



INLAND WETLANDS AND WATERCOURSES COMMISSION
Minutes
April 3, 2012

MEMBERS PRESENT: Richard Girouard, Chairman
John Lauria, Secretary
Carmine DeFeo
Lars Jorgensen (arrived at 7:40 p.m.)
Kevin Chamberlain, Alternate (voting)

MEMBERS ABSENT: Arlyne Fox, Vice Chairman and David Lucas.

The Chair convened the meeting at 7:34 p.m.

All present joined in the Pledge of Allegiance led by the Commissioner Chamberlain.

REGULAR MEETING

NEW BUSINESS:

The Chair opened New Business at 7:36 p.m.

Application 12-10, Pilot Corporation of America - Permit approval to construct additional parking spaces. Approximately 6 spaces are proposed within a regulated area at 60 Commerce Drive.

Mr. David Bjorklund, Professional Engineer registered in the state of Connecticut and president of Spath Bjorklund Associates with offices in Monroe, CT was present representing the applicant. Also present representing the applicant was Attorney James White. The application consists of a 14 acre site; the site has been developed and utilized for the past 20+ years, (offices, warehouses, shipping and receiving facilities). This application is a result of Pilot's desire to sell or lease the property. The existing facility is not occupied by Pilot. The site includes a 3-story office building, behind that building there is another building for shipping and receiving and a warehouse connected by an aerial walkway. Both buildings are empty; Pilot Corp. has a contract pending on the warehouse facility. In order to split the use of the two buildings it had become evident that there was not enough parking. The application includes 6 additional parking spaces, there are 4 existing parking spaces, which will be reconfigured and will be adding two more. The net increase of the impervious area is 750 sq. ft. What used to be a watercourse goes into a 48" pipe, discharges into an existing pond and then to a larger pond. The flagging of the wetlands shows the edge of the water as the waterline, there are no wetland soils, nothing on the site is natural, what was natural has been gone since the site was developed in the 1980's. Everything from the edge of the watercourse to the 100' line is pavement, grass and/or landscaping.

(Mr. Jorgensen arrived at 7:40 p.m.)

In total the project includes 26 parking spaces, none of the other parking spaces are within the regulated area, it is their opinion that this is a minor insignificant activity and will have no impact to the existing watercourse, and there are no wetland soils. The only minor impact is erosion, which has been addressed in the erosion plan included with the application. Mr. Bjorklund requested on behalf of the applicant that the commission not hold a public hearing due to the minor activity.

In response to Mr. Defeo, Mr. Bjorklund stated that there will be six parking spaces, 4 currently exist, they will be reconfigured and re-striped; there is only paving for two spaces, one regular and one handicapped parking space.

In response to Mr. Chamberlain, Mr. Bjorklund indicated that the pond does not function as storage, it was not designed as a detention basin; it was purely for aesthetic purposes and does not see any issue with the additional run off it is so minor he would not be able to compute it.

Motion made (Lauria) seconded (Defeo) to RECEIVE Application 12-10 (Pilot Corporation of America)
VOTE: MOTION CARRIED UNANIMOUSLY

Application 12-11, Jennifer and Philippe Lindade - Permit approval to construct a 14'x27' deck at the rear of the house within a regulated area at Lot 3 Oriole Lane (AKA 16 Oriole Circle).

Ms. Lindade of 16 Oriole Lane was present representing herself and Philippe Lindade. Ms. Lindade indicated they had been before the commission in 2010 seeking approval to build a home at the same location. The home is nearly complete and is seeking permission to build a deck at the rear of the home near the kitchen and living area. The area is not specifically within the wetlands, the deck's size is 14' x 27'. There would be no significant impact to the wetlands. The previous application for the construction of the home included a soils & wetlands report and could provide a copy to the commission if necessary. There will be no filling of wetlands, there is a watercourse in the back. Ms. Lindade requested the commission not hold a public hearing due to what they believe to be a minor activity. The deck would be built from pressure treated wood and composite material. The monuments have not been put in to date, they are still building. Ms. Lindade indicated that the deck had not been built to date; the split rail fence has been installed, in fact it was one of the first items built on the site.

Mr. Maurer indicated that inspections had not been conducted by the Engineering Department yet. Ms. Lindade indicated that the existing storm water system is big enough to handle the deck's run off. Mr. Maurer indicated they would need to verify. Ms. Lindade stated that the deck would be built on posts and piers. Ms. Lindade reviewed the conditions of approval for the construction of the home to the commission. The Bilco doors were included on the original plan; currently there are no Bilco doors, only a walk out.

