



TOWN OF MONROE
INLAND WETLANDS COMMISSION

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Monroe, CT 06468

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Minutes of October 12, 2016
Inland Wetland Commission
Town Council Chambers
Regular Meeting

I. Call to Order:

The Regular Meeting of the Inland Wetlands Commission (“Commission”) was called to Order at 7:03 p.m.

(A) Pledge of Allegiance

(B) Roll Call

Present: Michael Muttitt, *Chairman*
Jason Grady, *Vice Chairman*
Lois Spence, *Secretary*
James Stewart, *Commissioner*
Ross Mastrorocco, *Commissioner*
Peter Oliva, *Commissioner*

Absent: Meghan Hayden, Esq., *Treasurer*

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

(C) Inland Wetland Commission Meeting Minutes: September 14, 2016

Motion: To approve the September 14, 2016 Minutes with amendments by Lois Spence

Second: Jason Grady

Discussion: None

Ayes: Michael Muttitt, Jason Grady, Lois Spence, Ross Mastrorocco, Peter Oliva, James Stewart.

Nays: None

Abstain: None

Vote: **6-0-0 in favor, no oppositions**

(D) General Public Participation: None

II. Application Hearing Determinations: None

III. Subdivision Report/Recommendation to the Planning & Zoning Commission:

IWC-2016-16 232 Elm Street, Proposed 4-Lot Residential Subdivision and associated site improvements; D'Ausillo

This item will be Tabled until the October 26, 2016 meeting.

IV. Regulated Activities:

(A) Regular Meetings (No public input): None

(B) Public Hearings:

IWC-2016-12 146 Cutlers Farm Road and 267 & 287 Purdy Hill Road, Proposed 15 Unit Age Restricted Housing, Beaver Brook, LLC (*Continued from September 28, 2016*)

Bill Carbone, an Engineer for Spath Bjorklund Associates provided a brief summary of the application, site, and responses to comments by Commission and Staff:

This application is for a 15 unit single family home development on a 10.2 acre site located on the corner of Purdy Hill Road and Cutlers Farm Road currently requesting zone change modification by the Planning and Zoning Commission;

There are .4 acres of wetlands and 1.9 acres of upland review area on this site where the retention basin will be located and associated grading work will be done; no wetlands will be disturbed;

The regulated wetland boundary has been redrawn through a seasonal aerial photograph that presented clearer findings;

Regarding plantings along the easterly side of the berm, trees cannot be planted in that location as their root systems will affect the integrity of the berm, but some fairly tall shrubbery with shallow root systems were chosen to provide vegetation in that area in addition to the grasses;

This site has a buffer area that will be planted with a showy wildflower mix bounded by lawn and separated by an earthen strip; these wildflowers will not require irrigation, fertilization, or cutting, and will provide a natural filter for lawn runoff, and the lawn will require reduced irrigation (30% of norm) based on seed type (Black Beauty), and 40% of the normal irrigation;

Further notes and Engineering details were or will be added to indicate the landscaping and wetland plans;

The condition of the outlet onto Sheep's Meadow has eroded into a 2-3' plunge pool; they are proposing a preformed scour hole, approximately 2' deep and surrounded by rip rap, the detail of which will be included on the plans;

The emergency runoff will be a 10' wide rip rap lined spillway will carry water to return to its original location;

Modifications were made to the maintenance plan to be recorded on plans to become part of the project: sweepings and cleanup materials will not be allowed in the retention basin, the four raingardens are a permanent fixtures of this project and cannot be removed or modified from their original intent and function; wording was modified to include that the forebay would be cleaned at 75% of its capacity;

Regarding there being only one type of water quality facility on this site, they are proposing that the last catch basin in the line be force-discharged into a basin with a 4' sump with hood that will trap solids, with detail shown;

Other items such as moving Building 7 outside of the Regulated Area, and deleting a designated septic system, have been incorporated into the plans.

Harry Davidson, a Biologist from Environmental Planning, Ken Twombly, Nursery owner and owner of the property, and Kim Danzinger, a developer and partner in this project were introduced to afford access to answer any questions.

Chairman Muttitt inquired and Mr. Carbone responded where snow would be plowed and stored; if the wildflower mix would interfere with the site line and Mr. Carbone stated that there would be a 10' lawn area that would be maintained for that reason.

