



TOWN OF MONROE INLAND WETLANDS COMMISSION

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Inland Wetlands Agent: Scott H. Schatzlein, P.E.

Note: Meetings are Video and Audio Recorded

Minutes of February 24, 2016 Regular Meeting

I. Call to Order:

The Regular Meeting of the Inland Wetlands Commission ("Commission") was called to Order at 7:04 p.m.

(A) Pledge of Allegiance

(B) Roll Call

Present: Michael S. Muttitt, *Chairman*
Jason Grady, *Vice-Chairman*
Lois Spence, *Secretary*
James Stewart, *Commissioner*

Absent: Meghan Hayden, *Treasurer*
Peter Oliva, *Commissioner*

Also Present: Scott Schatzlein, *P.E., Land Use Director, Town Engineer, Inland Wetlands Agent*
Donna Suszynski, *Land Use Office Coordinator*
David McCollum, *Inland Wetlands Inspector, Recording Secretary*

Chairman Muttitt then read the Inland Wetlands Commission Mission Statement. He asked if there were any changes to the Commission Meeting Agenda. Mr. Schatzlein read and reviewed the Agenda Amendments with the Commission, which the Commission unanimously accepted.

(C) Inland Wetland Commission Meeting Minutes

- January 13, 2016 Meeting Minutes

Motion to approve the January 13, 2016 minutes as amended made by Lois Spence; 2nd by Michael Muttitt.

Vote: 2-0-1 (Jason Grady, abstained) in favor, motion passed

- January 27 , 2016 Meeting Minutes

Motion to approve the January 27, 2016 minutes as written made by Jason Grady; 2nd by Michael Muttitt.

Vote: 2-0-1 (James Stewart, abstained) in favor, motion passed

(E) General Public Participation

Chairman Muttitt polled those publicly attending for public participation, of which there was none.

II. Application Hearing Determinations:

- **IWC-2016-05** 1014 Monroe Turnpike – Proposed reconstruction/improvements to Masuk High School field/stadium to include drainage and lighting

Mr. Schatzlein stated that the Land Use Office had received the Application just before the submission deadline, which subsequently did not provide him enough time to review the entire Application before the Commission Meeting. He stated that there was a proposal to reconstruct an existing field facility at Masuk High School. He added that the overall project site was 3.2 acres, with 2.76 acres of Regulated Wetland Areas and 4.62 acres of Regulated Upland Review Area. The Application proposed no direct activity within Regulated Wetland Areas, and that there would be 0.37 acres, or 16,000 square feet, of impact within a Regulated Upland Review Area. He added that the proposed project involved the installation of a artificial turf field and the installation of replacement field lighting.

The Commission and Mr. Schatzlein discussed the following matters relative to the Application Hearing Determination:

- the public referendum scheduled for March 8th to support funding of this project;
- the absence of proposed lighting plans, and the Commission's request for a planimetric plan to address proposed lighting;
- the Commission's request for a detail plan of the artificial turf field;
- a preliminary meeting scheduled between the Applicant and Mr. Schatzlein.

Motion to hold a Public Hearing, as the project scope regards a town-owned facility, and could be of significant public interest, made by Jason Grady; 2nd by Lois Spence.

Vote: 4-0-0 in favor, motion passed

- **IWC-2016-06** 716 Wheeler Road – Subdivision of a Residential Lot for proposed construction of a new single-family dwelling outside Regulated Upland Review Areas

Mr. Schatzlein stated that there was a proposal to the subdivision of an existing lot with a proposed single family dwelling outside a Regulated Upland Review Area. He added that this Application was submitted for a re-subdivision referral to the Planning and Zoning Commission. He stated that the

overall project site was 4.1 acres, with 0.50 acres of Regulated Wetland Areas and 1.0 acres of Regulated Upland Review Area. The Application proposed no direct activity within Regulated Wetland Areas, and that there would also be no direct activity within a Regulated Upland Review Area. The Commission discussed the Application Hearing Determination with Mr. Schatzlein, with regards to providing referral comments.

