

ENVIRONMENTAL PROTECTION COMMISSION  
REGULAR MEETING/PUBLIC HEARING

MINUTES

July 9, 2014

7:30 P.M.

Room 206, Town Hall

Chairman Riccardo called the meeting to order at 7:30 P.M

Commission Members Present: Vickie Riccardo, Ed Sweeney, Alan Armstrong, Keith Kearney, and Eric Joosten.

Staff: Jacobson

Court Reporter: Syat

Channel 79 recorded the meeting

Ms. Riccardo called the meeting to order. She thanked Alan Armstrong for his service on the EPC.

Ms. Riccardo called the following agenda item:

EPC-18-2014, David & Tina Madon, 15 Shennamere Road, proposing a house addition and terrace within an upland review area. The site is shown on Assessor's Map #68 as Lot #10.

Rob Frangione, P.E. represented the applicant. He said they propose to replace an existing patio with bluestone, install a propane tank, and construct a portico with a trellis in the same area, and with a smaller footprint, than a previously approved patio. He said there will be an increase of 29 square feet of impervious surface area which will be handled by the gravel bed under the patio. He said there is an existing fence and wetland buffer plantings.

Ms. Riccardo asked if they have a planting plan. Mr. Frangione said they only intend to plant around the house inside the fence.

Mr. Armstrong made a motion to approve the application. Mr. Kearney seconded the motion and it passed 5-0.

Ms. Riccardo called the next agenda item:

EPC-19-2014, Christopher & Jacqueline Dillon, 116 Colony Road, proposing house additions within an upland review area. The site is shown on Assessor's Map #23 as Lot #126.

Dan Conlon, Architect, represented the applicant. He said they propose to remove the garage and construct an addition, some of which will be over existing pavement. He said a second addition will be over an existing patio and the overall increase in impervious coverage will be

approximately 1000 square feet. He said they will provide detention in the front yard and they will remove the existing shed and play set in the wetland.

Mr. Kearney made a motion to approve the application with the conditions that S.E. Minor provide a maintenance plan for the stormwater system, and adding the 50 foot upland review area to the survey. Mr. Armstrong seconded the motion and it passed 5-0.

Ms. Riccardo called the next agenda item:

EPC-20-2014, Dmitry Melnick, 2572 Post Road, proposing dock construction in the upland review area within 100 feet of Holly Pond. The site is shown on Assessor's Map #54 as Lot #4.

Jeff Westermeyer represented the applicant. He said they propose a fixed pier in the upland review area using four posts installed with a hand or backhoe auger. He said there will be 90 square feet of dock in the upland review area.

Mr. Armstrong made a motion to approve the application. Mr. Kearney seconded the motion and it passed 5-0.

Ms. Riccardo called the next agenda item:

EPC-21-2014, Joseph & Beth Cherico, 31 Brookside Road, proposing a house addition and driveway construction within an upland review area. The site is shown on Assessor's Map #16 as Lot #67.

Mark Lebow, L.S., represented the applicant. He said the application includes removing an existing garage within 4 feet of the Goodwives River and an existing driveway which is within 20 feet of the river. He said there will be a net reduction in impervious surface area of 1,200 to 1,300 square feet. He said they are proposing a rain garden at the base of the driveway to treat surface runoff.

Mr. Sweeney made a motion to approve the application with the conditions that a planting plan be provided for the rain garden and a maintenance note on the land records. Mr. Joosten seconded the motion and it passed 5-0.

Ms. Riccardo called the following public hearing item:

EPC-09-2014, NWL, LLC, 145 Nearwater Lane, proposing new house construction within a regulated area and upland review area. The site is shown on Assessor's Map # 56 as Lot #24.

Attorney Bruce Hill represented the applicant. He described the conditions of the existing parcel and the history of extensive site work. He provided photos showing the work in progress.

Kate Throckmorton, Wetland Scientist, described the wetland resources and said they have been heavily impacted by the filling and grading that has taken place and the extensive invasive

species. She described the proposed plan to develop the property and control the invasive species. She said they are proposing extensive new planting and will restore tidal wetlands on the site.

Mr. Sweeney asked if they had investigated the car parts buried on the site and any possible contaminants. Mr. Hill said they have investigated and will do more analysis, if necessary, when they start to develop the site.

Tom Nelson P.E. said the flood elevation on the property drove the house development plan. He said the proposed house must be one foot above elevation 15. He said the majority of the drainage will be directed to the rain garden with a smaller underground detention system for the pool and pool house.

Mr. Joosten asked if they have a maintenance plan for the drainage. Mr. Nelson said yes.

Ms. Riccardo opened the hearing for public comment. There were no members of the public who wished to speak.

Mr. Kearney made a motion to close the public hearing. Mr. Joosten seconded the motion and it passed 5-0.

Ms. Riccardo called the following public hearing item:

EPC-15-2014, Mitch & Jody Truwit, 123 Five Mile River Road, proposing house construction within an upland review area. The site is shown on Assessor's Map #67 as Lot #2.

Ms. Riccardo said she watched the Planning & Zoning Commission hearing on Channel 79.

Andy Glazer, Builder and Designer, represented the applicant. He said they located the house to take advantage of the views and use the existing house site to minimize the need for blasting. He said the DEEP looked at the existing wall and asked them to build a separate wall.