Motion made (Lauria) seconded (Defeo) to RECEIVE Application 12-11 (Jennifer & Philippe Lindade)
VOTE: MOTION CARRIED UNANIMOUSLY

Application 12-12, Diana Louw - Permit approval to install an above-ground pool to abut the existing deck in the back yard. 24' diameter pool, 3,500 sq. ft. within a regulated area at 66 Red Barn Road.

Ms. Diana Louw of 66 Red Barn Road was present and indicated she was seeking permission to install an above ground pool next to the existing deck; the pool is not in the wetlands but is within a 100' of a wetlands area. When she had purchased the home in 2003 there was an above ground pool in the exact same location, and there had been a building permit for it.

Mr. Maurer stated that the previous pool was approved, but there had not been a wetlands application for it. The applicants indicated they had removed the previous pool because their children were small but wish to install a new one since their children are older. There will not be much land disturbance, there will be no excavation; the pool will abut the deck. The commission determined the square footage was incorrect, and should read as approximately 576 sq. ft. The pool will be further from the wetlands and closer to the house. From the edge of the pool it will be approximately 15' to the wetlands. The pool will be the same size as the previous pool. There will not be a heater.

Motion made (Jorgensen) seconded (Defeo) to RECEIVE Application 12-12 (Diana Louw)
VOTE: MOTION CARRIED UNANIMOUSLY

Application 12-13, Emmanuel Louis - Permit approval to remove fill placed by the previous owner/builder, add topsoil, seed, plant grass, expand the existing deck, plant trees and/or plants and pave the existing dirt-gravel driveway within a regulated area at 45 Cal Drive.

Mr. Emmanuel Louis of 45 Cal Drive was present and indicated that he was seeking permission to remove fill placed on the property by the previous owner, there are clumps of material close to the wetlands. The driveway is not within 100' of the wetlands area. He would like to expand the current deck that is there to 24' x 30'. The main goal would be to beautify the site by removing the fill, add top soil and grass to make the yard look more presentable. The current owner was not aware the fill was on the site until two weeks after moving in; there had been issues prior to the closing. Mr. Louis had spoken to the previous Town engineer and had promised in the spring he would make this a priority.

Mr. Maurer explained before requesting a final inspection for a certificate of occupancy the Engineering Department and the Inland Wetlands & Watercourses Department must sign off. Mr. Louis indicated that it will cost approximately \$3-\$4,000 to remove the fill, he only owns lot 1, not lot 2. Lot 2's house is still vacant; there is a lot of work going on. The lot at 45 Cal Drive is barren, has some crab grass, and a lot of rocks. The site has a quite a bit of a drop and would expect when the fill is removed it should return to the original gradual slope of the land. The shed is not on the site, it was not there when they moved in. They will plant grass, although does not have a landscape design, if there are native plants that the commission would require he will plant those. He was planning on working with a landscape designer next year. The commission encouraged the applicant to put hay bales and a silt fence up the following morning to protect the wetland area. Mr. Louis agreed, and confirmed that no trees will be removed; the well on site is for drinking water. The driveway is not within the 100' of wetlands. Mr. Maurer confirmed that a driveway permit is necessary.

Motion made (Jorgensen) seconded (Defeo) to RECEIVE Application 12-13 (Emmanuel Louis)
VOTE: MOTION CARRIED UNANIMOUSLY

Motion made (Chamberlain) seconded (Defeo) to CLOSE NEW BUSINESS AT 8:16 P.M.
VOTE: MOTION CARRIED UNANIMOUSLY.

The Chair opened OLD BUSINESS at 8:17 p.m.

Application 11-36 -Tina Beyer: Review for compliance of the Inland Wetland and Watercourses Commission's decision for Application 11-36, Permit approval to clear debris, branches, remove trees, the addition of topsoil, plant seed, ivy and cover with hay within a regulated area at 634 Booth Hill Road.

The Chair indicated a letter had been submitted on behalf of Beyers by their attorney requesting a 45-day extension to develop a planting plan of the previously issued orders of the commission. Mr. Maurer

indicated that there is nothing that has to be immediately stabilized. The commission reviewed the attorney's letter. Ms. Tina Beyer of 634 Booth Hill Road was present. Mr. Chamberlain indicated that the 45-day extension would put the date between meetings. The Commission agreed to grant the extension to the June meeting.

Motion made (Chamberlain) seconded (DeFeo) to GRANT an extension, applicant shall come before the Inland Wetlands & Watercourses Commission at the June meeting. VOTE: MOTION CARRIED UNANIMOUSLY.

Application 11-37 - Robert and Melissa Daniel: Review for compliance of the Inland Wetland and Watercourses Commission's decision for Application 11-37, Permit approval to remove a mound of dirt/sand/debris, trees, add top soil, seed, install a berm and plant trees within a regulated area at 638 Booth Hill Road.

