

May 14, 2003

PUBLIC HEARING re: Maury/Cady, IW-03-10

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

Alternates Present: Candace Korzenko and Mark Picton

Alternates Absent: Anthony Bedini.

Staff Present: Michael Ajello and Katherine Moquin.

Also Present: Judy Auchincloss, Kelly Boling, Chris Charles, **Link** Cornell, Elizabeth and John Corrigan, Dr. Michael Klemens, Dirk Sabin and Seymour Surnow.

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 6:07 p.m., Wednesday, May 14, 2003. Members seated were Dorothy Hill, Helen Gray at 6:58 p.m., Charles LaMuniere, Marguerite Purnell at 6:14 p.m. and Robert Weber at 6:13 p.m.

Mrs. Hill read a letter from Julie Victoria, Wildlife Biologist, State D.E.P., dated April 7, 2003, which stated Dr. Klemens' **report**, suffices as an answer to the Commission's question regarding critical biological resources.

Dr. Klemens reviewed his report, dated May 13, 2003 and he highlighted the following: 1. He looked at eleven wetlands and two impact areas, visiting the site on April 4, 5 and 20, 2003. 2. Ice was present on April 4 and 5, but he did **observe** what amphibian breeding occurred during this Spring time. Breeding here occurs diffusely, in pockets, not in mega-populations and reflects the landscape. 3. It is important to look at what lives in the vernal pools, not at the hydrology, to determine the conservation issues. It is very important to preserve the outlying populations. The best science available gives us a standard of a 750' envelope around a vernal pool (starting at the high water mark) as a protective zone to sustain the existing population. Vernal pools function as a unit, with an overall connectivity and we need to look at a cluster of pools in regarding protective issues. 4. Vernal pools #7, #8 and # 11 are an exceptionally high value pool complex and vernal pool # 11 (located on the bordering property) in particular, is a critical site and warrants protection from the Town of Washington; the matching critical upland habitat zone sits partially on this property and he recommends eliminating or moving impact area B for this reason. 5. He can offer guidance on watershed issues but not calculations. Creating ponds out of headwater wetlands has the potential to alter thermals, water quality and water quantity, but the ponds can be well-designed to include protections of canopy and native buffer plantings around the circumference and care can be taken to keep fish and other wildlife predators out. 6. He recommends that language in the deeds includes the limits of clearing and the future stewardship of the site. He said 25% development is acceptable, given that swimming pools, curbs and catch basins, etc. are not installed near the vernal pools.

Dirk Sabin was present and he submitted a report, "Drainage Calculations, by Dudley Ashwood, P.E., dated 5-13-03;" he explained that these computations support his designs for the culvert crossing, the two outlets for the ponds A and B and the two outlets for the in-stream ponds. He also submitted a revised topography map, "Site Topographic & Grading Plan, Maria Eugenia Maury and Edwin Cady, 67/79 Carmel Hill Rd. by Dirk W. Sabin, L. A., dated January 30, 2003 and revised 4-20-03," and portions of this map with more details, which show the addition of a bio-filtration area for the driveway crossing (Lot 1 / Vernal Pool #9,) alternatives for Pond Site A and for Pond Site B, an alternative location for the swimming pool (Lot 2) and a light green line running north to south, which marks off

an area, straddling the western property line, of approximately 50 acres within the 750' envelope for all eleven vernal pool wetlands; he explained the following: 1. This third alternative for Wetland A (Lot 1) sets an elevation that would preserve the bank of the wetland, as requested by Mr. LaMuniere and this is accomplished by marginally moving the pond site to the east and by lowering the elevation by two feet. 2. The buffer space between the swimming pool and Vernal Pools #4 and #5 has been increased by changing the location to the other side of the house and moving the conservation line closer to the house to just behind the existing stone wall. 3. Wetland B (Lot 2) has been altered by elongating the pond / pulling the conservation line 100 feet out farther and with additional emergent edges and vegetation on the south and western sides to create large areas of shading and grading right up to the woodland and wetlands (almost completely vegetated around the pond.) 4. The question regarding access to the meadow, for mowing across the stream has been addressed by adding Roxbury Granite slabs placed in a level portion of the stream on gravel, essentially creating a farm crossing.

