

## INLAND WETLANDS & WATERCOURSES COMMISSION

November 15, 2010

The Town of Bloomfield Inland Wetlands & Watercourses Commission held a meeting on November 15, 2010 scheduled for 7:30 p.m. at the Town Hall in Bloomfield, Connecticut with the following members present:

Present:

Nick Panke, Chairman  
Howard Hunter, Vice Chairman  
Kenneth Bennett  
Barry Berson  
Alan Budkofsky  
David Mann

Also Present: David Peter Castaldi, Wetlands Agent  
Maureen Sullivan, Recording Clerk

Absent: Donald Evans  
Laurianetta Huguely  
Daniel Mara

Mr. Panke called the meeting to order at 7:30 p.m. and discussed the procedures for a public hearing. The items on the agenda were discussed.

- 1. Wetlands Permit Application  
Stout Resubdivision of Lot 3006  
17 Gun Mill Road and Stone Hill  
Three-lot residential subdivision  
Including regulated activities within wetlands,  
Watercourses and upland review areas.  
Applicant: John S. Stout, 69 Duncaster Road  
(Public Hearing continued from October 16, 2010)**

Mr. Mann made a motion to remove the item from the table and reopen the Public Hearing. Mr. Hunter seconded the motion and it was approved unanimously.

Mr. Panke was not at the last meeting. The Chairman had read the minutes and felt he could sit on the application this evening. The applicant had no objections.

Attorney George Watson of Robinson & Cole represented the applicant. Mr. Castaldi's memorandum of November 8, 2010 was received and reviewed. The applicant is in general agreement with the recommended conditions of approval with a few minor revisions that were discussed with Mr. Castaldi earlier today.

Mr. Castaldi discussed the latest revised plans and modifications to the recommended conditions of approval. In item 6. the words "retain or replicate the" should be changed to "provide a" in the first sentence. Item 8. should be replaced entirely with "New lawn areas for the houses shall be identified on the plot plans. Remaining open meadow areas shall be not be mowed more than once or twice per year." Item 5. Should be augmented with the sentence "Drainage computations for the stormwater basins shall be submitted for review and approval."

Mr. Castaldi stated that there are very little wetland and watercourse impacts for this project. Less than 2000 square feet of wetland and 60 feet of watercourse are proposed to be affected by this development. These impacts are only necessary if the middle lot (4002) is developed. The driveway extension from the middle lot (4002) to the northerly lot (4003) is only shown for purposes that it could be done, but it is unlikely that it will be built.

Attorney Watson stated the applicant was in agreement with the conditions and wanted to be clear that the recommended mitigation measures were required only if a house is built on lots 1 and 2, and if the driveway is ever needed for lot 3.

Mr. Alan Bongiovanni, a Licensed Land Surveyor from The Bongiovanni Group, discussed the latest plan revisions. He submitted storm drainage calculations from Mr. Guy Hesketh, a Licensed Civil Engineer, for the stormwater management basins.

Mr. Castaldi believed there was enough information submitted for the Commission to make a decision.

Mr. Mann asked about the detention ponds and reducing the amount of runoff from the adjacent properties downstream. Mr. Bongiovanni replied the stormwater management basins would mitigate at least any increase in runoff that they are creating, and probably a little more. Mr. Bongiovanni would not represent that they are going to save the downstream neighbors or eliminate their concerns about runoff. There may be a small decrease in runoff.

#### Questions from the public:

Mr. Sten Caspersson of 6 Stone Hill Road thanked Mr. Castaldi and the Commissioners for addressing some of the neighbors concerns. Lot 4001 is way above the elevation of the cul-de-sac for Stone Hill and most if not all of its runoff drains to the Stone Hill storm drainage system. Mr. Caspersson asked if lot 1, lot 2 and the drive are developed what will be the impact on to Stone Hill Road. Mr. Bongiovanni discussed the computation package submitted to staff, which is available to the public. Mr. Castaldi received the packet at the beginning of the meeting, therefore did not have a chance to review it thoroughly.

#### Questions from the Commission:

Mr. Mann asked about the timing of mitigation measures. Mr. Castaldi discussed the regulated activities and said that each regulated activity should have its own mitigation measures that would be completed as part of the development of each lot. The storm water basins for the mitigation of runoff and additional buffer plantings for the mitigation of the impacts to wetlands and watercourses and upland review area impacts.

Mr. Hunter asked if the calculation packet met Mr. Castaldi's approval. Mr. Castaldi responded the packet was just received prior to the meeting.

Mr. Panke asked since most of the activity will occur when the first and second houses are built, will the detention ponds be put in place before any construction starts. Mr. Bongiovanni stated the stormwater basins should be constructed prior to the houses and could act as temporary sediment basins during construction.

