

**INLAND WETLANDS AGENCY
REGULAR MEETING MINUTES
May 3, 2010
Meeting Room A, Town Campus**

The regular meeting of the Madison Inland Wetlands Agency was held Monday, May 3, 2010 at 7:30 p.m. in Madison Town Hall, Meeting Room A.

MEMBERS PRESENT

C. Thomas Paul, Barbara Yaeger, John Mathieu, David Newton, Rodney Bascom, Glenn Falk and Lee Schumacher

ALTERNATES PRESENT

Barry Nann

MEMBERS ABSENT

n/a

OTHERS PRESENT

Robert Kuchta, Inland Wetlands Enforcement Officer

Chairman Barbara Yaeger called the regular meeting of the Madison Inland Wetlands Agency to order at approximately 7:30 p.m. Agenda items were taken in the order prescribed in the minutes.

PUBLIC HEARINGS:

n/a

REGULAR MEETING AGENDA ITEMS:

10-05: 391 DURHAM ROAD. Map 72, Lot 27. Owner: Klein Family LP; Applicant: David Klein. Regulated Activity Permit for construction of a 40 ft. x 100 ft. storage building within 100 ft. wetland review area.

David Klein presented.

D. Newton – suggests that Mr. Klein describe some of the changes made and respond to some of the previous questions of the commissioners.

D. Klein – one of the concerns was access, I moved the door. Showing what type of drive and if any excavation. We showed a minimal amount of scraping and putting down some gravel to provide a firmer surface. I am not anticipating doing anything major.

J. Mathieu – what steps would you take if the driveway became very muddy?

D. Klein – I might put a little extra gravel on there.

J. Mathieu – you wouldn't dig anything up would you?

- D. Klein – no I don't think so. I would try not to; I don't want to cause any damage to the property.
- J. Mathieu – if you were to excavate that would be considered a regulated activity and you would have to come back to us. Is that right Bob?
- R. Kuchta – he is showing compaction on the detail and adding two inches of processed stone.
- B. Yaeger – you have a turn around and a gravel drive. So you are saying you don't want to do the gravel?
- D. Klein – I'd rather leave it as it is. I don't anticipate using it extensively, maybe a few times a week.
- 7:38pm – Rodney Bascom arrived.
- B. Yaeger – are you going to be storing pesticides or fertilizers in the barn.
- D. Klein – No. I will keep all of that in my current building. I don't have a lot of it.
- B. Yaeger – you would store the equipment in the building not around it?
- D. Klein – I will keep it all within the building.
- B. Yaeger – is there going to be electricity running to the building.
- D. Klein – I don't anticipate it, it is an expense I do not want to incur. I can't say that I won't do it sometime in the future.
- B. Yaeger – it does show it on the plan.
- D. Klein – for the zoning I will propose to them to get approval for some lights on the board. I just want to have the approval in case I decide to do it in the future.
- B. Yaeger – any other questions?
- C. T. Paul – you had said you will not have gutters that you are going to put down some stone?
- D. Klein – directly below the drip line.
- B. Yaeger – any other questions?

Upon a motion by John Mathieu, seconded by Lee Schumacher, the Madison Inland Wetlands Agency voted to approve application 10-05: 391 DURHAM ROAD. Map 72, Lot 27. Regulated Activity Permit for construction of a 40 ft. x 100 ft. storage building. Barbara Yaeger opposed. Rodney Bascom abstained from the vote.

10-08: 63 EAST WHARF ROAD. Map 28, Lots 63-2 & 64. Owners/Applicants: George M. and Jane H. Rapport. Regulated Activity Permit to interconnect two adjoining wetland depressions within 100 ft. wetland review area.

Thomas A. Stevens, engineer presented.

T. Stevens – interconnection of these two wetland pockets. There will not be any grading. We are doing this to alleviate the ponding on the property. We want to replace the existing culvert under the driveway.

D. Newton – do they own the other property where it is draining to?

T. Stevens - yes.

C.T. Paul – wasn't the lower, smaller part designated as a wetland?

R. Kuchta – yes. The map does show the wetland boundaries on it.

7:45pm – Glenn Falk arrived

R. Kuchta – I was out there about a week after the big rainstorm. There was an indication that there was water ponded right up to the building and there was some water in one of the buildings.

