

ENVIRONMENTAL PROTECTION COMMISSION
REGULAR MEETING
MINUTES
April 7, 2010
7:30 P.M.
Room 206, Town Hall

Commission Members Present: Peter Hillman, Michael Tone, Craig Flaherty, Wynne Shapiro, Rick Rohr, Pete Kenyon

Staff Present: Richard Jacobson

Court Reporter: Bonnie Syat

Chairman Hillman called the meeting to order at 7:30 P.M. and read the first agenda item:

Mr. Hillman noted that Susan Cameron has resigned from EPC and has been appointed to the Planning and Zoning Commission. He recognized Ms. Cameron's many years of service on the Commission.

The Commission discussed the recent storm damage and the loss of numerous trees in both wetland and non-wetland areas. The Commission will invite the new Tree Conservancy to their May meeting.

Mr. Hillman read the first agenda item.

EPC-03-2010, 83 Camp Avenue, Wei Wu & Jue Wang, proposing house addition and driveway within an upland review area. The site is shown on Assessor's Map #8 as Lot #77.

Steve Trinkaus, P.E. represented the applicant. He described the rain gardens and infiltration trenches to control runoff.

Mr. Flaherty asked if the soils were mapped for the site. Mr. Trinkaus described the test holes and perc tests.

Mr. Flaherty said he was worried about the perc tests being done in the upper soil layers and asked if they did permeability tests. He said the Commission is concerned about downstream flooding at Wakeman Road and Camp Avenue. Mr. Trinkaus said they could provide permeability tests.

Mr. Flaherty asked for additional grading details and trees to be removed. Mr. Trinkaus said they were noted on the landscape plan. Mr. Hillman asked for them to be flagged.

Mr. Flaherty asked about the driveway surface. Mr. Trinkaus said it would be gravel but for the purposed of the drainage calculations he assumed it would be pavement.

Mr. Flaherty asked for additional analysis according to the regulations of a confluence point downstream of the site where the site is 10% or less of the area of the upstream watershed and more assessment of potential impacts on existing drainage problems downstream. He asked that the DPW review the drainage.

Mr. Hillman called the next agenda item:

Request for permit time extension, EPC-13-2005, 25 Brookside Road, Everett C. Morrell

The applicant requested an 18 month extension. The original five year permit will expire in June 2010, and a maximum additional five years may be granted. Mr. Hillman made a motion to grant a one year extension to June 2, 2010. The applicant may request additional extensions. Mr. Tone seconded the motion and it passed unanimously.

Mr. Hillman called the next agenda item:

Request from Charles Ziga on behalf of the Andrew Shaw Scout Cabin, 140 West Avenue to approve eliminating three gravel parking spaces in an upland review area and convert to grass, and removal of invasive species and replanting with native vegetation as a conservation activity.

Charles Ziga represented the scouts.

Mr. Kenyon made a motion to approve the request. Ms. Shapiro seconded the motion and it passed unanimously.

Mr. Hillman called the next agenda item:

EPC-05-2010, David Lane & Paula Sirowich, 69 Maywood Road, proposing removal of a portion of driveway, and construction of new smaller driveway within the upland review. The site is shown on Assessor's Map #4 as Lot #103.

David Lane represented the applicant. He described the proposed driveway removal.

Mr. Rohr made a motion to approve the application. Mr. Flaherty seconded the motion and it passed unanimously.

Mr. Hillman called the next agenda item:

EPC-06-2010, Jon & Caroline Schoudel, 29 Plymouth Road, proposing a replacement house within an upland review area. The site is shown on Assessor's Map #57 as Lot #40.

Ms. Shapiro was recused for this application.

Mr. Schoudel represented the applicant.

Mr. Hillman said the Commission has a policy of requiring public hearings on tear down and re-build projects.

Peter Finkbeimer, P.E. described the drainage plan and infiltration, and wetland planting.