Ms. Purnell asked about specific calculations (soils and Zoning) for a possible six lot division of this property. Mr. Sabin said that the soil calculations submitted would support fifteen dwellings and he used the Zoning provision allowing three houses off a shared driveway partnered with 2000' of existing road frontage.

Ms. Purnell asked about the calculations for the amount of clearing within the 750' envelope for all eleven vernal pools and noted the driveways are not included. Mr. Sabin explained the methods, "Maury/Cady, Vernal Pool, 750' Preferred No Disturbance Area by Dirk W. Sabin, L.A., dated 5-14-03," he used to reach 11.2 acres as the total area of proposed clearing. Dr. Klemens explained that in order to deal with conservation issues, a different way of computing is necessary; he said that Mr. Sabin equalized the impacts of all the pools across the whole area and what is needed is the amount of clearing for each individual vernal pool, because some vernal pools are extremely important and some are not so valuable; a pool by pool analysis is more ecologically revealing; also the roofs, driveways and terraces need to be included and the lawn separate; and it is helpful to know what was not cleared, what are the impervious surfaces and what area is lawn. Mr. Sabin said that vernal pool # 11 is 210'x 110' and the closest point of development to vernal pool #11 is 610'.

Mr. Picton asked Dr. Klemens where to start in determining the 25% development area. Dr. Klemens said that it is important to design development to insure a high degree of probable wildlife survivability; the vernal pool cluster # 7, # 8 and # 11 is so important that no impact should occur and the Commission could guide the applicant to leave the whole 750' envelope area alone and the applicant might shift more development into areas of vernal pools of lesser quality.

Mr. Link Cornell, George Murphy's friend, was present and spoke for his friend who is 95 years young and unable to attend: 1 There is not a person in Washington who

has done more for Washington than George Murphy, owner of the property in question. 2. He would like to see this property transaction completed and he tried to set this up with responsible parties. 3. Mr. Murphy did not know the complexity or the amount of time involved for this permit but he thinks this proposal weighs in favor of the overall good use of the property and far outweighs the negatives of developing it.

Mr. Sabin said that his client is trying to bring reach a conclusion to permit process and he submitted a request for an extension of the Public Hearing and suggested the next meeting.

Mrs. Hill pointed out that there is not enough hydrology information. Mr. Sabin said the engineer's calculations submitted tonight based the in-stream pond outlets and larger watershed area for 100 year storms and the Pond A and B outlets for 25 year

storms and he explained that usually very large areas of development with large areas of impervious

surfaces were calculated for 100 year storms. Mr. Picton said the

Commission wants to know that a 100 year storm will not blow out the wetland crossing or the dams and the Commission is asking for an engineer's consideration. Mrs. Hill reviewed Land Tech Consultant's recommendations, dated 3-19-03, which asked for 25 year storm calculations and she will ask Land Tech about this.

Betsy Corrigan asked the proposed depth of Wetlands Ponds A and B and asked how will the ponds obtain water, if the wetlands are dry in the summer. Mr. Sabin said the ponds are stepped and the deepest points are proposed at 9' for Pond B and 12' for Pond A; the water levels will fluctuate and the emergent shelves exposed during a drought but there is enough watershed existing to support these ponds. Mrs. Hill will ask Land Tech to review the volume of water needed to support the ponds.

Ms. Purnell requested alternatives be submitted for the house site location.

MOTION: To CONTINUE the Public Hearing re: Maury/Cady, IW-03-10, 67/79 Carmel Hill Road, Property Line Revision & Site Development on May 28, 2003 at 6:00 p.m. By Mr. Weber, seconded by Mrs. Hill and passed 5-0.

Katherine Moquin
Land Use Secretary
May 23, 2003