C.T. Paul – there is a driveway and a stonewall there.
T. Stevens – the driveway is at 19 and the wetlands are down at 15.50. That water will get out after a while.
C.T. Paul – didn't we determine that the upper wetlands was a vernal pool at one point?
T. Stevens – we had Snarski submit a letter, he looked at both; his opinion is that neither is.
B. Yaeger – the invert would make it the lowest elevation in the area which would drain it and not just take overflow.
C.T. Paul – what is the elevation of the bigger wetland?
T. Stevens – 13.9 but the pipe would be coming in at 15.
L. Schumacher – is there a reason you put it at that elevation rather than at 16?
T. Stevens – it could go up higher or match.
L. Schumacher – so there is no engineering reason for that?
T. Stevens – no.
B. Yaeger – I don't want it to act like a drain.
C.T. Paul – is that all lawn in that area?
T. Stevens – yes.
B. Yaeger – I wouldn't want to see the drain be lower than everything else in that area.
T. Stevens – we can do that.
D. Newton – what elevation would you use?
T. Stevens – I would use a tenth above the pipe so it is obvious that it is above grade.
G. Falk – is this a manmade wetland?
T. Stevens – my judgment is that this was a wetland at one point, not manmade.
G. Falk – is the main motivation to get rid of mosquitoes?
T. Stevens – no. This last rain brought water right up to the garage level. In any substantial rain, there will be water ponded.
R. Bascom – if the real intention is flood relief, one of the things concerning me is that with a .3125% slope it will be plugged up within 2 years. It will never clean itself.
T. Stevens – I respectfully disagree.
R. Bascom – what is I said the minimum I'd like to see is 1/2%
T. Stevens – I'd say that is overkill.
R. Bascom – if you put it up 1/2% I can approve this. I can't approve it as is.
T. Stevens – I am ok with that. What makes this pipe unique is that this is all lawn.

Upon a motion by Rodney Bascom, seconded by Lee Schumacher, the Madison Inland Wetlands Agency voted to receive application 10-08: 63 EAST WHARF ROAD. Map 28, Lots 63-2 & 64. Regulated Activity Permit to interconnect two adjoining wetland depressions within 100 ft. wetland review area and require the applicant to increase the inlet invert and provide a minimum of 1/2% slope on the 12 inch plane.

10-09: 980 DURHAM ROAD. Maps 116 & 117, Lot 22. Owner/Applicant: Town of Madison. Regulated Activity Permit for installation of an 8 in. water line crossing a wetland and watercourse to serve the school building.

John Iennaco presented, Department of Public Works and Engineering.

J. Iennaco – I have been asked to help the facilities department with their permit application. Revised the plan slightly from what you have in your packets.

B. Yaeger – for the record I received a call and then did visit the site. Someone was asking if there was a permit, I called Bob to verify.

J. Iennaco – the project is a new water line to serve the Brown School building. The purpose is to replace an existing line which is inadequate. The new water line proposed is an 8 inch pipe that will connect from the north end of the Brown School building and cross the wetland through the wooded area and connect over to the parking lot on the north side. We are requesting that the commission receive this application tonight.

C.T. Paul – what is the current line?

J.I – the current line is a 2 inch, plastic polyethylene line. The Connecticut Water Company will be installing the line and the Town is providing the materials. We looked at alternatives for the alignment.

J. Iennaco- Provided an aerial map for commissioners to view.

C.T. Paul – what is the existing line that you would be connecting to?

J. Iennaco – it is an 8 inch line.

C.T. Paul – are sprinklers one of the reasons you need 2-8 inches? How would you run sprinklers?

J. Iennaco – the two inch line is marginal to serve the domestic needs of the building. They would need a minimum of four inches to comply with current engineering practices. They made the decision to go to an 8 inch line to give them an alternative to build sprinklers in the future.

C.T. Paul – there are not sprinklers now?

J. Iennaco – no.

J. Mathieu – what is the existing water line?

J. Iennaco - that runs along the trail as well as a fiber optic line. We never found the exact location of that.

D. Newton – what is the size of the main that serves this?

J. Iennaco – 8 inch.

D. Newton – so the supply must be off 79?

J. Iennaco – CT water Co. put in a water treatment facility.

D. Newton – what is the source of the water?

J. Iennaco – I believe it is a well on Legend Hill.

R. Bascom - but they gave up the control. It is now under the direction of the Water Company.

J. Mathieu – does the water main go up 79 to that point?

J. Iennaco – no, it is just a private well.

B. Yaeger – how are you going to handle the watercourse while you are doing this?

J. Iennaco – there will likely need to be de-watering. Water co. will put in erosion control measures. The construction will occur in late summer and hopefully things will dry out as much as possible. They will follow the guidelines in accordance with this.

B. Yaeger – are we going to get a detail on this?

J. Iennaco – there are details in the guidelines.

B. Yaeger – I am curious if there is a lot of water if they will have to disturb the wetlands even more to build a settling basin.