The Commission will require additional information including a wildlife impact assessment, tree removal, and soil testing information for surface infiltration. Mr. Finkbeimer said they will look at additional ways to provide treatment of the surface runoff.

The Commission requested a perspective drawing of the site. Curtis Stralie, Architect said they will provide a scale model including the house and property.

The Commission scheduled the public hearing for May 5, 2010.

Mr. Hillman called the next agenda item:

EPC-07-2010, Javier & Barbara Kulesz, 19 Lighthouse Way, proposing house additions within 100 feet of Holly Pond. The site is shown on Assessor's Map #53 as Lot #33.

Attorney Amy Zabetakis represented the applicant. She said they are proposing small additions of 696 square feet. She said they have provided copies of the environmental assessment which does not anticipate any impacts to Holly Pond.

The Commission discussed the removal of two arborvitae trees and asked if the applicant would replace the two trees with 6 new trees. Mr. Jacobson requested that the planting plan be flexible to allow low buffer plantings between the house and seawall. Ms. Zabetakis agreed to provide plantings.

Mr. Kenyon made a motion to approve the application with and a more detailed erosion control plan and a planting plan to be provided for staff approval. Mr. Hillman seconded the motion and it passed unanimously.

Mr. Hillman called the next agenda item:

EPC-08-2010, David & Tina Madon, 15 Shennamere Road, proposing a patio within an upland review area. The site is shown on Assessor's Map#68 as Lot #10.

Mr. Hillman called the next agenda item:

Tina Maddon represented the applicant. She described the proposed patio and seating wall. They plan on having native grasses between the wall and the pond edge.

Mr. Rohr noted that option "B" on the plan would require less steep of a grade toward the pond.

The Commission requested the applicant consider moving the wall farther from the pond. The plan will also be revised to show option "B".

Mr. Hillman called the next agenda item:

EPC-21-2009 Wilson Ropp & Adrienne Dreiss, 364 Hollow Tree Ridge Road, requesting amendment of permit to remove septic system from upland review area, and requesting EPC review of drainage analysis for activity outside an upland review area.

Attorney Amy Zabetakis and Todd Ritchie, P.E. represented the applicant.

Mr. Ritchie described the septic system plan to remove the leaching fields and relocate them outside the regulated area and install a new tank and pump chamber.

The Commission discussed the request to waive the requirement to provide Stormwater storage based on undeveloped site conditions for a replacement house. Mr. Ritchie cited the reduction in impervious surface area of 3000 square feet. He said the site conditions of high groundwater prevented infiltration and putting detention near the wetland would require significant unnecessary site disturbance.

Mr. Flaherty said he agreed with the applicant's assessment that a waiver is appropriate due to site conditions; otherwise the applicant would be expected to conform to the regulations.

Mr. Kenyon asked if the applicant would be replacing trees removed for the septic system. Ms. Zabetakis agreed to provide a planting plan for staff review for the property.

Mr. Hillman made a motion to waive section 880 of the regulations regarding stormwater detention. Mr. Tone seconded the motion and it passed unanimously.

Mr. Hillman made a motion to approve the request to amend the permit with a tree replacement planting plan. Mr. Kenyon seconded the motion and it passed unanimously.

Mr. Hillman called the next agenda item:

EPC-53-2008 Donald and Cathy Allman, 55 Arrowhead Way, requesting amendment of permit to allow placement of a generator within an upland review area.

The Commission discussed the request for a generator to provide emergency power that will include the new septic pump chamber approved as part of the septic repair plan.

Mr. Flaherty made a motion to approve the request with the stipulations that erosion controls be provided and that adequate provision are made for protecting the fuel source to prevent possible contamination.

Mr. Hillman called the public hearing item.

Mr. Rohr was recused for this application.

EPC-02-2010, 9 Mansfield Place, 10 Brown Street, LLC, proposing house demolition and new house construction within an upland review area. The site is shown on Assessor's Map #10 as Lot #67 & 68

Lance Zimmerman, Architect, represented the applicant. He described project as a tear down and replacement house. He said the new house would be farther from the wetland by approximately six feet, from 19 to 25 feet.

