

March 26, 2003

Members Present: Dorothy Hill, Helen Gray, Charles LaMuniere, Marguerite Purnell, and Robert Weber.

Alternates Present: Candace Korzenko, Mark Picton, and Anthony Bedini.

Staff Present: Michael Ajello, Katherine Moquin.

Also Present: Dirk Sabin, Mr. and Mrs. Maury, Elizabeth Corrigan, John Corrigan, Curtis Read, Marc Daft, Reporter for Voices, Chris Charles, Susan Larson, Bob Larson, Diane Duprius, Paul Harkness, Judy Auchincloss, Seymour Surnow, Blaise Donnelly, James Ross, and Brian Neff.

Dorothy Hill called the Public Hearing re: Maury/Cady, IW-03-10, 67/79 Carmel Hill Road, Lot Line Revision & Site Development to order at 6:30 p.m., Wednesday, March 26, 2003. Members seated were Dorothy Hill, Helen Gray, Charles LaMuniere, Candace Korzenko for Robert Weber and Mark Picton for Marguerite Purnell.

Dirk Sabin, Landscape Architect, presented the following: 1. This 73 plus acres property is part of a headwater area (upper limits of a watershed) which drains in two directions, west and south, to Sprain Brook. The extreme headwater zone is northeast of this property. The drainage going west to Sprain Brook comes from the western and northwestern corner where there are vernal pools and the drainage going south to Sprain Brook comes from an intermittent stream going through the central western corridor of the property. 2. For the most part, there are rocky well drained Hollis soils in the northern and western portions of the property and well drained complex Charlton soils in the eastern and southeastern portions. The wetlands soils are primarily of the Leicester series. The property is nearly all vegetated, dominated with oak trees and includes sugar maples, ash and tulip poplar and beech trees. There is a small meadow area to the east and an area of pole growth (younger / re-vegetated) in the east and southeast. The southerly section contains a modest under-story and running along Carmel Hill Road there is invasive burning bush extending to 200-300 feet deep. There are stone walls including a classic zigzag stone wall. 3. The wetlands function (what swamps are able to do) is hydrologic for the wildlife and filtration and infiltration for storm water detention. 4. As this property stands today, there are three parcels. One lot is landlocked but has a right of way. Based on the Zoning regulations, there maybe potential for six lots. Zoning allows three lots to be served with one common driveway. 5. This plan proposes to create two parcels out of the existing three and give 43 acres, including the vernal pools, more mature woods and central wetlands, to Steep Rock Association as a conservation easement. 6. Two homes are proposed, each with separate driveways. The first house is planned with a tennis court, pool, meadow buffer areas, some lawn and a pond down below; there will be plantings (native shrubs and trees and fescue) along the driveway for restoration. A portion of the driveway will be on an existing wood road and then the driveway (Lot 1) will go around a spruce grove. There will be a buffer space between the driveway (Lot 2) and the nearest of the vernal pools. The second house at the top of a hill is planned with a viewing terrace, tennis court, pool, existing stream where dams are proposed to be re-constructed and native species planted as a buffer, meadow and orchard area at the bottom of the slope and a pond in the wetland area. The driveway will have a wetland crossing over the intermittent stream and native species planted to create a buffer to the wetlands. 7. The plans show the quantity of each species to be planted around the ponds and along the driveways, perimeter silt fencing below the construction zones and at the edges of disturbance, stockpile locations, anti-track pads, temporary sediment controls,

temporary diversions of water flow during construction, and in-stream filters. Regular inspections and reporting of the erosion and sediment dynamic will be done, so that problems will be seen to as they arise. The disturbed areas will be stabilized before work is done in other areas. 8. The pond planned for the larger house site is located in the lowest part of the site and is proposed at a center depth of 12 feet

with an emergent shelf and plantings on the northwest side. The pond planned for the smaller house site is proposed at a center depth of 9 feet and also has an emergent shelf and plantings. The depth and size of the ponds will create cold water habitat and stratification. There is a small wooded knoll between the two ponds. A dry hydrant will be installed next to each pond for fire protection. 9. Alternatives to these plans have been considered. The best sites for the houses are at the top of a hill and between stone walls in order to protect the wetlands. The pool mechanics are placed out of the 100 foot inland wetlands review area. Constructing the ponds in other locations is not possible because of the existing grades, though the larger pond (1.1 acre) could be reduced in size by point 0.33 acres at the narrow northerly end, which would result in more wetlands remaining; as it is proposed now, he submitted a plan to leave about 2/3 to of an acre of this wetland intact. The design and details of the ponds were made with wildlife habitat in mind and there will be a gradual grade from the ponds to the swamp areas and shading will be preserved for the westerly sides of the ponds. The tennis court for the smaller house site is planned to be in a sunny area closer to the wetlands because more ground work (disturbance) would be required elsewhere. There will be temporary and some permanent impacts to the wetlands.