Motion to hold a Regular Hearing, as the project scope has no direct impact to Regulated Wetlands or Upland Review Area, made by Jason Grady; 2nd by Lois Spence.

Vote: 4-0-0 in favor, motion passed

- **IWC-2016-07** 64 West Maiden Lane – Selective clearing, grubbing, topsoil, and seed to lawn, *Dudziec*

The Commission reviewed the contents of the Application as Mr. Schatzlein explained the proposed activity to clear a stand of trees on the rear of a property. He stated that the Application proposed no direct activity within Regulated Wetland Areas, and that there would be 0.36 acres of impact within a Regulated Upland Review Area. He added that the proposed project would allow a better sightline to the lake for the property owners. The Commissioners discussed Mr. Schatzlein's pending review of the Application, and the process regarding conducting a site walk for the property.

Motion to hold a Public Hearing, as the project scope entails clearing to a lake, which could affect all properties abutting the lake and could be of public interest, made by Lois Spence; 2nd by Jason Grady.

Vote: 4-0-0 in favor, motion passed

III. Subdivision Report/Recommendation to the Planning & Zoning Commission: (NONE)

IV. Regulated Activities:

(A) Regular Hearings: (NONE)

(B) Public Hearings:

- **IWC-2016-01** 67/69 Turkey Roost Road, 67 Karen Drive, & 56 Lorraine Drive – Remediation of previously disturbed Regulated Area (Opening of Hearing)

Mr. Schatzlein stated that he had received an e-mail on February 16, 2016 from David S. Bjorklund, a licensed engineer in the State of Connecticut of Spath-Bjorklund Associates, LLC in Monroe, Connecticut, the representative acting on behalf of the Applicant. Mr. Bjorklund's e-mail stated that he had been notified by the attorney that the Application was not ready to go forward, that the appropriate mailings had not been completed, the title search had not been conducted, and the Inland Wetlands Map that was requested had not been completed due to adverse weather conditions. Mr. Bjorklund stated that he requested that the opening of the hearing be postponed. Mr. Schatzlein added that he had met with Mr. Bjorklund in an effort to

clarify the ownership of the lots that would be subject to the proposed activities of the Application.

Michael Muttitt stated that the opening of the hearing would not take place during the meeting.

- **IWC-2016-02** 178 Main Street – Proposed improvements to Monroe Car Wash including the repaving of existing bituminous area, grading and paving of Regulated Upland Review Area and building construction within Regulated Upland Review Area
(Opening of Hearing)

James Swift, a landscape architect and professional engineer licensed in the State of Connecticut independently operating in Shelton, Connecticut, introduced himself to the Commission as a speaker on behalf of the Application. John Lilly also introduced himself to the Commission as an additional speaker on behalf of the Application, and as the property owner. Mr. Swift and Mr. Lilly gave an overview presentation of the proposed work. The overview of their presentation included the following:

- the condition of the existing septic system and the modified design of the proposed septic system;
- the proximity of the site to the Pequonnock River;
- the project site, including the existing buildings and supporting infrastructure on abutting properties;
- the proposed additions to the existing building, which include an indoor customer lounge and detailing center;
- the proposed addition of seven spaces for 7 outdoor vacuuming outlets;
- the absence of additional encroachments beyond the current limits with respect to the rear boundary of the property;
- the location of the work proposed on-site;
- the proposed grading plan and associated activities;
- the existing 100-year floodplain zone area on the site;
- the creation of additional impervious space;
- the proposed plantings and sedges;
- the proposed soil and erosion control plan;
- the proposed rain garden;
- the proposed landscaping;

Mr. Swift added that he would request the hearing to be continued to address the comments he received from Mr. Schatzlein, if necessary.