J. Iennaco – they will put it up radiant enough.

D. Newton – is it up to the Water Co. when this gets done?

J. Iennaco – the Facilities Department is heading the project and the Water Co. is installing it.

C.T. Paul – are there trees that will have to come down?

- J. Iennaco – yes. It is marked with yellow ribbons.
- D. Newton – it seems to me that you could save some money if you installed polyethylene pipe rather than ductile iron. The polyethylene pipe you can assemble the whole thing above ground, dig the ditch, roll the pipe in. You can get the pipe in about 25 percent of the amount of time.
- J. Iennaco – I think ductile iron is pretty standard for the water company.
- D. Newton – polyethylene would be cheaper and faster.
- J. Iennaco – the Water Company is very efficient in this.
- B. Yaeger – can I recommend we do a site visit on this?
- G. Falk – did you talk about this dark line on the map?
- J. Iennaco – that is the power line corridor.
- G. Falk – why would that not be good?
- J. Iennaco – I believe the main reason is, it is a longer run and involves a bend. If you look at the easement, the trees have already started to encroach in the power line easement.
- R. Bascom - you mentioned that the impact to the wetlands if you went along the same trail as the existing 2 inch would be greater?
- J. Iennaco – yes in that if you are crossing on the north side of the trail it is a 40 foot longer crossing.
- R. Bascom – you have in your application, the proposed route has an impact of .02 acres. It would be interesting to relate that to what the impact would be on the existing route for the two inch. I think it is important that we show that the impact is greater on the existing route than on the proposed.

Upon a motion by Glenn Falk, seconded by C. Thomas Paul, the Madison Inland Wetlands Agency voted to receive application 10-09: 980 DURHAM ROAD. Maps 116 & 117, Lot 22. Regulated Activity Permit for installation of an 8 in. water line crossing a wetland and watercourse to serve the school building and schedule a site walk.

R. Kuchta – The site walk will be Thursday, May 13, 2010 at 6:00pm

10-04: 633 BOSTON POST ROAD. Map 38, Lot 87. Owner/Applicant: Cumberland Farms Inc. Regulated Activity Permit for replacement of underground gasoline storage tanks within 100 ft. wetland review area. DISCUSSION.

Benjamin Proto, attorney

Rodney Bascom recuses himself.

B. Yaeger – is this state mandated?

B. Proto – no. The tanks have a 30 year warranty on them and have come to the end of that time. Cumberland Farms and their insurance company like to have the tanks within their warranty periods. This is just a change out. The tanks were installed in 1981-1982. There have been a lot of changes in that time so they are going to install updated tanks and systems. Nothing indicates any leaks, this is just a normal change out.

C.T. Paul – are these metal tanks?

B. Proto – I don't believe they are.

D. Newton – do you have a monitoring system on the usage to indicate if there is a leak or not?

- B. Proto – they do regular monitoring of all facilities but there is nothing that was put in the 1980’s for a built in monitoring system. The new tanks will have a monitoring system.
- J. Mathieu – what material will the new tanks be?
- B. Proto – I don’t know the exact design but I would assume they are going to be a fiberglass or poly-substance.
- J. Mathieu – is there a state regulation that the tanks have to be tested regularly?
- B. Proto –yes. They are tested and everything is fine. This is just purely an insurance and warranty issue and a life cycle issue.
- J. Mathieu – How many tanks are there now?
- B. Proto – I believe there are 4. When we are done there will be 4 tanks going back, the sizing will be different.
- J. Mathieu – all the tanks that are there now will be replaced?
- BP – yes with all new and updated systems.
- C.T. Paul – I wonder if there are records of the last installation. If you dig down, Tuxis pond elevation is higher than the bottom of the elevation where the tanks are put in. If there is water flow like from Tuxis pond because there might be gravel there, do you get the point I am trying to make?
- B. Proto – I understand. I am checking. We have three 10,000 gallon tanks and one 8,000 gallon tank. The 8,000 gallon tank is diesel the other three are gasoline. Those tanks were installed in 1984. There is a monitoring system. In 1998 we did a DEP report on our facilities. There has been no failure in the tanks. I don’t have an answer for that. To the best of my knowledge we have never had a problem at this facility with any of our tanks or storage facilities or with any leakage out or in.
- C.T. Paul – if you start digging you may start getting water.
- B. Proto – we expect there may be some de-watering issues.
- C.T. Paul – how would you handle that? Where would the water go?
- B. Proto - that would be a question my contractor would have to answer, one that we use throughout Connecticut. And obviously when we do tank replacements we will work very closely with Bob and the Fire Marshal’s office. And the DEP is involved. I don’t have an answer for how we would deal with any water issue. I can say that it would be within any regulations and suggestions of any Town and State officials.
- D. Newton – can you share with us the name of your contractor?
- B. Proto – Liberty Auto and Electric.
- D. Newton – and they specialize in these types of projects?
- B. Proto – yes. They do almost all of our tank replacements in Connecticut. They are very well regarded throughout the State.
- D. Newton – they are putting sedimentation controls along Tuxis Pond I assume? They are going to have to stockpile the fill they remove for some time.
- R. Kuchta – yes.
- B. Proto – we will be closing the entire facility. The soil testing will occur at that time. Where the tanks sit there is curbing on three sides of the tank field, the front side on Post Road so there is a sort of natural barrier. There will be hay bailing and other erosion and control systems in place to ensure we are protecting the Pond and the area in the event of an issue when we open the ground. Or if there is a rain event. We haven’t found any issues in our testing so we anticipate this being a clean project. Liberty has already been in to meet with the building officials; I have met with the Fire Marshal.

