

MINUTES
INLAND WETLANDS AND WATERCOURSES COMMISSION
JANUARY 27, 2009

MEMBERS PRESENT: Richard Girouard, Chairman
John Doris, Vice Chairman
Andrew Lubin, Secretary
Arlyne Fox
John Lauria
Lars Jorgensen
Kevin Chamberlain, Alternate
Richard Deecken, Alternate

ALSO PRESENT: Stephen Savarese, PE, LS Town Engineer
Neil Lieberthal, Esq., Town of Trumbull Attorney

The Chair opened the work session at 7:16 p.m.
Arlyne Fox led the Commission in the Pledge of Allegiance.

Work Session:

Application 08-24 – Hidden Pond Development, LLC. Discussion and overview by Steve Savarese. The Chairman confirmed the following Commissioners in attendance are eligible to vote on this application: John Lauria, Arlyne Fox, John Doris, Andy Lubin, and the Chairman himself, Richard Girouard. Mr. Savarese passed out copies of the plans, the application, and pertinent meeting minutes. He reviewed the plans for this open space development and he explained open space developments. The applicant is proposing an 8 lot subdivision with a road that connects Booth Hill Road to Hidden Pond. The site plan, prior meeting minutes, site walk, consultants, and the public hearings were reviewed. Mr. Savarese stated that the plans were redone after comments from Southwest Conservation District, Town of Trumbull staff and consultants. He also reiterated what Megan Raymond and Matthew Popp said regarding mitigation and impact to the wetlands. The two consultants had different opinions and answers to the same questions and the differences were highlighted. This development includes open space set aside for the Town with the major part of the watercourse and detention basin in the open space. Mr. Savarese went over the alternate plans submitted by the applicant.

The Chairman asked for Steve's thoughts as the Town Engineer. He stated this is a well engineered plan and it is a feasible construction that can be built and it is important to have Booth Hill Road and Hidden Pond Lane connected. Usually open space developments tend to give the most unusable land to the town and the open space is not really usable for the community. He does not see any flooding impacts and believes erosion and sediment can be controlled. Also, the box culvert that is proposed will have a greater flow capacity. The spring that runs between Lots 2 and 3 has a substantial flow. From an engineering standpoint this is a well developed plan.

The Chairman asked for comments from the Commission. John Lauria questioned the plan regarding the box culvert for Lot 3.

Mrs. Fox referenced and commented on Matt Popp's letter. She also stated she has issues with the amount of wetlands on the site and feels this is very unstable property and there should be room for breathing and absorption of the water and maybe a house or two could be taken out. She is also concerned about fertilizers ending up in the lake. John Doris agreed with Mrs. Fox regarding reducing the impact and he wants limits of disturbance moved so there is less lawn per house, increase the buffer size between the wetlands and move some of the biobasins. This would reduce impact of fertilizers because there would be less lawn area to fertilize.

Mrs. Fox questioned the functions of the rain gardens throughout the site.

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Motion made (Lubin) seconded (Fox) to open the discussion for purposes of approval of application 08-24. Mr. Lauria highlighted Matt Popp's recommendations and some of his concerns:

- Lot #2 - to close to the wetlands;
- Lot #3 – find a way to avoid the crossing – Mr. Lauria likes the alternate with the boxed culvert;
- Strong concerns that the proposed mitigation area could fall apart – maybe a headwall could be put in;
- There was talk about moving mitigation area over towards Lot 3 and expanding that area but never got plans for that;

The above are Mr. Lauria's comments and his main concerns are Lot #2 and the mitigation area.

Mr. Lubin stated they should think about the suggestion from the Town consultant regarding realignment of Lots 5 and 6 in order to offset the wetland impairment – reducing the size of Lot 5 and increasing the size of Lot 6 and relocating the biobasin. Mr. Lubin addressed the issue of two consults having two different opinions about the same subject.

Mrs. Fox questioned Mr. Savarese as to runoff, sump pumps and discharge into the wet area and he indicated that the design engineer stated the amount of runoff, in terms of its volume and peak flow, will be less than the existing conditions up to the 100 year storm. The detention basin will handle a portion and the use of the rain gardens and biofilters will slow down the water.

Mr. Girouard asked Mr. Savarese for his thoughts on Lots 5 and 6 being altered. He commented on the discussion between Mr. Lauria, Matt and Megan regarding the best place for the mitigation and Megan said whatever you decide - which just adds to the Commission's burden. The closeness of the development, thermo pollution and the necessity of trees shading the wet areas are other issues that were previously discussed and addressed by Matt Popp. Closeness of development to wetlands does impair wetland functions.

