 9 Kimberly Lane for placement of shed within 100' of inland wetlands.

Mr. Paul asked Mr. Kuchta to go to Mr. Bagnoli's property and take a look at what's going on there. Mr. Paul was concerned about trees potentially being planted in the center of the pond at 702 Summer Hill Road. Ms. Yaeger recalled that there was discussion about specifically replacing the canopy that was removed.

Mr. Kuchta also reported the status of 702 Summer Hill Road. Mr. Kuchta reported that Mr. Helgeson requested that he come to his property on Wednesday to get updated on the status of the site work there.

5. **DISCUSSION:** DEP Inland Wetlands and Watercourses Model Municipal Regulations – Fourth Edition, May 1, 2006.

Members had copies of suggested changes that were incorporated into the regulations in their packets. Mr. Kuchta explained that if the Agency is satisfied with the subcommittees work and the draft regulations, then it will go to public hearing and will be sent to DEP and reviewed by Town Counsel. Mr. Paul suggested members review the content and be prepared to comment at the meeting June 2, 2008. Mr. Kuchta suggested that a public hearing could be tentatively targeted for July 1, 2008, which would allow time for appropriate reviews. Mr. Speziale asked Mr. Kuchta to outline the process in writing.

6. **APPROVAL OF BILLS**

No action.

7. **APPROVAL OF MINUTES –**

Regular Meeting , April 7, 2008

Upon a motion by Mr. Falk, seconded by Mr. Freeman, it was unanimously voted that the Madison Inland Wetlands Agency approves the minutes of April 7, 2008 as submitted.

Special Meeting, April 19, 2008

Upon a motion by Mr. Mathieu, seconded by Mr. Falk, it was voted that the Madison Inland Wetlands Agency approves the minutes of April 19, 2008 as submitted. Mr. Paul abstained.

8. **LITIGATION:** Executive Session As Required – None.
9. **REMARKS – INLAND WETLANDS CHAIRMAN**
– INLAND WETLANDS OFFICER

Mr. Kuchta reported a request from Alex Vigliotti that the bond be released for Founder's Crossing. Mr. Kuchta stated that the subdivision is still active, and that he and Mr. Ott looked at the site and found that there is still some work that needs to be done. However, Mr. Kuchta reported that the road has been substantially graded and the road base constructed. Mr. Kuchta recommended that based on what he observed on the site, at least half of the bond be retained. Mr. Ott agreed that half of the bond should be released. Mr. Mathieu asked whether there is anything outstanding that should be done that has not been done. Mr. Kuchta stated that the detention basin should really be addressed. Mr. Mathieu suggested that once that is done, perhaps the Agency would entertain a motion to partially release the bond. Members asked whether the detention basins were installed according to the plan. Mr. Kuchta stated that they appeared to be located according to the plan, but that their functions would be improved if grading is done. Members agreed to entertain a motion to partially release the bond upon Mr. Kuchta's satisfaction that the site work is satisfactorily complete.

Ms. Yaeger reported an observation that the silt fence is in disrepair and will cause a problem with the pond in a rain event. Mr. Kuchta agreed to go out and look at it.

ADJOURNMENT

Upon a motion by Mr. Aub, seconded by Mr. Mathieu, it was unanimously voted to adjourn the regular meeting of the Madison Inland Wetlands Agency at approximately 9:00 p.m.

Respectfully submitted,

Samile Keeler
Clerk Pro Tem