Mr. Budkofsky asked about the road/driveway for lot 4003 and if the applicant will try to gain access through the abutting street. Mr. Bongiovanni stated the applicant does have access to the abutting street, Gun Mill Road, a private street. The Zoning Regulations require a minimum frontage on a Public Street and both lots 4002 and 4003 have a dedicated 25-foot strip and frontage on Stone Hill. Mr. Budkofsky asked if the applicant will build the driveway from lot

4002 to 4003 to which Attorney Watson stated there was no intent to build the driveway. Mr. Budkofsky asked if the driveway was not built in five years, the applicant would need to come back in order to use it. Attorney Watson agreed.

Mr. Budkofsky stated he had a problem with last minute calculations and discussed tabling the application. Mr. Bongiovanni stated there are no public improvements in the plan. Everything that is shown on the plans except the easements to the lots is subject to change by the potential homeowner. The calculations and the sizing of the detention basin have been based on a concept that the applicant came up with to show these lots are buildable. When an individual plot plan happens, that will have to be reconfirmed by staff.

Mr. Bennett asked if the applicant made necessary improvements to the recommendations. Mr. Castaldi believed the applicant has provided enough information for the Commission to make an informed decision. The Wetlands Agent has calculations from F. A. Hesketh which he has not yet reviewed. The summary indicates there is no increase in peak runoff. There will also be review of these calculations as well as any others the Town Engineer may request at the Town Planning & Zoning meeting for the project.

There were no comments from the public.

Comments from the Commission:

Mr. Hunter stated if Mr. Castaldi was comfortable with the material submitted then that would meet the criteria.

Mr. Mann was prepared to act on this application this evening. Mr. Castaldi will review the calculations that were submitted. Mr. Castaldi stated he reviews the calculations and the Town Engineer does the formal review.

Mr. Panke discussed the land and hoped the applicant makes all efforts when construction starts to stay by the recommended conditions of approval, mitigation and plantings, and detention ponds. Mr. Panke believed sufficient information has been received and would be comfortable voting this evening.

Mr. Budkofsky had an issue with the last minute calculations. The Commissioner believed the application should be tabled to give staff time to review the information submitted.

Mr. Berson stated under the present zoning this piece of property is large enough to put 12 homes on it. The applicant may build 3 homes and is planning on building 2 homes. The Commissioner did not believe what was being proposed would have a significant increase in any runoff. The Town Engineer can review these calculations in an adequate fashion.

Mr. Mann made a motion to close the public hearing. Mr. Berson seconded the motion and it was approved unanimously.

Mr. Mann made a motion to approve the Wetlands Permit Application, 17 Gun Mill Road and Stone Hill, lot 3006, with recommendations and conditions of approval as stated in the November 8<sup>th</sup> staff memorandum, with item number 6 changing from "retain and replicate the natural streambed" to "provide a natural streambed", and item 8. replaced with "A lawn area for the house to be identified on the plot plan and the rest of the area would be mowed once or twice per year." And "Drainage computations for the stormwater basins shall be submitted for review and approval." to be added to item number 5. The motion is made with a finding of no prudent or feasible alternative to the impacts to the wetlands and watercourse. Mr. Berson seconded the motion and it was approved 5:1 (Mr. Budkofsky voted against the motion).

**2. Wetlands Permit Application  
Sterling Ridge Development Group, LLC  
Northgate PLR, a 78-unit multi-family  
Residential development, including  
Regulated activities within the wetlands  
And upland review areas,  
Lot 9, west side of Filley Street and  
South of West Dudley Town Road.**

Mr. Wilson Alford, Jr., PE and LS, of Alford Associates represented the applicant. An overview of the property was discussed. The proposal is to construct four multi-storey apartment buildings served by MDC sewer and water. The stormwater management was discussed. The direct impact to the wetlands on the property is 820 square feet for the driveway and underground utilities near Filley Street. Alternatives to the direct impacts and the water quality basins were discussed. Updated plans were distributed to the Commission and discussed. Proposed rain gardens and plantings were shown on the plans. The applicant had originally proposed another wetland/watercourse crossing. The modified rain gardens were discussed as well as the bottoms of the water quality basins. The ratio of what the applicant was creating between the rain garden and the bottom of the water quality basins was about 13½ times what was being disturbed. Mr. Alford discussed the previous application with 7 single-family residential lots.

Mr. Castaldi stated there are a lot less wetland impacts in this application than the previous application. The quality of the wetlands on the site was discussed. The majority of the information requested in Mr. Castaldi's staff report was received. The upland review impact, proposed bridge and infiltrators in the storm water basins were discussed. In order to have the road go up and around the drumlin, it will require some cutting on the west side of the sloped wetlands and Mr. Castaldi was concerned about interrupting the ground water table. The clearing limit for the walking path was discussed. Mr. Alford stated the applicant will not make it more than 15 feet and the trees will be taken into consideration. There was a request by the applicant for reduction in permit fees. Mr. Castaldi believed Mr. Liljedahl's request for the fee reduction should be discussed.

Mr. Budkofsky thought that the fees were appropriate. Mr. Alford discussed the fees related to the 7 lot subdivision versus this application. Mr. Budkofsky recommended tabling the application and having the town look into the fees. Mr. Liljedahl of Sterling Ridge discussed the fees and stated there are only four buildings and he is being billed for second and third floor apartment that have nothing to do with the wetlands commission review. Mr. Liljedahl made a proposal to reduce the fee to \$2,000.

