

ENVIRONMENTAL PROTECTION COMMISSION  
REGULAR MEETING/PUBLIC HEARING  
MINUTES

November 4, 2009  
7:30 P.M.  
Room 206, Town Hall

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

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

Staff Present: Richard Jacobson

Court Reporter: Bonnie Syat

Mr. Hillman called the first agenda item:

EPC-33-2009, Carmen Molinas and Mark DeAngelis, 16 Stony Brook Road, proposing a house addition within an upland review area.

Mr. DeAngelis represented himself. He said his engineer has provided the test hole data previously requested.

Mr. Rohr said he would like the plant list to be made a condition of approval.

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

Mr. Hillman called the following agenda item:

EPC-37-2009, 19 Holly Lane, Lance E. Zimmerman on behalf of Daniel and Jennifer Anderson, proposing house demolition and new house construction within an upland review area.

Lance Zimmerman, Architect represented the applicant.

Mr. Hillman said the application should be scheduled for a public hearing because of the potential impact on flooding in the area, and the significant amount of public interest in previous applications in the surrounding area. It was the unanimous view of the Commission members that a public hearing will be required.

The Commission requested additional information prior to the hearing, including an environmental assessment, a tabulation of trees to be removed and house plans. The drainage calculations must assume the lot is undeveloped for the purposes of determining runoff coefficients and must include any proposed sump discharge.

Mr. Hillman asked the applicant to be prepared to address alternatives, including moving the house closer to the street.

Mr. Tone said it would be best if the applicant addressed the concerns of the neighbors regarding flooding in the area and respond to the issue up front.

The Commission scheduled a public hearing for January 6, 2010. Staff will get estimates from independent engineers to review the project.

Mr. Hillman called the next agenda item:

EPC-34-2009, Todd Becker, 65 Edgerton Street, proposing a shed within an upland review area.

Todd Becker represented himself. He described the shed as a prefab unit to be assembled on site with no foundation.

Mr. Rohr noted that there is a gate in the fence and yard waste on the other side of the fence near the wetland. The Commission will require the material be removed to the extent the applicant is responsible for it.

Mr. Hillman made a motion to approve the application. Mr. Tone seconded the motion and it passed 5-0. Mr. Kenyon abstained.

Mr. Hillman called the next agenda item:

EPC-35-2009, Eric Dahlquist, 20 Lighthouse Way, proposing landscaping within an upland review area.

Mr. Dahlquist represented himself. He said they removed a stone wall when they were notified that it was in violation of local and DEP regulations. He said the stone will be placed where there originally was river stone before the wall was constructed and they propose to provide native plantings to help stabilize the area.

Mr. Rohr said he would like to add a condition that staff approve a planting plan for the area.

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-36-2009, Michael Loura, 4 Scout Trail, proposing garage construction within an upland review area.

Kate Throckmorton, Environmental Land Solutions and Mike Loura represented the applicant.

The Commission noted that the garage will be located to have the least amount of impact to the site and the surrounding trees. The applicant has provided for an area of lawn to be revegetated with native plants.

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

Mr. Hillman called the next agenda item:

EPC-38-2009, 58 Sunswyck Road, William and Rose Shanahan, proposing driveway construction within an upland review area.

Mr. Rohr was recused for this application.

Wilder Gleason, Esquire represented the applicant. He said they are eliminating the bridge and seeking to widen the existing driveway instead. The wetland disturbance originally approved will no longer be necessary but they will still provide the wetland mitigation plantings. He provided a copy of the letter sent to the neighbors informing them of the proposed changes.

It was the consensus of the Commission that the new proposal would have received approval without a public hearing if it had been submitted first because the activity is not significant and the proposed mitigation plantings are substantial in comparison to the loss of one tree.

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

Mr. Hillman called the next agenda item:

Amendment to EPC-06-2009, 31 Relihan Road, Shuk-Han and Wei Wong, requesting revisions to previously approved drainage plan.

No one appeared to represent the applicant and the item was continued to Dec. 2.

Mr. Hillman called the following public hearing item:

EPC-27-2009, Timothy and Diana Welch, 181 Hoyt Street, proposing house construction within an upland review area.

Doug DiVesta, P.E. represented the applicant.

Mr. DiVesta said they had provided additional test hole data which confirmed the soil suitability for the detention structure.

Mr. Flaherty and Mr. Rohr said they were satisfied that the Commission's concerns have been addressed.

Mr. Hillman asked if there would be a sump pump in the basement. Mr. DiVesta said yes, and the discharge would be directed to the detention system.

Mr. Hillman said the Commission could be assured that the proposed development would not have an impact on downstream water quality or quantity.

Mr. Kenyon made a motion to close the public hearing. Mr. Tone seconded the motion and it passed unanimously.

The Commission proceeded to deliberate on the application.

Mr. Tone made a motion to accept the draft resolution approving the application with minor changes. Mr. Flaherty seconded the motion and the application was approved unanimously.

Mr. Rohr made a motion to approve the minutes of October 7, 2009 as amended. Mr. Hillman seconded the motion and it passed 6-0.

Mr. Tone made a motion to adjourn. Mr. Kenyon seconded the motion and it passed unanimously.

The meeting adjourned at 8:40 P.M.

Respectfully submitted,

Richard B. Jacobson  
Environmental Protection Officer