Mr. Sabin answered questions from the members: 1. The fire hydrants exceed the size required by the fire department and will be installed per consultation with the fire marshal. 2. The orchard will be maintained by hand pruning and bushwhacked every two years and accessed by walking across stones in the bottom of the stream. The hillside next to the stream contains seasonal high ground water and will be a buffer area but it is not wetlands. 3. Some trees and underbrush along the stream will remain and be augmented with plantings. 4. The ponds will fluctuate an estimated 2-2 1/2 feet in depth. There is a significant amount of ground water in the central corridor, so that more ground water will be entering the ponds than surface water. The purpose of the ponds is preparation for fires and to add aesthetic value, so that development of this property will be economically feasible. 5. The two small in-stream ponds are proposed to be 100 x 20-25 feet and 20 x 5 feet. These ponds are not vernal pools because running water will go through them and heavy vegetation exists there. 6. Dry wells will be installed for roof run-off. 7. The borrow pit has good soils and water drains quickly there. 8. The wood road shows some scouring from the intermittent water course because the flow of run-off water breaks out and finds the wood road.

Mrs. Hill opened the questions to the audience. Elizabeth Corrigan, neighbor, read and submitted three letters, which included the following concerns about this proposal: 1. The incompatibility of this proposal with Washington Inland Wetlands regulations. 2. The special ecological significance of this property. 3. Habitat destruction. 4. Threats to native flora and fauna. 5. Non-point sources of water pollution. 5. The need for quality open spaces and biodiversity.

Curtis Read, Chairman, Northwest Conservation District, Exec. Com. of Pomperaug River Watershed Coalition, Member and past Chairman of Bridgewater Conservation and Inland Wetlands Comm., Pres. Little Simon Properties, Inc. V.P. Hydro Technologies, Inc. read and submitted a letter, which included the following concerns: 1. Extremely sensitive and complex network of wetlands connected with vernal pools exists here. 2. Significant grading and excavation proposed. 3. Highest value wildlife habitat exists here. 4. There are other properties available with open area development. 5. Constructing large ponds would cause thermal changes to Sprain Brook. 6. The disturbance will cause permanent harm to this ecosystem which should be protected as a headwaters.

John Corrigan, neighbor, asked about using sprinkler systems.

Chris Charles, Washington resident, asked if Steep Rock Assoc. agreed to accept the conservation easement and Mr. Sabin said that Steep Rock is interested but nothing can be done towards this arrangement until a permit is issued.

Mr. Sabin said that a lot of the judgments made tonight compare this proposal with no-development

and adding that he took exception to the term "junk wetlands". He answered more questions from the members: 1.The conservation easement area follows some stone walls and the rest can easily be flagged. 2.He submitted this proposal to create ponds in the wetlands to the D.E.P. and he will submit this proposal to the Army Corp. of Engineers post an approval from Inland Wetlands. 3.No deep test pits had been dug yet per a consultation with Dudley Ashwood, P.E., who thought septic test holes will succeed in most places. 4.If permits are issued then construction will start this Spring.

Ms. Purnell pointed out: 1.Part of the clearing for the driveways planned will be done in the conservation easement area. 2.Wetlands have different kinds of micro-topography. The mono-culture of a pond is not a legitimate offset for the diverse-culture of wetlands. Hank Gruner, Science Center of CT., couldn't commit to agree that creatures will migrate through the site when ponds are constructed. 3.There is no guarantee that future owners will respect conservation management of the property.

Mr. Picton expressed concern about building ponds in the wetlands and the ability to enforce a conservation easement.

Ms. Purnell requested calculations by a surveyor for six possible lots and text explaining the feasible and prudent alternatives explored to date. She said that not building is always an option.

Mrs. Hill said the Commission is expecting a review by Michael Klemens, Herpetologist. She suggested waiting one month to continue the Public Hearing.

MOTION: To CONTINUE the Public Hearing re: Maury/Cady IW-03-10 on April 23, 2003 at 6:00 p.m. By Ms. Purnell, seconded by Mrs. Hill and passed 5-0.