Mr. Twombly responded to Commissioner Spence's inquiry how the meadow would be maintained by stating that he would plant a 3" drop-off earthen edge; Commissioner Spence reinforced the need to retain old growth trees; Mr. Carbone agreed. Mr. Twombly reinforced that as a nurseryman, he has been growing trees for five years that have a 4-5" diameter, that will be included in this plan, raingardens would be edged with boulders to differentiate from the lawn, and by adding plants to the raingarden to create an aesthetically pleasing environment.

The applicant agreed to a \$22,000. Bond recommendation.

Mr. Kim Danziger, a licensed engineer and a Principal in the Application, in support of the project, stated that as a 30-year builder of over 300 homes in both extensions and subdivisions, along with Ken Twombly a successful plant nursery owner with decades of experience, both of their intentions was to build a development the Town of Monroe would be proud of.

Commissioner Stewart asked if the applicant had the right to build a drainage easement on the property and inquired whether the easement belonged to the Town of Monroe. Mr. Carbone and Town Engineer Schatzlein stated that they believed the easement was shown by Jennifer Estates to be owned by the town, with Commissioner Stewart requesting some insurance that the easement was a permanent town easement, and if it was, to place plantings around it to create an aesthetic barrier for the neighbor.

Mr. Twombly indicated that he would plant native holly, to the right of the entrance plantings, three prunifolias flowering shrubs and trees, and evergreens, 10-12 feet high, with viburnums interspersed. Mr. Carbone indicated that this adjacent property owner was notified but had chosen not to attend a public meeting, but that work would be done at that location first.

Commissioner Spence inquired of the Soil Scientist, Mr. Davidson, what the possibility of “thermal loading” onto the wetlands from the rip rap when no covered by water, would be. Mr. Davidson responded that the downstream erosion caused by the lack of a scour pool would be worse than a warm sunny area of rip rap due to the wooded wetland mitigating the thermal increase.

The Chairman inquired if it was the applicant’s opinion that there would be no adverse impact to the wetlands to the south and east of the property. The applicant responded that there would be no adverse impact.

The Land Use Coordinator read the Exhibits for the Record.

The Chairman requested and allowed for Public Comment in support of, in opposition to, and of a general nature, and inquired if the Commission or Staff had any further questions:

Mr. Carbone provided copies of the Revised Maintenance Plan (Exhibit 20) for the Commission that were added to the Exhibits of Record.

Hearing no further comments, the Public Meeting was closed.

IWC-2016-13 4 High Ridge Drive, proposed four bedroom home with associated site improvements (Wysocki)(*Continued from 9/14/2016*).

Aleksandra Moch, Soil Scientist, representing the Applicant, responded to questions and comments voiced by the Commission and Staff at the last meeting as follows:

They are no longer proposing a shed;
The limit of disturbance is shown by a silt fence;
Limits of wooded wetland area are demarcated by the stone wall, wetland markers will be moved to in front of the stone wall; no maintenance will take place beyond the stone wall, the only disturbance will be marked by the silt fence and the outlet for the footing drain;
Mr. Loo indicated that the footing drain was shown on the plan by symbol rather than word labeling.

Town Engineer, Scott Schatzlein noted that the Bond for this project was \$15,000.

Land Use Coordinator Donna Suszynski read the exhibits for the above application, and requested a readable copy be submitted to the Commission.

The Chairman opened the meeting for Public Comments to the application, hearing none in general, in opposition to, or in support of, the application was closed.

The Chairman called a five minute recess.

IWC-2016-16 232 Elm Street, Proposed 4 Lot Residential Subdivision and associated site improvements; D’Ausillo

This application was Tabled to the October 26, 2016 meeting.

V. Violations:

IWV-2016-09 1603 Monroe Turnpike, Informal Hearing
IWV-2016-10 1615 Monroe Turnpike, Informal Hearing

Attorney John Ribas, P.C., represented Bruce Mondo (owner) in the informal hearing, presented the following:

One violation is unclear, another there is a plan for, and the last required significant explanation;

Regarding the clear cutting/grubbing violation: in viewing the map, visiting the site, and in view of other easements and cutting done by UI to maintain that easement;

Regarding the storage of equipment: A survey is being prepared by Tracy Lewis indicating the applicant's use of the road which would not have been previously indicated in the deeds resulting in anything stored within the disturbance area being moved to the 1615 Monroe Turnpike lot, for which the applicant will be applying to change the zone from residential to commercial, as well as applying for change to the regulations regarding storage;

Regarding the intermittent water course: Reviewing documents from the DEP and the Army Corps of Engineers, there was a benzene-type chemical spill from the lumber yard that created a toxic odor and illness in his employees. The Army Corps of Engineers informed Mr. Mondo to pipe the water to contain the smell;

