NEWINGTON CONSERVATION COMMISSION

Tuesday, October 18, 2016

MEETING MINUTES

I. CALL TO ORDER

Chairman Zelek called this meeting to order at 7:00 p.m. in the Helen Nelson Room of the Town Hall.

II. ROLL CALL

Jeffrey Zelek
John Igielski
Philip Block
Kathleen-Marie Clark
John Casasanta
John Bachand
Peter Arburr

Also present
Chris Greenlaw, Town Engineer
Susan Gibbon, Recording Secretary

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(*These minutes are a brief overview of the meeting held on October 18, 2016. Please refer to tape for full transcript.)

Chairman Zelek seated Commissioner Bachand for Commissioner Manke and Commissioner Arburr for Commissioner Sadil.

III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS (each speaker limited to 2 minutes)

None

IV. ACCEPTANCE OF MINUTES

A. Regular Meeting of September 20, 2016

Commissioner Igielski: On page 9, bottom third of the page, "are" should be "area."

Motion by Commissioner Igielski to accept the meeting minutes as amended, seconded by Commissioner Casasanta. Motion passes.

V. PUBLIC HEARING

A. Inland Wetlands Regulation Changes – L.I.D. (Low Impact Development)

Chris Greenlaw: With the acknowledgement of the secretary, I did consult with the town attorney, so at this time I recommend that we close the public hearing. After consulting with the town attorney, he advised us to close the public hearing as it relates to L.I.D. The town attorney has asked us to review regs, legislative updates, LID, and the general regulation change. The town attorney recommends that the subcommittee for regulation changes be reassigned to look at regulations, put it on as new and old business, methodically go through and look at changes to regs and when we get to a point with all the changes and regs, we will be ready then to set a public hearing, one public hearing. Prior to that public hearing we will send the regulations to the DEEP, TPZ and counsel. Counsel will hold a public 35 days after we make the several agencies aware of the prepared changes to our regs. We will open the public hearing, await counsel action and wait to hear from TPZ, we will incorporate their comments as part of our public hearing, if it is found that the counsel vote to approve, we can modify and adjust our regulations to make changes as necessary, as you deem appropriate and ultimately the commission will adopt. A lot of time has gone by, we were respectfully waiting for the LID regs to solidify with TPZ, there was a moratorium for a year, and during that process we overextended ourselves to public comment. It is the recommendation that we close the public hearing at this time.

Chairman Zelek: Very good. I believe we already had the subcommittee formed to work on the regulations with Commissioner Igielski and Commissioner Block. Are the two of you still on board to work on the regulations?

Commissioner Block: Yes.

Commissioner Igielski: Yes.

Chairman Zelek: Very good. I would like to ask the commission to make a make a motion to to close the public hearing with no action taken.

Commissioner Block: I move that we close the public hearing with no further action.

Commissioner Clark: I second.

Chairman Zelek; All in Favor?

Commissioners: Aye.

Chairman Zelek: The public hearing is now closed unanimously.

VI. NEW BUSINESS

None

VII. OLD BUSINESS

A. Application 2016-15, 39 Clifford Street – Garage and expanded driveway in the URA

Chairman Zelek: If the applicant is present, please come forward and continue on with your presentation.

Ahmad Dadi, P.E., representing Tom Lavoie.

Tom Lavoie, owner, 39 Clifford Street.

A. Dadi: I submitted new plans, you can see the land slopes southward and we have extended the line. We have also updated the plan to incorporate some of the comments commissioners made. The existing elevation of the driveway based on the MDC data, you can see the driveway at the entrance of the garage is 82.25 and the back of the garage is 83.75 so that everything in the garage will flow out towards the driveway and south and east.

Commissioner Block: Excuse me, I believe you misspoke. You said 82.25.

A. Dadi: 82.75, because the existing elevation is at 82.25.

Commissioner Block: It says an elevation of 83.75 in the garage.

A. Dadi: At the back of the garage, in the front it is 82.25. If you see the t-map there, there were four catch basins at the corner and they pick up the flow from the street and then flows west into that pipe and out. I have shown the distance from the southwesterly corner of the proposed garage to the wetland, it is 33'. I have also shown the catch basin at the intersection of Clifford at the southerly portion and it is connected to the pipe that flows out to west. The direction of flow is noted on the plans. We also have the roof pitches, from the ridge, pitches east and west so both ends of the roof there are gutters sloping southward and then collecting at the southerly end of the garage with the leader down and splash pad at the bottom, so the water will flow down and then towards the southerly direction. Basically, those were the comments I had from you.