R. Kuchta – the closest the tanks is 50 feet to the pond; it is actually closer to the pipe that exits from the pond, that is 20 feet and the pipe is under ground. There is curbing all around the parking area, the open area is the street side.

C.T. Paul – is that concrete on the tank field?

B. Proto – yes. What is being removed are three 10,000 gallon tanks and one 8,000 tanks and what is being put in are two 12,000 gallon tanks and two 8,000 gallon tanks. The tanks are fiberglass; we will be installing both audio and visual alarm systems into the field which don't exist now. We should have roughly the same amount of gallons in the ground, just different distribution.

B. Yaeger – thank you. Any other questions?

R. Kuchta – do you have any idea when they may start?

B. Proto – assuming we have all of our permits in place, I believe they would like to have this done by early fall. Cumberland Farms also asked me to tell you, that as part of this we may be doing some modifications within the store. There won't be any changes to the footprint or the outside.

SECTION 13 APPROVALS:

10-07: 661 DURHAM ROAD. Map 96, Lot 6. Owner/Applicant: Robert Weber. Regulated Activity Permit for addition to dwelling and construction of pool within 100 ft. wetland review area.

Robert Kuchta - The applicants are converting the barn into a residence. The addition is a 26 x 26, it is connected with an existing barn. It is just about across from where the Pines and Route 79 intersect. This is a horse farm and they are getting rid of the horses and converting the barn into a residence and selling the home. They will build a terrace and a swimming pool. The area within the review area has been grazed by horses and there is no wetland vegetation. I did suggest that they let the wetland soils recover and maybe some natural vegetation.

C. Thomas Paul - Is this where they came in to request to dredge the pond?

R. Kuchta - yes

C. Thomas Paul - How far is this from the pond?

R. Kuchta - 140 feet

R. Kuchta – this is 10 acres of property

3. APPROVAL OF BILLS

B. Yaeger – provides a breakdown of the bills:

Clerk: \$48.15, Gas: March - \$16.13 & April - \$26.42, Nextel communications: \$15.72 & 21.77 = Total: \$128.19

Upon a motion by C. Thomas Paul, seconded by Lee Schumacher, the Madison Inland Wetlands Agency unanimously voted to approve the bills as submitted.

4. APPROVAL OF MINUTES – Regular Meeting, January 4, 2010

- Regular Meeting, April 5, 2010
- Special Meeting, April 14, 2010

Upon a motion by Rodney Bascom, seconded by C. Thomas Paul, the Madison Inland Wetlands Agency unanimously voted to approve the special meeting minutes of the January 4, 2010 as amended.

Upon a motion by Barbara Yaeger, seconded by David Newton, the Madison Inland Wetlands Agency unanimously voted to approve the special meeting minutes of the April 5, 2010 as amended. Rodney Bascom abstained from the vote.

Upon a motion by Barbara Yaeger, seconded by David Newton, the Madison Inland Wetlands Agency unanimously voted to approve the special meeting minutes of the April 14, 2010 as amended. Rodney Bascom abstained from the vote.

6. **LITIGATION:** Executive Session as Required
There is nothing to act on.

7. **REMARKS – INLAND WETLANDS CHAIRMAN**
- INLAND WETLANDS OFFICER

B. Yaeger – I have a letter from Planning and Zoning Commission that referenced us about the cut in hours and reorganization. If anyone would like to read it let me know. There is concern about the cutting of positions.

R. Kuchta – there is a planning session here in the Town Hall, the last Wednesday in May.

ADJOURNMENT

With no further business before it, **upon a motion by David Newton, seconded by C. Thomas Paul it was unanimously voted to adjourn the regular meeting of the Madison Inland Wetlands Agency at approximately 8:47 p.m.**

Respectfully submitted,

Sarah Judge
Recording Secretary, Inland Wetlands Agency