

**INLAND WETLANDS COMMISSION
MINUTES
Regular Meeting of June 14, 2017 at 7:30 p.m.
Council Chambers, Newtown Municipal Center
3 Primrose Street, Newtown, CT**

These Minutes are subject to Approval by the Inland Wetlands Commission

Present: Sharon Salling, Mike McCabe, Craig Ferris, John Davin

Absent: Suzanne Guidera, Kristen Hammar

Staff Present: Robert Sibley, Deputy Director of Planning & Land Use, Dawn Fried, Clerk

Ms. Salling opened the meeting at 7:39 p.m.

CONTINUATION OF PUBLIC HEARING

Application #17-06 by Hilario's Service Center, property located at 131, 135-139 Mount Pleasant Road, Newtown, CT to construct a one story 11,500 sq. ft. service shop and a one story 15,200 sq. ft. warehouse, and to convert an existing one story building into an employee driver's lounge and parking.

Mr. McCabe read the public notice in to the record. Ms. Salling welcomed the public and restated the Public Hearing process.

Steve Sullivan, Professional Engineer, CCA, LLC, 40 Old New Milford Road, Brookfield, CT spoke on behalf of the applicant. Mr. Sullivan gave an overview of the newly submitted information requested by the Commission at the previous hearing. The following reports were submitted: Site Investigation and Impact Analysis, Materials Spill Control Plan, Alternate Preliminary Site Plan, and The CDS Unit for Removal of Oil and Grease. (Summary revision letter attached.)

Mr. James McManus, soil scientist, JMM Wetland Consulting Services, LLC, gave an overview of his submitted report titled "Site Investigation/Impact Analysis". Mr. McManus named the two wetland areas as Wetland 1 and Wetland 2.

Mr. McManus described Wetland 1 as a wooded swamp. It is located on the western and southwestern side of the site. The total wetland area is approximately 8 acres but only .46 acres are located on the applicant's property. The soils are poorly drained.

Wetland 2 is an isolated wooded swamp that is located on the southeast area of the site. It is approximately .66 acres, has poorly drained soils and has only 2 principle functions. It is more disturbed than Wetland 1 due to past disturbances, the size of the wetland area and the hydrologic

isolation. Mr. McManus also noted that Wetland 2 has had no additional disturbance since 1951 and the size of the wetland has not changed since 1951 according to aerial photo interpretations.

Mr. McManus stated that there will be no direct impact on either wetland area.

Plants will be added to create a 12-foot wide vegetative buffer to mitigate Wetland 2.

Gravel will be pulled back 13 feet.

Mr. McCabe is concerned with fluids seeping thru the gravel driveway that surround the warehouse building.

Mr. Sibley asked whether the wetlands will be impacted by on-site activities or if the activities will pose a threat to the wetlands. Mr. Sullivan responded that any run-off will be directed to the storm water basins.

Mr. Sibley noted that only Wetland 1 was mentioned in the conclusion. It stated that "... Wetland 1 the proposal will not have significant adverse short-term (construction) or long-term (water quality/habitat) impacts upon the regulated resources." Wetland 2 was not mentioned at all in the conclusion. Mr. Sibley, for the record, asked Mr. McManus whether Wetland 2, will also not be impacted by the short term or long term proposed activities. Mr. McManus replied yes (there will be no impact).

Mr. Sibley wanted to qualify whether creating a vegetative buffer around Wetland 2 would be part of the mitigation process and would restore functionality. Mr. McManus stated that the principle functionality and the wildlife habitats will improve and there will also be visual improvements due to:

- adding more shrubs and grass plantings,
- pulling the material farther away and exposing more wetlands
- creating more distance between the wetlands and the proposed activity

Mr. Sibley would like Mr. McManus to quantify the actual square footage of the restoration associated with Wetland 2. Mr. Sibley asked what will be done to prevent creep in the future and what will be done to protect the buffer area along Wetland 2. Mr. Sullivan replied there will be curbing, row of shrubs, grass strip and a gravel area. Mr. Sibley suggested boulders be used on the gravel area to create a hardscape which will help with the snow plowing. Ms. Salling also felt that boulders were effective.

PUBLIC PARTICIPATION

David Kerr, 6 Old Bethel Road, is very concerned with the proposed project. Mr. Kerr asked what can be done about the storm water management area? Mr. Kerr noted there will be no buffer between his property and the proposed warehouse building. Mr. Kerr asked whether it was possible to plant trees as a buffer rather than shrubs? He also questioned why he had to spend additional money on his septic due to the proximity to wetlands when this proposed project will be closer in proximity. Mr. Kerr asked what will be done with the underground storage tanks?

Mr. Sibley responded that the Public Health Department for the State of CT has jurisdiction over septic systems and the public health codes are different from the inland wetland codes. The two are not related.

It is recommended that the public hearing stay open to allow time for the public and Commission to review newly submitted information. The next public hearing is scheduled for June 28, 2017 in the Council Chambers, Newtown Municipal Center, 3 Primrose Street, Newtown, CT.

PENDING APPLICATION

Application #17-08 by P.H. Architects LLC, property located on Old Farm Road, Map 37, Block 3, Lot 14 to construct an animal sanctuary, building and site work.