Mr. Schatzlein and the Commission discussed the following items with Mr. Swift and Mr. Lilly:

- the location of the proposed roof leader drainage discharge;
- the size and location of the proposed rain garden;
- potential impacts to the site embankment along the Pequonnock River;
- existing runoff conditions from Connecticut Route 25 and their potential impact to the site;
- the location for the addition of chemicals used to wash and detail customer vehicles;
- discharge and water runoff volume calculations;

- existing, proposed, and potential site lighting conditions;
- the addition of buffer plantings/structures to reinforce the Pequonnock River embankment;
- the incorporation of the proposed lawn area into the proposed rain garden;
- calculations and regional policies for the Pequonnock River regarding post-development discharge, pre-development discharge, and peak flow;
- the Pequonnock River Watershed Initiative;
- separation of materials structures.

Michael Muttitt stated that there would be periods for public comment for each evening that the hearing was continued. He then opened the hearing to public comment, of which there was none.

Mr. Swift requested that the hearing be continued to address the Commission's comments and to meet with Mr. Schatzlein to discuss engineering/technical aspects of the Application.

Ms. Suszynski read the Exhibits 1 through 2.

Michael Muttitt stated that the hearing would be continued at the next regularly scheduled meeting.

- **IWC-2016-03** 35 Cambridge Drive – Proposed 17,613 square foot office/warehouse including storm drainage, water quality treatment, sanitary, retaining walls, pavement, and landscaping within Regulated Areas
(Opening of Hearing)

Kevin Solli, a licensed Professional Engineer with Solli Engineering, LLC of Monroe, Connecticut, introduced himself to the Commission as a representative on behalf of the application. He submitted the Certified Mail Return Receipts for Aquarion Water Company, the State Commissioner of Public Health, and the abutting properties. He also provided a letter of response to Mr. Schatzlein's comments, which was accepted as an Exhibit. He added that James Cowen, a Registered Soil Scientist and Professional Wetlands Scientist with Environmental Planning Services of North Stonington, Connecticut, and Showki Caldawi, the owner of the property residing at 99 Staples Road, Easton, Connecticut, would also each speak to the Commission on behalf of the Application.

Mr. Solli and Mr. Cowen gave an overview presentation of the proposed work. The overview of their presentation included the following:

- the location of the site within Pepper Street Business Park;
- the nature of the business, which is based in College Point, Queens;
- the clientele that the business would attract and serve;
- the proposed, two-phased design approach for the proposed work;
- the alternatives for the proposed work, including a change in the location of the loading dock, and the driveway layout design;
- elevation constraints affecting the proposed pipe structure;
- the proposed site structures and supporting infrastructure including the proposed driveway, stormwater retention basins, hydrodynamic separator, detention basin, and retaining walls;

- the proposed soil and sediment erosion control measures, which include silt fencing with mulch berms;
- modifications made to address concerns of the Monroe Health Department;
- the proposed landscape plan;
- the proposed buffer planting plan on the proposed grades and within the proposed detention basin;
- the wetlands delineation fieldwork on December 9, 2015 and subsequent report on January 5, 2016;
- modifications to the 100' vernal pool envelope;
- the existing and surrounding wetlands, watercourses, and vernal pools;
- maximization of existing habitat for wetlands species and protection of slopes;
- anticipated behaviors for vernal pool and wetlands species;
- the proposed use of native upland seed mix, and cape cod curbing;
- the specifications of the storm water detention basin relative to the seasonal high water ground;
- proposed recommendations to exclude amphibian species from construction using silt fencing as appropriate;
- proposed activities to address issues with existing invasive plant species and invasive plant species prevention;
- a proposed three-year plant monitoring period.

Mr. Schatzlein and the Commission discussed the following items with Mr. Solli, Mr. Cowen, and Mr. Caldawi:

- the ability for the proposed slopes and silt fence to accommodate movements of amphibian and other vernal pool species;
- the behaviors of amphibian and vernal pool species;
- the time period for construction if the work proposed was approved;
- the Wetlands Report provided by Mr. Cowen;
- the proposed lighting plan;
- the detail specifications for the proposed soil and sediment erosion control plan;
- the incorporation of a 3' perimeter snow shelf, and the use of lawn and landscaped islands to accommodate snow pilings;
- the proposed grading of impervious surfaces;
- the percentage of coverage of coarse woody debris;
- the former stockpiling of materials in the center of the property, the clearing of the site in 1995, the former use of the site to process stones for stone walls; and the removal of the existing stockpile;
- the use of the existing organic matter as part of the proposed site grading;
- the storage of chemicals and other environmentally hazardous materials on-site and within the proposed structures;
- the methods for collection and disposal of hazardous materials on and off-site;
- minimizing the use of silt fence along the proposed limit of grading;
- site plan details of the proposed wall structures;
- zoning regulations and parameters regarding parking and parking location;
- the proposed parking lot drainage structures and their respective locations;
- the absence of contaminants associated with roof rainwater runoff;
- results recorded from the on-site test pits;