Mr. Mann believed the Commission should table the fee portion because he was not prepared to act on a reduction at this meeting.

Mr. Bennett asked if the fees could be modified. Mr. Castaldi replied the Regulations state that requests can be made at the time of paying the fees to request for reduction or elimination of the fees. Mr. Mann believed there needed to be a process when looking at the fees.

Mr. Berson discussed the fees. The second and third floors do not have any wetland impacts, but that is the way it was set up. The time to object was before paying the fee. Mr. Berson believed a legal opinion was needed regarding the fees.

Mr. Liljedahl stated he did not need to get a decision on the fee schedule this evening. The application process allows the applicant to ask to reduce the fee. Mr. Liljedahl requested that the Commission move on. The applicant paid his fee.

Mr. Mann asked about the impacts to the seven lot subdivision to the present application. Mr. Castaldi discussed the impacts and the work in the upland review zones. The road will be a private road. Mr. Mann asked about the construction of the water quality basin. Mr. Alford discussed the catch basin, the upland review area and the construction of the berm and how it will be protected from erosion over time from the wetlands. The walkways were discussed. The

maintenance company will be responsible for mowing the lawn, cleaning out the catch basins in the spring, and someone will be on-site to make sure the site is maintained. Mr. Alford discussed the drainage. Mr. Mann discussed the detention basins and asked if there was an area for children who lived in the apartments to play. Mr. Alford stated that a swing set was not proposed. Mr. Mann was concerned about the safety aspect of the basins.

Mr. Mann asked Mr. Castaldi if he wanted to see more information about the stormwater systems basins. Mr. Castaldi stated he wanted to make sure the applicant had the right kind of storm water quality management for the site conditions. Mr. Alford has provided Mr. Castaldi and the Town Engineer with enough information to indicate that these stormwater quality basins are adequate for stormwater quality management.

Mr. Castaldi has received more information since his memorandum was sent to the applicant and has had meetings with Mr. Alford and the Town Engineer concerning this project.

The Commission discussed the option of tabling this application to the December 20<sup>th</sup> meeting. Mr. Castaldi asked the Commission to consider a Special Meeting prior to the TPZ meeting in lieu of the December 20<sup>th</sup> meeting due to a scheduling issue where the December TPZ meeting is set for the 16<sup>th</sup> of December.

Mr. Bennett made a motion to table the application until the next meeting. Mr. Mann seconded the motion and it was approved unanimously.

The Commissioners agreed to hold a Special Meeting on Monday, December 13, 2010 at 7:30 p.m. in Conference Room 5 and cancel the regular meeting on the 20<sup>th</sup> of December.

### **3. Inland Wetlands and Watercourses Commission scheduled for 2011.**

The following are the 2011 Inland Wetlands & Watercourses Commission meetings scheduled for 7:30 p.m.

Tuesday, January 18, 2011  
Tuesday, February 22, 2011  
Monday, March 21, 2011  
Wednesday, April 20, 2011  
Monday, May 16, 2011  
Monday, June 20, 2011  
Monday, July 18, 2011  
Monday, August 15, 2011  
Monday, September 19, 2011  
Monday, October 17, 2011  
Monday, November 21, 2011  
Monday, December 12, 2011

### **4. Approval of minutes of October 18, 2010**

Mr. Berson made a motion to approve the minutes of October 18, 2010. Mr. Budkofsky seconded the motion and it was approved unanimously.

**5. New applications received.**

No new applications have been received to date.

**6. Status of on-going projects.**

At the last meeting, the Cease & Desist Order and fine for non-compliance at 195 West Newberry Road were referred to the town attorney. A schedule was developed for the owner to comply with the various requirements, including issues that the Zoning Enforcement Agent had with unregistered vehicles, outside storage and other items. The first cut off date is tomorrow and Mr. Castaldi will visit the site.

Garden Homes subdivision got the MDC okay to do all of the Phase One water taps at the same time. They hope to get electric, cable and phone conduits, and the gas main and services installed and pavement placed by the end of the month.

New single family homes are being built on Larenson Ridge and Alfred Circle, and Tunxis Heights II which is close to being half completed.

There has been work at the high school, middle school and Metacomet School.

Mr. Castaldi had two new DVD's from the DEP regarding map reading and site plan review. There are annual trainings for new Commissioners and the schedule will be obtained for Mr. Bennett.

Bloomfield Ridge Subdivision has secured their site to a generally acceptable condition. There are still some questions about the wetlands plantings and mitigation areas in phase two.

Mr. Budkofsky made a motion for the meeting to adjourn. Mr. Mann seconded the motion and it was approved unanimously.

The meeting adjourned at 9:55 p.m.

Respectfully submitted,

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Maureen Sullivan, Recording Clerk

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Laurianetta Huguley, Secretary