Mr. Lubin had questions regarding changes that have been suggested and how to handle them without plans showing the changes or adjustments. Mr. Lieberthal commented that it would be based on what was heard at the public hearings.

Mrs. Fox stated for the record that she was not present for the December hearing but she listened to tapes of the entire meeting.

Mr. Savarese again stated that the line was agreed upon by the two soil scientists, Otto Theall and Megan Raymond. Mr. Lauria wanted to know who would be responsible for the road in the open space area and Mr. Savarese stated it would be Town of Trumbull property. The commissioners reviewed the mitigation plan and maintenance of the mitigation areas was discussed. Mrs. Fox is concerned about the biofilter basins and rain gardens and what would happen with a heavy rain. Mr. Savarese explained they are designed to overflow and delay a certain volume of water on the site and after the bio-swale it goes into the detention system or into the watercourse and all the water has been treated. Rain gardens and biofilters are for the more frequent storms – 1 or 2 inch storms – and take out all the floatables and sediments and prevent it from going into the watercourse. Precautions need to be taken by the Commission to insure maintenance and documentation regarding the same can be filed.

Post construction erosion and sedimentation control plans on S1 and S3 were reviewed. Discussion also took place regarding sizes, functions of the biobasins and mitigation.

Specific issues the Commission wants to focus on and discuss and maybe see implemented if this is approved:

- Phase O – all debris to be removed prior to start of construction;
- Phase 1 – construction of the road, drainage and utilities;
- Phase 2 – development of Lots 4, 5, and 6;
- Phase 3 – development of Lots 7 and 8;
- Phase 4 – driveway construction and development for Lot 3;
- Phase 5 – development of Lots 1 and 2;
- Each phase to be stabilized before the start of the next;
- In addition to the phasing plan proposed by the developer no work shall commence on the site until all debris on the site is removed;

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- No clear cutting of any trees on the site;
- Homeowner Association maintenance schedule to be listed and put into deeds and should also cover catch basins and rain gardens;
- Remove 50 feet of the easterly biofilter from Lot #3;
- Remove 40 feet of easterly biofilter from Lot #6;
- Houses held to the same sizes that are on the plans – square footage should not be increased;
- Eliminate Lot #2;
- Box culvert – for wetland crossing on Lot #3;
- Move Lots 5 and 6 to the west and to keep limit of disturbance to 35 feet outside of wetlands;
- Reduce the size of the biobasins in consultation with the Town Engineer
- Keep the limit of disturbance to 35 feet outside of wetlands;
- Use Alternate 1 layout for Lot 1 and require on site detention if feasible based on the engineering of the lot;
- Relocate for Lot 4 the biobasin an additional 10 to 15 feet to the west;
- Provide onsite detention of roof water if feasible for Lot 8;
- Define the limit of lawn areas or maintained landscape for each Lot with the lawn areas being a minimum of 30 feet from any wetland line;
- Monument wetland lines;
- Indicate any regulated swamp line on the plans;
- Deed restriction or Note - Require the homeowner to maintain the drainage system as shown on (specific map) and failure to do so will be pursued by the Town. The Town reserves the right to go on the property to implement and to assess fees to the homeowner. (Need to get standard comment that P&Z uses.)
- Lot 3 – on the west side of the house where the limit of disturbance crosses the bridge extend that straight across until it hits the limit of disturbance line behind the house and eliminate that area of lawn and leave it as original;
- Buffer area with no disturbance to any existing trees along Booth Hill Road under the guidance of the Town Engineer;
- Trees put back on the other side of Cross Stream Road on Lot 5 creating a buffer between Booth Hill Road and Lot 5;
- At the end of each phase developer to provide surveyed as built of the toe to slope the limit of disturbance;
- The planting of white pines to be replaced with hemlocks.

Mr. Lubin stated he would withdraw his motion to approve intending to reinstitute the motion on Tuesday.

Motion made (Lubin) seconded (Fox) to withdraw motion to approve. Discussion. **ALL IN FAVOR MOTION CARRIED UNANIMOUSLY.**

A list of the above items will be e-mailed to each Commissioner for review before next Tuesday's meeting.

Motion made (Lubin) seconded (Fox) to discuss Applications 08-27 and 08-35 at the work session of the next scheduled meeting on February 3, 2009. Discussion. **ALL IN FAVOR MOTION CARRIED UNANIMOUSLY.**

Motion made (Lubin) seconded (Fox) to adjourn at 9:08 p.m. No discussion. **ALL IN FAVOR. MOTION CARRIED UNANIMOUSLY.**

Respectfully submitted,

BY: _____
Joyce Augustinsky, Clerk