Dorothy Hill called the Regular meeting to order at 8:35 p.m., Wednesday, March 26, 2003. Seated members were Dorothy Hill, Helen Gray, Charles LaMunier, Marguerite Purnell and Robert Weber. Also present were Anthony Bedini, Candace Korzenko and Mark Picton.

IV. Pending Applications

Lecher, IW-03-11, 97 West Shore Road, Shoreline Planting.

Dirk Sabin, Landscape Architect, was present and submitted a narrative (A summary of this projects elements,) dated 3-25-03.

Ms. Purnell asked about planting hay-scented fern. Mr. Sabin said he picked it because it is tough and this is not an easy area for plants to thrive and the road makes this a defined area but he will look into another variety.

Mr. Picton asked about the existing conditions. Mr. Sabin said there is gravel and scratchy meadow and they will have to build a rich soil.

MOTION: To APPROVE the application Lecher, IW-03-11, 97 West Shore Road, Shoreline Planting per the plan, which is entitled " Proposed Lake Buffer, Demonstration Planting, Mr. & Mrs. Andrew Lecher, The Lake Waramaug Task Force by Dirk Sabin, L.L.A., and dated February 21, 2003" and with a condition that Dirk Sabin re-evaluate the use of hay-scented fern in his planting plan. By Mrs. Hill, seconded by Mrs. Gray and passed 5-0.

Ms. Purnell said she believes this plan to be a definite improvement and a good project. Mrs. Gray agreed and recommended some monitoring. Mr. Picton agreed and said he would like to see fewer lawns. Mrs. Hill agreed and believes this will be good for the lake and hopes this project goes well.

Ross, IW-03-12, 199 Baldwin Hill Road, Construct Barn.

James Ross was present. Members reviewed the map, which is entitled "Sub-Surface Sewage System, 199 Baldwin Hill Rd., Mr. James Ross by R.J .Madden, P.E., dated August 16, 1999 and revised by Jim

Ross March 3, 2003."

Mr. Ross answered questions from the members: 1. The barn site chosen will allow room for a pool to be installed in the future. 2. The driveway going to the proposed barn will be constructed with bank-run gravel and grass planted on top. 3. The boat could be stored on planks in front of the barn as an alternative to cutting trees in the back of the barn to make room for access. 4. The barn site is relatively flat and the grade for the driveway to the barn will not be changed. 5. Moving the barn location to the front of the house is not an option because his wife said no. 6. The distance from the barn to the wetland flag is 40 feet. The wetlands were flagged by Eugene McNamara, Soil Scientist, in 1998. 7. The original site chosen for this proposed barn was farther to the back of the property, a spot which 110 feet uphill from the wetlands but requires a longer driveway.

Ms. Purnell recommended the barn be located at the site originally considered farther to the back of the property.

The Commission will make a **Site Visit** on Tuesday, April 1, 2003 at 9:00 a.m.

Mr. Ross will stake out this alternate site.

Levande/Brown, IW-03-13, 88 Baldwin Hill Road, Install Riprap Along One Side of Drainage Channel.

Brian Neff, Civil Engineer, was present and answered member's questions: 1. The erosion is ongoing. 2. There is an existing rock causing turbulence but where the rock is now will be the base of the channel. 3. The large riprap proposed is 6 - 30 inches in size. 4. Some stumps will be removed from the streambed and they should come out easily as the soil has been washed off the roots. The plan is to stabilize just one area close to the well. 5. There is no way to install erosion control in the stream. Filter fabric will be put down and riprap placed on top. 6. As the drainage continues, it goes down the hill to a wet area and runs parallel with Baldwin Hill Road to Calhoun Street.

Mrs. Hill had Mr. Neff add, date and sign the addition of the removal of stumps to the plan.

Mr. Weber said this proposal is relatively straight forward.

Ms. Purnell recused herself as she is not up to date with this application and she did not make a site visit. Mrs. Hill seated Mark Picton for Marguerite Purnell.

MOTION: To APPROVE the application Levande/Brown, IW-03-13, 88 Baldwin Hill Road, Install Riprap Along One Side of Drainage Channel per the Project Description which is entitled "Drainage Channel Stabilization Plan, Robert Levande & Andrea Brown Residence, 88 Baldwin Hill Road by Brian E. Neff, P.E., dated 3-12-03" and per the Construction Sequence included in the above cited plan. By Mr. LaMunier, seconded by Mrs. Gray and passed 5-0.

