

February 26, 2014

7:00 p.m. Upper Level Meeting Room

MEMBERS PRESENT: Mr. Bedini, Mr. LaMuniere, Mr. Papsin

MEMBERS ABSENT: Ms. Cheney, Mr. Waderton

ALTERNATES ABSENT: Mr. Davis, Mr. Martino

STAFF PRESENT: Mr. Ajello, Mrs. Hill

ALSO PRESENT: Mr. Farmen, Ms. Scodari, Mr. Aston, Mr. Foss, Mr. Rosiello

Mr. Bedini called the meeting to order at 7:00 p.m. and seated Members Bedini, LaMuniere, and Papsin. It was noted there was no subsequent business to add to the agenda.

Consideration of the Minutes

The 2/12/14 Regular Meeting minutes were accepted as corrected.

Page 1: The correct meeting date is February 12, 2014.

Page 1: The motion to approve the minutes was by Mr. LaMuniere, not Mr. Charles.

Page 2, line #13: "Flood prone" should be added so the sentence is, "...be installed at the flood prone confluence of the two rivers."

Page 6, line #6: Change "was" to "as."

Page 7, last paragraph: It was thought that CACWC had not been spelled correctly, but subsequently, upon looking it up, it was found to be correct.

MOTION:

To accept the 2/12/14 Regular Meeting minutes as corrected.

By Mr. Papsin, seconded by Mr. LaMuniere, and passed 3-0.

Pending Applications

Laverge/228 Bee Brook Road/#W-14-02/Driveway and Bridge:

Mr. Ajello reported that although the proposed driveway route was being staked today, there was still too much snow to conduct a site inspection. Further discussion was tabled to the next meeting, at which time the Commission must act unless the applicant requests an extension.

Cowles/210 West Shore Road/#W-14-06/Well and Trench:

Mr. Foss, contractor, was present. It was noted that proof the Town of Warren had been notified of the application by certified mail had been submitted and that all the questions raised at the last meeting had been addressed.

MOTION:

To approve Application #W-14-06 submitted by Mr. and Mrs. Cowles, 210 West Shore Road for a well and trench per the map with handwritten clarifications, "210 West Shore Road," dated 2/26/14; the duration of the permit shall be two years and it is subject to the following conditions:

1. that the land use office be notified at least 48 hours prior to the commencement of work so the WEO can inspect and approve the erosion control measures,

2. that the property owner give the contractor copies of both the motion of approval and approved plans prior to the commencement of work, and
3. any change to the plans as approved must be submitted immediately to the Commission for reapproval.

By Mr. LaMuniere, seconded by Mr. Papsin, passed 3-0.

New Applications

Rumsey Hall School/210 Romford Road/#IW-14-07/Expand Septic System:

For orientation purposes, Mr. Farmen presented the map, "Campus Master Plan, 2000," to show the location of the dorm to be demolished and rebuilt and septic system to be expanded and he circulated photos of the existing building. He explained that increasing the number of bedrooms in the reconstructed dorms requires an extension of the existing septic system, 216 sq. ft. of which would be in a regulated area within 100 feet of the 100 year flood plain. Mr. Aston presented the site plan, "New Dorm Replacement, by Buck and Buck, LLC., revised to 2/26/14. Mr. Bedini noted that only the expansion of the septic system was under the Commission's jurisdiction. Mr. Aston explained the septic system would be installed under the existing grass athletic field where there would be very little chance of erosion into the Bantam River. On sheet L-3, dated 2/20/14, he pointed out the cross section of the existing and proposed septic systems and the groundwater level. Mr. LaMuniere asked what the elevation of the basement floor would be. Mr. Aston said there would be a full basement 8 ft. 8 inches below the finished floor, which would reach approximately 5 ft. below ground level but was above the observed groundwater level. Mr. LaMuniere asked if the material excavated for the basements would be stockpiled on site. Mr. Aston answered that it would be loaded into trucks and taken off site, but showed a stockpile area surrounded with silt fence where top soil that would later be reused for landscaping would be placed. He also pointed out the location of the proposed erosion control measures and the construction barrier to keep equipment off the field and to protect nearby trees. Mr. Aston noted per the sequence of construction that excavated material for the installation of the septic system would be placed in small earth moving equipment so it could easily be reused on site and it would cause less disturbance. He noted he had clarified on the plan that the contract limit line was the limit of disturbance line. Drainage plans for the dorms were briefly discussed and Mr. Aston noted runoff would not increase. The commissioners had no additional questions or concerns and advised the applicant it would not be necessary to attend the next meeting.

Morris Electric, LLC./132 Lower Church Hill Road/#IW-14-08/ Utility Trench:

Mr. Rosiello, landscaper designer, represented the applicant. He noted the application included a conduit down along the existing driveway, a conduit box and 3 inch conduit behind the garage, moving a propane tank 15 feet to the south behind the existing garage, and the replacement of a failing culvert under the driveway. He said the new culvert would be covered with processed stone and gravel. Mr. LaMuniere asked that silt fence be installed around any area where the old conduit was dug out. Mr. Ajello noted the area behind the garage was a regulated area and so if the owners decided to bury the propane tank that would require a permit. The map, "Proposed Improvement Location Plan," sheet SD.1, by Arthur H. Howland and Associates, dated 2/21/14 was reviewed. Mr. Ajello asked what the note, "existing drain to be moved" referred to and where it drains to. Mr. Rosiello will find out for the next meeting. Mr. Papsin asked why so many cedars would be removed. Mr. Rosiello said they were failing and that the canopy would be replaced with either maples or oaks. Mr. Ajello asked why the corrugated culvert replacement proposed the use

of hay bales on one side and sand bags on the other and suggested a hay filter be installed rather than the hay bales. Mr. Rosiello said written approval was expected from the holder of the conservation easement, Steep Rock Assn. A site inspection will be conducted when the site is staked and the snow cover is gone.