Tom Nelson, P.E. described the stormwater controls. He said that detention on this site would increase peak flows for downstream neighbors. He said there is no ability to infiltrate water on this site.

Mr. Hillman asked if they have considered a smaller house. Mr. Zimmerman said they are increasing the impervious surface for the house from 1600 square feet to 2700 square feet but the overall increase in impervious surface is 9 square feet.

Ms. Shapiro asked if the pervious driveway surface is equivalent to lawn. Mr. Nelson said he considers it between lawn and pavement in terms of infiltration.

Mr. Nelson said that Mr. Oley agreed with their drainage calculations. In response to Mr. Oley's comments about streambank erosion, he said they would reinforce the area described with hand placed fieldstone. He said they would provide a more permanent lip for the level spreader.

Tom Pietras, Soil Scientist and Wetland Scientist, described the functions and values of the site wetland and the river.

Mr. Hillman asked if he had observed the site during the recent storm. Mr. Pietras said he had observed the site after the storm and did not see any signs of increased erosion.

Mr. Pietras described the proposed planting plan for the riverbank. He said there would not be any impact on the regulated area from development.

Mr. Hillman asked if the applicant would consider a conservation easement for the riverbank. Mr. Zimmerman said they had not.

Mr. Hillman opened the hearing to public comment.

Sonia Smith, 12 Oriole Lane, described the flooding on the site in 2007. Said she was concerned about the size of the house. She said the current house first floor flooded in 2007. She said the property receives considerable runoff from Mansfield Avenue. She said there are numerous trees on the site that provide shade.

Ron Vavala, representing his nephew at 7 Mansfield Place said there were trees on the property which damaged the roof of his house during the storm. He said he did not have a problem with the size of the house.

Mr. Flaherty asked the applicant to review the Milone & MacBroom report for the Goodwives River as it relates to the 100 year floodplain.

Mr. Tone asked the applicant to address the runoff contribution from the site and the affect on flooding immediately downstream to the south. Mr. Nelson said there were no additional points of concern immediately downstream. He will supplement the report.

Mr. Flaherty said he is not a big proponent of the "beat the peak" argument. He is not convinced the site can support the increase in runoff. He asked if the applicant had considered bringing the driveway straight in. Mr. Nelson said they will consider this.

Mr. Tone asked the applicant to consider if additional erosion control on the riverbank is warranted. He also asked if the wooden bridge should be removed.

Mr. Flaherty asked about the wooden plank dam in the photos. Mr. Pietras said it is on the property.

The Commission discussed the possibility of other improvements to the river as mitigation, such as dredging. The applicant will address this and also attempt to contact the Friends of Goodwives River for comment.

Mr. Tone asked about filling on the site. Mr. Nelson said there will be minimal grading and no additional fill brought to the site.

The Commission continued the application to May 5.

Minutes of previous meetings:

Mr. Hillman made a motion to approve the minutes of February 2, 2010. Mr. Tone seconded the motion and it passed 3-0. Ms. Shapiro and Mr. Kenyon abstained.

Mr. Kenyon made a motion to approve the minutes of March 3, 2010 as corrected. Mr. Tone seconded the motion and it passed 5-0. Mr. Flaherty abstained.

Ms. Shapiro provided an overview of the Section I DEP training session she attended.

Other business:

Mr. Jacobson requested an opinion on drawings provided by a contractor for Mr. & Mrs. Jordan owners of 19 Renshaw Road to repair a section of wall that has collapsed along the Stony Brook. It was the consensus of the Commission members that an engineer should provide the plan for the wall repair.

Mr. Flaherty made a motion to adjourn. Mr. Tone seconded the motion and it passed unanimously. The meeting adjourned at 10:10 P.M.

Respectfully submitted,

Richard Jacobson
Environmental Protection Officer