- the intent of the Applicant to have both design phases of the proposed work approved with a single Application;
- the proposed reserve system.

Mr. Schatzlein added that that he would review the comments and Conditions of Approval during the Review of Approval process.

Ms. Suszynski read Exhibits 1 through 14.

Michael Muttitt opened the Hearing to public comment. Ms. Suszynski read a letter from the Conservation Commission regarding the Application into Public Record.

Michael Muttitt asked if there was any other public comment, of which there was none.

Mr. Solli addressed the comments of the letter from the Conservation Commission, and stated that he would like to close the Application Hearing at this meeting.

Polling the Commission hearing no objections, Michael Muttitt closed the Hearing.

V. Violations: (None)

VI. Other: (None)

VII. Deliberations on Completed Hearings:

Public Hearings:

- **IWC-2016-03** 35 Cambridge Drive – Proposed 17,613 square foot office/warehouse including storm drainage, water quality treatment, sanitary, retaining walls, pavement, and landscaping within Regulated Areas
(Opening of Hearing)

Motion to Approve the Application with Conditions, made by Jason Grady; 2nd by Lois Spence.

Discussion: Commissioners discussed various items regarding plantings, snow shelf, straightening of “Limit of Disturbance” line, bonding, woody buffer, Cape Cod curbing, a three-year plant monitoring report, spillway protection measures, the inclusion of a retaining wall on the proposed plans, the installation of Inland Wetlands Regulated Area Markers, drainage calculation updates, and the recommendation for a site stabilization bond of \$50,000.

Vote: 4 – 0 – 0 in favor, motion passed

Reason: Michael Muttitt stated that the Applicant provided substantial evidence that the proposal represents no adverse impacts to wetlands and/or watercourses, and the required Application data had been submitted

and subsequent hearing and testimony evidence had been provided to adequately document and verify the Application proposal's compliance with the requirements as set forth by the Town of Monroe Inland Wetlands and Watercourses Regulations and the Inland Wetlands and Watercourses Act pursuant to CGS §22a-36 to 22a-45, as amended.

VIII. Bond Releases, Reductions, Reports: (None)

IX. Time Extensions:

- **IWC-2015-08:** 500 Pepper Street – Request for a 90 day extension to meet Conditions of Approval, *Carrubba, Inc.*

Motion to grant an extension to the allotted time to meet the Conditions of Approval per the Inland Wetlands Regulations made by Lois Spence, 2nd by Jason Grady.

Vote 4-0-0 in favor, motion passed.

X. IWC Agent Activities/Reports:

- General Permits: (None)
- Agent Approvals: (None)
- Permitted Uses As of Right: 1. Department of Public Works – road repair, replacement and/or general maintenance (I/W Regulations Section 4.2 (C)) – (None), *Permit Expires 05/08/2018*

XI. Violations:

- Violation Inspection Report: (None)
- Discussion on completed Violation Hearings from this Agenda: (None)
- Administrative Review/Enforcement Issues:

V09-05

Town Engineer Schatzlein, Inland Wetlands Inspector McCollum, and the Commission conducted an Administrative Review of the property at 35 Millo Drive. During the Administrative Review, they discussed the following:

- the report of potential violations to the Land Use Office from an anonymous caller in 2009;
- the locations and description of potential violations; including encroachment of pool, shed, and deck structures; and clearing and grubbing activities within Regulated Upland Review Areas and Regulated Upland Review Areas;

- the encroachment of these activities within the limits of a Conservation Easement which was not recorded in the Monroe Land Records despite its inclusion as a Condition of Approval for the site development application;
- existing, developed, and natural conditions;
- a "Potential Violations" Map detailing permitted Limits of Disturbance, Wetlands and Regulated Areas, unpermitted activities within Regulated Areas, the limits of the Conservation Easement to be recorded, and developed/established areas on site;
- permits and approvals related to activities for development on site;
- the topography of the site;

The Commission requested that a Notice of Violation be issued to the property owners, and that the property owners discuss the findings during the Administrative Review with the Commission during an informal hearing.