With no further questions Mr. Ferris moved to approve Application #17-08 by P.H. Architects LLC, property located on Old Farm Road, Map 37, Block 3, Lot 14 to construct an animal sanctuary, building and site work. with standard conditions A, B, C, D, E, F, O and P. The approved plans are: Catherine Violet Hubbard Animal Sanctuary, Old Farm Road, Newtown, CT, dated April 24, 2017, dated received April 25, 2017 and all supporting documents. Mr. McCabe seconded. All in favor.

Application #17-12 by RSD-Newtown, LLC, property located at 2 Saw Mill Road to construct a building, parking area, retaining walls and associated utilities.

Dainius Virbickas, Artel Engineering Group, LLC, Brookfield, CT spoke on behalf of the applicant. Mr. Virbickas gave a brief overview of the project.

Mr. Virbickas discussed a vegetative swale that will be added to the proposed site. The swale at the nearest point of the water course will be 10-feet away and 20-feet from the farthest point.

Mr. Virbickas submitted a letter dated June 13, 2017 requesting the Commission to consider adding a condition stating the applicant submits a snow management plan.

With no further questions Mr. McCabe moved to approve Application #17-12 by RSD-Newtown, LLC, property located at 2 Saw Mill Road to construct a building, parking area, retaining walls and associated utilities with standard conditions A, B, C, D, E, F, O and P. The approved plans are: RSD – Newtown, LLC, 2 Saw Mill Road, Newtown, Connecticut, Dated April 21, 2017, dated received May 10, 2017 and all supporting documents. Mr. Ferris seconded. All in favor.

Application #17-11 by Ronaldo DeOliveira, property located at 21 Valley Field Road South to create a pond in a wetland area and to create pastures and open fields.

Mr. DeOliveira gave an overview of the newly submitted information requested by the Commission at the previous meeting. Mr. DeOliveira explained that he tried to relocate the pond but it was not possible due to the ledge on the property. The Commission agreed to

Mr. DeOliveira's plan because it meets the definition of an agricultural purpose as stated in the Inland Wetlands and Watercourses Regulations.

Mr. Ferris stated that there should be as little disturbance as possible. The Commission would like Mr. DeOliveira to remove the boulders along the edge of the pond. Mr. DeOliveira was amenable to removing the boulders.

With no further questions Mr. Ferris moved to approve Application #17-11 by Ronaldo DeOliveira, property located at 21 Valley Field Road South to create a pond in a wetland area and to create pastures and open fields with standard conditions A, B, C, D, E, F, O and P. The approved plans are Overall Site Plan prepared for Ronaldo Oliveria, 21 Valley Field Road South, Newtown , CT, dated revised February 6, 2017, dated received June 9, 2017 and all supporting documents. Mr. Davin seconded. All in favor

APPROVAL OF MINUTES for May 24, 2017

Page 4, change "wild life" to "wildlife". Mr. Ferris moved to accept the amended minutes from May 24, 2017. Mr. Davin seconded. All in favor. The minutes from May 24, 2017 were approved.

ADJOURNMENT

With no additional business, Mr. Davin moved to adjourn. Mr. Ferris seconded. All in favor.

The meeting of June 14, 2017 was adjourned at 8:57 pm.

*Respectfully Submitted,
Dawn Fried, Clerk.*

Russell T. Posthauer, Jr., P.E., President
Michael J. Lillis, P.E., Vice President
Steven C. Sullivan, P.E., Vice President
C.J. Osborne, III, R.L.S.
Ralph A. Klass, P.E., L.E.P.
Paul J. Connelly, L.E.P.
Nancy Levesque, P.E.
Nicholas Yuschak Jr., R.L.A.



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INLAND WETLANDS COMMISSION
ORIGINAL DOCUMENT

June 12, 2017

Received Date: 07

Newtown Inland Wetlands
Commission
3 Primrose Street
Newtown, CT 06470

Received By: 6-14-17

RE: Hilario's Service Center, Inc.
Application #17-06
Mount Pleasant Road

Dear Commission Members:

As a result of the public hearing held on May 10, 2017, we are submitting attached the following information as requested:

- Site Investigation and Impact Analysis prepared by JMM Wetland Consulting.
- Materials Spill Control Plan prepared by CCA, LLC.
- Alternate Preliminary Site Plan prepared by CCA, LLC. This was the first plan we devised for the applicant base on their program.
- CDS hydrodynamic separator brief on removal of oil and grease. These are proposed on the site with the conventional oil baffle and oil sorbents.

Lastly, the following are answers to some questions brought up at the hearing.

1. The site will not have fuel storage tanks.
2. No floor drains are proposed for the service building.
3. The eastern basin was situated up-gradient of the wetland to the north and to the east of the proposed driveway and warehouse building. Due to the unique use and these constraints, this basin cannot be relocated.
4. Wrecked vehicles are required to stay on-site a minimum of 30 days by state statute.

If you have any questions, please feel free to contact us.

Very truly yours,

Steven C. Sullivan, P.E.
Vice President

SCS/kg

cc: P. Hilario