Chairman Zelek: Thank you. Is there anything else that the commissioners are interested in?

Commissioner Arburr: For clarification, on the garage elevation you stated that the back of the garage was 83.75 and that the front of the garage is 82.25. That is a foot and a half pitch across the garage, is that what you want?

A. Dadi: It is a 26' garage and it is 1/8" per foot, that is not a big pitch. We want water to flow out.

Commissioner Arburr: You are the design engineer, I'm just saying that in my opinion it is a steep pitch.

Chairman Zelek: That's more of an observation.

A. Dadi: I will take a look at it and we will comply.

Chairman Zelek; Any commissioners have any other concerns or comments?

Commissioner Bachand; We were told where their garage is going that it is all impervious parking, in the overhead picture I don't see that.

A. Dadi: There are bushes there.

T. Lavoie: Yeah, the trees are hanging over the driveway almost completely cover the extra double wide pad. That should be an updated picture. The original driveway when we purchased the house was very narrow.

A. Dadi: That could be an older picture.

Commissioner Bachand: But the driveway now goes all the way to the back of house?

A. Dadi: Yes.

Chris Greenlaw: Just for clarification, in the aerial that you utilized, was that from the office. The date of that aerial is 2003, so the owner would know best.

T. Lavoie: That is an old photo, there is a new driveway there.

Chairman Zelek: Seeing there are no further questions from the commissioners, I would like to table this. Chris, is the application complete?

Chris Greenlaw: Yes, Mr. Chair. The application is complete at this time.

Chairman Zelek: Do you have conditions for this application?

Chris Greenlaw: The conditions physically are not here, the staff and I have recommended the first 12 standard conditions but I need to get a hard copy of those for the commissioners.

Chairman Zelek: At this time (7:15 pm) we are going to take a 5 minute recess for Chris to make copies of the conditions for the commissioners.

Chairman Zelek: I am calling the meeting back into session (7:28 pm). Chris did we have any comments from the public regarding this application, any need for a public hearing?

Chris Greenlaw: No, Mr. Chair.

Chairman Zelek: John, can I get a motion that a public hearing is not necdcd at this time.

Secretary Igielski: I'll make a motion that based on the evidence before it, the commission make a finding of fact that a public hearing is not necessary for Application 2016-15 because the proposed activities will not have major impact or significant effect on the regulated area.

Chairman Zelek: Can I have a second.

Commissioner Casasanta: Second.

Chairman Zelek: Second by Commissioner Casasanta. All in favor?

Commissioners: Aye.

Chairman Zelek: John, are you ready to read the motion for the application with conditions.

Chris Greenlaw: These are the standard 12 conditions with one additional condition that will hopefully with the revising of the regs will become standard and that is number 13, it advises the permittee that this is for wetlands only. I just want to reiterate that for the commission because I think it is one to consider as a standard condition moving forward.

Chairman Zelek: Ok, when we add a non-standard condition, do we typically give a letter instead of a number?

Chris Greenlaw: Correct.

Chairman Zelek: Ok, so should we will scratch 13 and call it item A.

Commission Arburr: May I ask the applicant a question.

Chairman Zelek; We have already closed the discussion on the application.

Commissioner Arburr: This has to do with a condition of the conditions.

Chairman Zelek: Very good.

Commissioner Arburr: Sir, based on taking a second look at the plan, do you see any changes being made between the two elevations 83.75 and 82.25?

A. Dadi: We will reduce the slope. But the 85 should stay the same.

Commissioner Arburr: No, I am just asking if you are going to maintain an elevation of 83.75?

A. Dadi: At the back yes, but on the front we will cut it down to 83.5, same as the pool area, so that will reduce the slope and we will take a look at the 82.5 to see if he can make any adjustments. But if 82.5 is there and if for any reason we have to go to 83.5 at the back of the garage, we will put retaining wall at the back.

Commissioner Arburr: The engineer was going to make a change to the plan before it was signed and approved.