V10-02

Mr. Schatzlein, Mr. McCollum, and the Commission conducted an Administrative Review of the properties at 4 Easton Road and 9 Hattertown Road. During the Administrative Review, they discussed the following:

- the report of potential violations to the Land Use Office from an anonymous source in 2010;
- the locations and description of potential violations; including the establishment of an impervious parking area; and clearing and grubbing activities within Regulated Upland Review Areas and Regulated Upland Review Areas;
- existing, developed, and natural conditions;
- a "Potential Violations" Map detailing permitted Limits of Disturbance, Wetlands and Regulated Areas, unpermitted activities within Regulated Areas, and developed/established areas on site;
- permits and approvals related to activities for development on site;

The Commission requested that a Notice of Violation be issued to the property owners, and that the property owners discuss the findings during the Administrative Review with the Commission during an informal hearing.

XII. General Discussion/Other:

IWV-2015-19

15 Owl Hill Road – request to extend application submission time

Mr. Schatzlein and Mr. McCollum reviewed a letter received by the Inland Wetlands Department from Solli Engineering, LLC. The letter stated that they had been retained by the property owner to perform site work relative to submitting an Application, and they were requesting additional time to prepare an Application as requested by the Commission. The Commission stated that the property owner and/or their retained representative would be given an additional 60 day extension period to submit an Application to the Commission.

IWV-2015-20

111 Blanket Meadow Road – request to extend application submission time

Mr. Schatzlein and Mr. McCollum reviewed a letter received by the Inland Wetlands Department from Cohen & Wolf, P.C.. The letter stated that they were representing the property owner, who was in the process of engaging appropriate professionals to assist with the preparation of an Application to the Commission. They were requesting additional time to prepare an Application as requested by the Commission. The Commission stated that the property owner and/or their retained representative would be given an additional 60 day extension period to submit an Application to the Commission.

46 Huntingtown Road: Activities involving the maintenance of a beaver dam on Guskie Pond

Mr. Schatzlein reviewed the activities of property owners adjacent to Guskie Pond, in response to beaver activity and the establishment of a dam on Guskie Pond, with the Commission. They discussed activities relative to an Eagle Scout Service Project, and maintenance and prevention activities undertaken by Public Works. They discussed the appropriate permitting process to retroactively approve the activities undertaken by Public Works, and how future work for maintenance of the dam should be processed to maintain legal compliance.

XIII. Correspondence:

- Connecticut Pond Services, Aquatic Pesticide Application
- Northbrook Condominiums, Connecticut Route 25 & 84 Jockey Hollow Road

This item was tabled for discussion during the next regularly scheduled meeting.

XIV. Adjournment:

A motion to adjourn was made by Jason Grady; seconded by Lois Spence; passed 4-0-0. The Meeting was adjourned 10:41 p.m.

NOTE:

- A recorded copy of this meeting is on file in the Inland Wetlands Office, Monroe Town Hall.
- These minutes are contingent upon the approval of the Inland Wetlands Commission.
- These minutes provide a general overview of topics discussed and are not meant to be a transcript of this meeting.
- All meeting minutes are posted on the Town Website: www.monroect.org. Select Town Hall Departments/Inland Wetland. Choose meeting minutes from the left column.

Date of Approval: _____

PENDING: (These items are pending but are not on this agenda).

- **IWC-2016-04** 34 Enterprise Drive, Proposed office space with associated site improvements, and bus barn containing approximately 45 spaces, also parking for visitors and employees
(Public Hearing tentatively scheduled for 03/09/2016)