Robert and Melissa Daniel of 638 Booth Hill Road were present and indicated that they were requesting an extension to the May meeting to modify the existing conditions issued to them. The Chair indicated that would need a separate application. The Daniels had submitted the planting plan although the plan includes what they will be asking for in the modification. The Chair explained that the applicants had gone past the appeal period and are requesting the commission to revisit the decision and modify the decision. Both applicants 11-36 and 11-37 are not pleased with the placement of the fence. The Chair indicated he had sought the Town attorney's advice with regard to this and as result the Chair sent a letter to both Ms. Beyer and Mr. and Mrs. Daniels. At next month's meeting Mr. Maurer will present to the commission the dotted line where the fence would be installed, the commission will discuss the placement of the fence next month.

Motion made (Chamberlain) seconded (Jorgensen) on Application 11-37 to GRANT an extension to the deadline contained in the initial approval, the applicant shall reappear before the Inland Wetlands & Watercourses Commission at the May meeting. VOTE: MOTION CARRIED UNANIMOUSLY.

Motion made (Chamberlain) seconded (Lauria) to CLOSE OLD BUSINESS AT 8:26 P.M.
VOTE: MOTION CARRIED UNANIMOUSLY.

MINUTES

By unanimous consent the Inland Wetlands & Watercourses Commission amended the March 6, 2012 meeting to read as on page 2, paragraph 5, correcting the acreage to read as .29 and .21 as opposed to 2.9 and 2.1 as follows:

A wetlands data table is included at the right hand side of the plan, which shows the whole area of the parcel approximately .29 acres. There are no wetlands on the property, they are adjacent to the property, there is no proposed activity within the wetlands; the majority of activity is within the upland review area which equates to .21 acres.

Motion made (Lauria) seconded by (DeFeo) to APPROVE the March 6, 2012 meeting minutes as amended. VOTE: Motion CARRIED UNANIMOUSLY.

WORK SESSION:

The Work Session began at 8:27 p.m.

After discussion and review, the Commission took action on the following applications as follows:

Application 12-10, Pilot Corporation of America - Permit approval to construct additional parking

spaces. Approximately 6 spaces are proposed within a regulated area at 60 Commerce Drive.

Motion made (Lauria) seconded (Defeo) to APPROVE Application 12-10, (Pilot Corporation of America), as submitted, subject to the General Conditions as established by the Commission.

VOTE: Motion CARRIED UNANIMOUSLY.

Application 12-11, Jennifer and Philippe Lindade - Permit approval to construct a 14'x27' deck at the rear of the house within a regulated area at Lot 3 Oriole Lane (AKA 16 Oriole Circle).

Motion made (Chamberlain) seconded (Lauria) to APPROVE Application 12-11, (Jennifer and Philippe Lindade), as submitted, subject to the General Conditions as established by the Commission and the following specific conditions:

- The impervious surface of the deck is addressed with additional drainage to be submitted and improved by the Town Engineer's office.
- All of the conditions of the approval of the prior Application 10-24 are unaffected by this approval.

VOTE: Motion CARRIED UNANIMOUSLY.

Application 12-12, Diana Louw - Permit approval to install an above-ground pool to abut the existing deck in the back yard. 24' diameter pool, 3,500 sq. ft. within a regulated area at 66 Red Barn Road.

Motion made (Lauria) seconded (Chamberlain) to APPROVE Application 12-12, (Diana Louw), as submitted, subject to the General Conditions as established by the Commission and the following specific conditions:

- The pool shall abut the deck.
- The pool shall be no larger than 24' in diameter as stipulated in the application.
- The filter system shall be closer to the house than wetlands.
- There shall be no significant land disturbance other than putting down a bed of sand or gravel for the pool.
- There shall be no more than 600 sq. ft. of disturbance.

Application 12-13, Emmanuel Louis - Permit approval to remove fill placed by the previous owner/builder, add topsoil, seed, plant grass, expand the existing deck, plant trees and/or plants and pave the existing dirt-gravel driveway within a regulated area at 45 Cal Drive.

Motion made (Lauria) seconded (Jorgensen) to APPROVE Application 12-13, (Emmanuel Louis), as submitted, subject to the General Conditions as established by the Commission and the following specific conditions:

- The application will not include the paving of the dirt/gravel driveway.
- A landscape plan will be submitted and reviewed by the Inland Wetlands & Watercourses Commission Agent before final approval of this application.
- Immediate silt screen shall be placed around the fill pile area to protect the wetlands immediately as directed by our Inland Wetlands & Watercourses Agent.

There being no further business to discuss the Inland Wetlands & Watercourses Commission adjourned by unanimous consent at 8:44 p.m.

Respectfully Submitted,

Margaret D. Mastroni, Clerk