A. Dadi: We will accept that condition.

Chris Greenlaw: I do want to point out that this plan is complete, there are a couple of minor annotation items that need to be added prior to the chairman signing the mylar. I can certainly look at that contour.

A. Dadi: Yes, we can come up together with an acceptable grade there.

Chairman Zelek: John, can I have a motion please.

Secretary Igielski: At this time I'll make a motion that the commission issue a permit by summary ruling for Application 2016-15, and subject to the following conditions: numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 and subject to the following additional condition:

A. This permit is valid for **wetlands only**; additional approvals/permits may be required from other Town departments, State or Federal agencies. It is the responsibility of the applicant to verify what other approvals/permits may be required for this project.

Chairman Zelek: Thank you. Can I get a second?

Commissioner Bachand: Second.

Chairman Zelek: Second by Commissioner Bachand. All in favor?

Commissioners: Aye.

B. Inland Wetlands Regulations Changes – L.I.D. (Low Impact Development)

Item closed.

C. New Initiative – Vernal Pools

No comments/reports.

D. Invasive Plants

Commissioner Clark: I attended the CT Invasive Plant working group program last week at UConn. There were many practical presentations. One overview was money has been taking away from the fight against invasive plants through the state. There was a coordinator position that helped bring together this group, landscape business, etc. and that position has been eliminated, they are actually looking for a volunteer. One of the seminars I went to was called Matchment of Key Invasives - Volunteers v. Invasive Plants - Practical Strategies, Success and Lessons and the most fascinating presentation was by Diane Saunders who is a Wallingford Conservation Commissioner. In Wallingford a group of 16 volunteers maintains 750 acres and 11 miles of trails on town owned 1,000 acre nature preserve and a primary element of the groups work is controlling invasive plants and fostering native species. I was very impressed with their work, maybe at some point she could come and speak to us. It is

something we could really tackle somewhere down the road. The other interesting thing was about knot weed. A small group in Pine Grove have come up with a way to control Japanese knot weed that involves cutting in a specific place 3 times a year, each has to be done by hand, but it is something that can really be done. I thought at subsequent meetings, I might bring up a topic or two from that meeting.

Chairman Zelek: Ok, great.

VIII. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS (each speaker limited to 2 minutes)

None.

IX. COMMUNICATIONS AND REPORTS

None.

Chairman Zelek: Before we adjourn, I just ask if there are any comments before we close.

Commissioner Arburr: On the Newington Ridge Preserve, I believe the applicant has completed work subsequent to last months meeting and I would like to have the applicant come in and give us a presentation on this end product. I don't know if the committee recalls, but when this application came in, extensive time and discussion was put in to the development of this plan, I think it is the first of its kind in the town and probably in the area and I think it would benefit us to have this presentation made and I have several questions. I just put that on the table.

Chairman Zelek: I will take it up wit the engineer and consider it for the next meeting. Any other commissioners?

Commissioner Bachand: I did sign up for the CACIWC meeting.

Chairman Zelek: There are 3 commissioners going.

Commissioner Clark: I am going and the mayor is also going.

Chairman Zelek: We are paying for Commissioner Bachand, Commissioner Casasanta and Commissioner Arburr to attend.

Commissioner Bachand: I have also completed the DEEP course.

Chairman Zelek: Congratulations. Please provide the certification to Chris to record on spreadsheet with everybody's education, etc.

Commissioner Bachand: On the typical applications for conservation or inland wetlands, is there a box they have to fill out showing the difference or increase impervious as opposed to existing. In other words, if you are adding 1,000 sf of impervious, is there a box to check off on the exact amount of impervious they are adding to a property?

Chris Greenlaw: Currently on the inland wetland application, what is pertinent to the inland application is there any change to the wetlands boundary line, is there any filling in the upland review or activity in the wetland itself? That is something that on other site plans, for instance for TP&Z, I will look at as the engineer to discern is there an increase to the impervious and then therefor if it is over 1,200 sf I will talk to the planner about implementing his regulations for LID for increase, that is where the drainage calculations come in currently. Our application is just the impact to the wetlands.

X. ADJOURNMENT

Motion by Commissioner Casasanta, seconded by Commissioner Block; it was unanimously voted to adjourn the meeting at 7:45 p.m.

Respectfully Submitted,

Mrs. Susan Gibbon

Mrs. Susan Gibbon
Recording Secretary – Conservation Commission