Mr. Weber recommended this project be done as soon as possible.

Mrs. Hill re-seated Marguerite Purnell.

Brown, IW-03-09, 96 Romford Road, Permanent Dam Repair.

Mr. Ajello reported that the dam had not suffered any erosion to date.

The members reviewed the report from Land Tech Consultants, Inc., dated 3-10-03 and all agreed to ask Dr. Brown to implement these recommendations by Land Tech. Mrs. Hill will write to Dr. Brown stating this request.

Ms. Korzenko recommended consulting the D.E.P. Dam Safety Unit. Mr. Ajello will call Wes Marsh at the D.E.P.

V. Enforcement

Mayflower Inn, 35 Wykeham Road

Mr. Ajello reported that this is a newly purchased property and one building has already been demolished. The second building to be demolished is within the Inland Wetlands Upland Review Area and Janet Hill will request an application be filed for any activities being planned for this area.

Shepaug Realty, IW-03-03, Bee Brook Road

Mr. Ajello reported that the temporary bridge was installed today.

Croasdaile, IW-02-66, 67 River Road

Mr. Ajello reported that the detention basin is working well but some raking and lawn repair needs to be done around the catch basin.

Landon, 156 Calhoun Street.

Mr. Ajello reported the following: 1. A considerable amount of brush and trees were removed from a wetland area just above a small pond by Bill Pollack, a contractor hired by the estate of Mr. Landon. 2. He gave Mr. Pollack stern counsel about contacting the Inland Wetlands Commission before doing any future work in wetland areas.

Ms. Purnell asked Mr. Ajello to write to the Landon Estate regarding this violation and to send a copy to Mr. Pollack.

S.M.R. Partners, IW-02-72, 103 Baldwin Hill Road.

Mr. Ajello reported the following: 1. He received a finish card from Joe Gitterman. He visited the site today and does not consider the work finished though the footing drains are installed. Re-vegetation needs to occur, the stockpiles are still there and erosion controls are still in place per conditions. 2. He observed that riprap had been deposited in potholes at the beginning of the driveway.

Hildmann, 34 Popple Swamp Road

Mrs. Hill and Mr. LaMuniere observed piles of material around the barn. Mr. Ajello said that he spoke to Mr. Hildmann, who assured him Brian Neff will address all the issues of concern in the upcoming application, including manure storage and roof drainage. The members discussed their concerns about: 1. Manure being stored next to the wetland. 2. Where all the water is going from drainage on the east side to the woodland area. 3. The parked trailers. Mrs. Hill requested details of what is presently happening on the site. Mr. Ajello will call the Hildmanns and Brian Neff to ask them to come to the next meeting to address these issues.

Beck, IW-02-V1, 132 Calhoun Street, Cutting & Clearing in Wetlands.

Mrs. Hill spoke with Mr. Beck today and he chose to hire Cynthia Rabinowitz as the biologist to oversee the wetland restoration. The Commission approved his choice and a report is due in May.

Ross, IW-02-V4, 10 Sunny Ridge Road, Wetlands Restoration.

Mrs. Hill talked to Dudley Ashwood, P.E. and he said he obtained the services of a soil scientist and will have something for review at the next meeting.

Fairbairn, IW-02-54, 206 Wykeham Road, Permit Violation, Construct Wetland Crossing.

Mrs. Hill talked to Mr. William Fairbairn and he promised to record a new and accurate easement.

VI. Consideration of Minutes

Regular Meeting - March 12, 2003

MOTION: To ACCEPT the Minutes of the Regular Meeting - March 12, 2003 as amended. By Mrs. Hill, seconded by Mr. LaMunier and passed 4-0-1. Ms. Purnell abstained as she did not attend this meeting.

The corrected/amended minutes (relevant pages) are attached to the end of these pages.

Site Inspection re: Maury/Cady IW-03-10 - March 22, 2003

MOTION: To ACCEPT the Minutes of the Site Inspection re: Maury/Cady IW-03-10 on March 22, 2003 as amended. By Mrs. Hill, seconded by Mrs. Gray and passed 3-0-2. Ms. Purnell and Mr. Weber abstained as they did not attend this meeting.

MOTION: To ADJOURN the Meeting by Mrs. Gray. All agreed at 10: 23 p.m.

Katherine Moquin, Land Use Secretary April 4, 2003