Peter Romano, P.E. said the house and driveway will be located in the area of the existing house and drive. He described the proposed rain garden as a water quality treatment feature.

Ms. Riccardo said the Planning & Zoning Commission focused on the integrity of the wall. Mr. Romano said they will have a structural engineer address the wall.

Ms. Riccardo asked if they plan to save the large Oak tree. Mr. Glazer said it is a very vulnerable tree and it would be difficult to save.

Ms. Riccardo asked about blasting procedures. Mr. Glazer said they would follow all of the appropriate blasting procedures including surveys of adjacent properties.

Mr. Romano said they submitted a letter addressing the comments from Joe Canas.

Joe Canas, P.E. said the proposed wall will also be reviewed by the Building Department. He said he is satisfied with the applicant's responses to his comments.

Ms. Riccardo asked if the dock will be removed. Mr. Glazer said they will remove the dock and pursue a new dock location with the DEEP.

Ms. Riccardo opened the hearing for public comment.

Bob Gadsden, Nearwater Lane said he was encouraged by the application for a single house. He said he had submitted a letter with concerns and said this application addresses those concerns.

Mr. Joosten made a motion to close the public hearing. Mr. Kearney seconded the motion and it passed 5-0.

Ms. Riccardo called the following public hearing item:

EPC-17-2014, Peter & Eleanor Davidson, 48 Salisbury Road, proposing new house construction in an upland review area. The site is shown on Assessor's Map #5 as Lot #26.

Lance Zimmerman represented the applicant. He said he changed the erosion and sediment control note regarding responsibility as previously requested. He provided cross sections of the house showing an alternative with a crawl space and one with a full basement. He said they would like the option of having a full basement which would be waterproof with no pipes and no sump pump. He said they would like an approval of either option.

Mr. Zimmerman said they are proposing to remove four trees in the upland review area and will plant 8 trees.

Jay Keillor, P.E. said they designed the detention system assuming the greatest amount of flow which would include a sump pump. He said there will be a decrease in peak runoff for all storms 2-100 years. He described the septic system and the testing that was done for it to be approved by the State Health Department.

Mr. Sweeney asked Mr. Zimmerman if he has done a waterproof basement before. Mr. Zimmerman said he has done one in Greenwich.

Ms. Riccardo opened the hearing for public comment. There were no members of the public who wished to speak.

Mr. Kearney made a motion to close the public hearing. Mr. Joosten seconded the motion and it passed 5-0.

Planning & Zoning Commission referrals:

Coastal Site Plan Review #272-B, Mitch & Jody Truwit, 123 Five Mile River Road

Mr. Sweeney said the current application preserves the scenic vista and is an important improvement over the previous application. Mr. Kearney agreed that preserving the ledge and vegetation on the north side of the property is an improvement.

Mr. Armstrong said they have answered the concerns of the previous proposal. He said not having two driveways is a positive. He said he would like to see an effort to preserve the Oak tree.

Coastal Site Plan Review #300, 145NWL, LLC. 145 Nearwater Lane

The members agreed that the proposal would have a positive impact on restoring the coastal resources of the property. It was also agreed that any potential hazardous material should be identified.

Mr. Joosten made a motion to approve the minutes of June 4 as amended. Mr. Kearney seconded the motion and it passed 4-0. Mr. Sweeney abstained.

Mr. Kearney made a motion to add deliberations on EPC-09-2014, NWL, LLC, 145 Nearwater Lane to the agenda. Mr. Joosten seconded the motion and it passed 5-0.

Mr. Kearney said the application will be an improvement to the property.

Mr. Armstrong said he would like a stipulation that the applicant take the necessary precautions to identify and avoid any hazardous material.

Mr. Armstrong made a motion to approve the application with the above stipulation. Mr. Kearney seconded the motion and it passed 5-0.

Mr. Joosten made a motion to add deliberations on EPC-15-2014, Mitch & Jody Truwit, 123 Five Mile River Road to the agenda, Mr. Sweeney seconded the motion and it passed 5-0.

It was the consensus of the members that the drainage plan was an improvement over the previous plan, which was significantly more complex but ultimately approved by the Commission, because no significant impacts to the Five Mile River were anticipated.

Mr. Armstrong made a motion to approve the application. Mr. Kearney seconded the motion and it passed 5-0.

Mr. Sweeney made a motion to add deliberations on EPC-17-2014, Peter & Eleanor Davidson, 48 Salisbury Road to the agenda. Mr. Armstrong seconded the motion and it passed 5-0.

The members discussed the proposed waterproof basement, proposed tree replacement, and the size of the drainage system in the event the sump pump is not installed.

Mr. Sweeney made a motion to approve the application with the following conditions: certification that the basement has been installed correctly to be waterproof; eight trees to replace

the four removed; and the same number of cultecs units will be installed if the applicant does not install a sump pump. Mr. Armstrong seconded the motion and it passed 5-0.

Mr. Sweeney made a motion to adjourn. Mr. Armstrong seconded the motion, and it passed 5-0. The meeting adjourned at 9:55 p.m.

Respectfully submitted,

Richard Jacobson  
Environmental Protection Officer