Morris Electric, LLC./132 Lower Church Hill Road/#IW-14-09/Meadow and Tree Planting:

Mr. Rosiello, landscape designer, presented the plan, "Planting Layout Plan, Driveway Allee and Birch Grove," sheets L-1.3.01 0 L-1.03.02, by Ms. Lewis, dated 2/21/14 and her six page "Meadow Planting Project," dated 2/21/14. Mrs. Hill noted that Ms. Lewis's plans did not label the wetlands and so asked that a copy of the Howland "Proposed Improvement Location Plan," dated 2/21/14 be submitted for this application. Mr. LaMuniere agreed the Howland map was more complete. He also asked that the trees to be removed be indicated on the master plan rather than only on the plan, "Record Map," by Arthur H. Howland and Associates, dated 1/15/14. Mr. Rosiello agreed to both requests. It was noted per Mrs. Hill's 2/26/14 review, that extensive paths and boardwalks were proposed through the wetlands and regulated areas, but had not been included in the application. Mr. Rosiello said the 42 inch wide boardwalks would be elevated and constructed with a pin system. Piles would be screwed into the ground and there would be no equipment used in the wetlands. He stated the paths would be mowed. He said he would revise the plans accordingly. Mr. LaMuniere asked that the specific location(s) where the birches would be planted be shown on the master plan. Mr. Rosiello said the applicant proposed to remediate the meadows. Mr. LaMuniere voiced his concern that a lot of herbicide would be used directly in the wetlands. Mr. Rosiello said he would provide credentials and more specific information at the next meeting and also suggested that organic herbicides could be used. Information regarding the type(s) of herbicide, amount to be used for each application, the impact it will have, how long it will stay in the soil, whether it would significantly impact the wetland function, etc. was requested. Mr. LaMuniere asked if instead of three or four applications of herbicide, the removal of the top soil, screening, and replacement had been considered. Mr. Rosiello said there was 30,000 sq. ft. of meadow, but that he would compare the impact to the wetlands vs. multiple applications of Rodeo. Mr. Papsin thought it would be best not to disturb the soil. It was noted Mr. Rosiello must justify the method he decides to use. Mr. Ajello reviewed the plant list for each meadow and said the Commission's normal policy was not to approve non native plants. He recommended the Commission establish a policy regarding whether it would require native plants in wetlands and in the upland review area. There was a discussion regarding what a native plant is and where it should be native to; must it be native to CT or to New England. Mr. Papsin asked whether the Commission had the jurisdiction to require that only native species be planted in wetlands. It was noted that legal advice might be necessary on this point. Mr. Papsin asked that the plants on the plant list be labeled as to whether they are native or non native. He also asked if a maintenance plan had been submitted and Mr. Rosiello said it had. The planting sequence and maintenance plans were reviewed in detail. Mr. Rosiello noted that some of the planting sequence had been omitted on the plans, but was included in the sheets, "Meadow Planting Project." The commissioners asked that the sq. footage of each meadow area be clarified. Discussion continued regarding whether CT native or New England native plants should be required. Mr. Rosiello thought Ct only was too restrictive and referred to the book, Preliminary Checklist of the Vascular Flora of Ct., by J. Donovan, 1779 for information. It was the consensus that all plants to be planted in the wetlands should be native to New England. The commissioners noted it might be necessary to bring in a consultant to review the impact of the use of so much herbicide on the wetlands and whether the character of the wetlands would be changed. It was noted that the broad spraying of herbicides could also adversely impact the wetland animals living in the wet meadows.

Mr. Rosiello said he would amend the plans and submit additional information based on the Commission's questions and comments regarding the application. Mr. Papsin asked if any trees would be planted directly in the wetlands. Mr. Rosiello will find out. It was noted the Commission will schedule a site inspection when the site conditions improve.

Enforcement Report

In addition to the properties addressed in Mr. Ajello's 2/25/14 report, the following issue was discussed.

Randall/74 West Morris Road/Unauthorized Clearcutting and Deposition of Debris:

Mr. Papsin asked if any progress had been made. Mr. Ajello said he would soon send a letter to Mr. Randall asking him to complete the required clean up.

Other Business

Revision of the Regulations:

Mr. Papsin, Mr. LaMuniere, and Mr. Bedini agreed to serve on the subcommittee to review and recommend revisions to the Regulations. Mr. Ajello recommended that policies regarding use of herbicides in wetlands and use of native plants in wetlands be considered. Mr. LaMuniere noted the fee schedule had been a problem in the past and should be reviewed. Changes mandated by the DEEP will be incorporated and Mr. Bedini will contact the DEEP to learn what these are. Mr. LaMuniere said he also had information from Atty. Brooks that the subcommittee should review.

MOTION:

To adjourn the meeting.

By Mr. LaMuniere.

Mr. Bedini adjourned the meeting at 8:44 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted

Janet M. Hill, LU Administrator