The documents regarding the above will be submitted to the Commission;

Bruce Mondo, property owner, summarized the water flow, piping system, and cause for the piping system for the commission;

The Inland Wetlands Commission members will schedule site visits; Town Engineer, Scott Schatzlein indicated that both Mr. Mondo and his attorney should schedule a meeting with his office to discuss these violations, planning & zoning proposals, timing, zoning amendments, etc. regarding Inland Wetlands, Zoning Enforcement, Planning & Zoning, and possibly the Fire Marshall; the attorney was in full agreement;

IWV-2016-16 327 Barn Hill Road, Informal Hearing
Zoning violation with that Commission, and lastly, return to this Commission

Town Engineer, Scott Schatzlein summarized the violation as follows through a visual presentation:

In order to do any activity involving filling, excavation, clearing, impact on wetland or upland review areas, a permit is required before initiating work; in this violation, a permit was not obtained for septic system testing for the potential subdivision of the property;

A stone wall was taken down with the material placed in an intermittent water course, used as a means to cross that course to gain access to the property;

Tree clearing access was made through upland review and wetland areas;

Mr. Bill Carbone, Spath Bjorklund Associates, representing the client stated that:

The stone wall has been rebuilt and the client has a deed from the Town of Monroe providing access to utilize the road as a right of way, and the trees that were cut down were less than 4" in diameter;

Any perc holes that were dug have been filled back in and the area has once again been stabilized;

Under subdivision regulations, no permit is required before septic testing, and that was the reason for not applying for a permit;

Scott Schatzlein stated that prior to testing the individual should come in and discuss the overall plan for subdivision in order to develop the best plan to alleviate impact to wetlands.

Photographs will be taken of this site and submitted to the Commission to insure that stabilization has occurred. Once the Commission views the updated photographs, the file will close.

IWV-2016-06 51 Lynn Drive, *Discussion of Commission site inspection.*

An Agent Approval for logs, bricks, and other debris materials need to be removed, a permit is needed for the sheds to comply with zoning standards, wetland markers need to be installed along the entire back property line, and the fill can remain.

IWV-2016-08 424 Hattertown Road, *Discussion of Commission site inspection.*

The Commission members will continue to secure a site inspection.
Postponed until the October 26, 2016 Meeting.

VI. **Other:** None

VII. **Deliberations on Completed Hearings:**

IWC-2016-12 146 Cutlers Farm Road and 267 & 287 Purdy Hill Road, Proposed 15 Unit Age Restricted Housing, Beaver Brook, LLC (*Continued from September 28, 2016*)

Motion: Jason Grady to recommend a Letter of Approval with Conditions

Discussion: The Commission and Town Engineer Scott Schatzlein enumerated items for inclusion in the Draft Letter of Approval.

The Commission took a five minute recess.

IWC-2016-13 4 High Ridge Drive, proposed four bedroom home with associated site improvements (Wysocki)(*Continued from 9/14/2016*).

Motion: Jason Grady to recommend a Letter of Approval with Conditions discussed in the meeting and other Engineering Conditions.

Discussion: The Commission and Town Engineer Scott Schatzlein enumerated items for inclusion in the Draft Letter of Approval.

VIII. **Bond Releases, Reductions, Reports:** None

IX. Time Extensions: None

X. IWC Agent Activities/Reports

(A) General Permits: None

(B) Agent Approvals: None

Permitted Uses As of Right (*Permit Expires 5/8/16*)

- **Department of Public Works** – road repair, replacement and/or general maintenance (I/W Regulations Section 4.2 ©)

XI. Violation Discussion:

IWV-2016-09

IWV-2016-10

IWV-2016-16

IWV-2016-06

IWV-2016-08

Administrative Review/Enforcement Issues:

IWV-2014-01

IWV-2014-02

IWV-2014-03

Town Engineer Schatzlein described the interrelated violations for these three sites on Maple Drive. The original applicant received an approval to add several parking spaces to a back lot; what occurred was an enlargement of an entire parking area, covered with millings, in order to use the property to lease out to store trucks. Upland Review areas were filled, sheds were built without permits, with three different property owners. There is a Notice of Violation and the violating property owners will need to come before the Commission.

XII. General Discussion/Other:

XIII. Correspondence: None

XIV. Adjournment

Motion: By Jason Brady to adjourn

Second: Second by Lois Spence

The Inland Wetland Commission meeting was adjourned at 9:18 p.m.

Respectfully Submitted,
Rebecca Wood, *Recording Secretary*