

**INLAND WETLANDS COMMISSION  
REGULAR MEETING  
MINUTES**

**June 22, 2022 @ 7:30 p.m.**

Council Chambers, Newtown Municipal Center  
3 Primrose Street, Newtown CT

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These Minutes are subject to approval by the Inland Wetland Commission

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**Present:** Sharon Salling, Craig Ferris, Mike McCabe, Kendall Horch, Scott Jackson, Stephanie Kurose

**Staff Present:** Steve Maguire, Senior Land Use Enforcement Officer, Dawn Fried, Clerk

Ms. Salling opened the meeting at 7:30 p.m.

**PUBLIC HEARING**

**IW Application #21-16 by 19 Commerce Road, LLC, property located at 19 Commerce Road,** to construct a self-storage facility with 5 buildings and 37,000+ sq. ft. of regulated activity including grading, filling and construction.

Ms. Salling gave an overview of the Public Hearing process. Mr. McCabe read the legal notice for the record.

Larry Edwards, Professional Engineer, J. Edwards & Associates LLC, Easton, CT represented the applicant.

Mr. Edwards stated the parcel is located on 5.6 acres. The applicant is proposing the construction of five buildings which will be used as a self-storage facility.

Mr. Edwards stated a wetland corridor goes through the property and flows from the west under Commerce Road and down past the treatment plant. The wetland area is a small extension of the watercourse itself with steep banks on both sides.

There are no direct impacts to the wetlands but 2.1 acres of activity will be in the regulated area within the 100-ft setback. Mr. Edwards stated they will not touch the area at the top of the slope. That area will act as a buffer and prevent erosion coming from the bank.

The areas around the buildings will have underground stormwater detention systems. These systems will treat the runoff from the parking areas and the buildings.

Two alternative layouts were considered. The first alternative would require a wetland crossing and would directly impact the water course. The second alternative has the same configuration with a smaller building. It is a viable option but the detention basin would be located at the top of the slope, which is not ideal.

The construction areas will be wrapped with double rows of silt fencing as well as the installation of three temporary erosion control sediment basins.

The site will be constructed in two phases. The first phase will stabilize the driveway. From there they will work their way up through the site. The site consists of sandy gravel therefore no major blasting will be needed.

Mr. McCabe asked whether the buildings will have interior access. Mr. Edwards stated all of the buildings will have interior access through entrance doors on each side of the building. Only one smaller building will have exterior garage doors. Every building has been built into a slope which gives access to two separate levels; a basement side and an upper level in the back.

Mr. McCabe asked whether there are drains inside the buildings. Rob Manna, 23 Commerce Rd LLC, owner of the property, stated there are no drains inside the buildings.

Ms. Horch asked whether hydrodynamic separators are proposed. Mr. Edwards stated not at this time. Stormwater basins will be installed for sediment issues. Mr. Edwards stated if the commission requires hydrodynamic separators as a condition, the applicant would be happy to comply.

Ms. Horch asked whether there was a limit of disturbance. Mr. Edwards stated the location of the silt fences serve as the limit of disturbance.

Ms. Horch has concerns with Building One's proximity to the stream. Ms. Horch questioned the distance from the stream to the limit of disturbance. Mr. Edwards stated the edge of the wetlands to the edge of the pavement is approximately 28 feet.

Ms. Horch asked whether the trees were marked and based on the grading, which trees will remain and which trees will be removed. Mr. Edwards stated the trees have not been marked.

Ms. Horch has concerns with the canopy over the stream in relation to Building One. Mr. Edwards replied the canopy will not be an issue for the larger, upper area. Ms. Horch agreed that the upper area is not an issue but reiterated her concerns with Building One, which is the closest building in proximity to the waterway. Mr. Edwards replied he will take a look at that.

Mr. McCabe asked whether trees will be removed from the steep slopes on the northern side of the site. Mr. Edwards stated no.

Mr. Ferris asked Mr. Edwards to review the stormwater management plan. Mr. Edwards explained the basins will be underground. The flow rate coming off the property will be less than previously exists. Mr. Ferris asked how the water will get to the bottom basin on the driveway side. Mr. Edwards explained the bottom basin is temporary and is part of the erosion and sediment control plan. It will handle the runoff during construction. There are two units to handle the overflow from the driveway that flow into a 6-inch pipe before it goes into the stream.

Mr. McCabe asked how the different drainage areas will work, specifically B3 on the site plan. Mr. Edwards stated drainage at B3 goes into the underground system.

Ms. Salling asked how the drainage discharge will be treated that goes into Tom Brook, especially the runoff from the road. Mr. Edwards stated all of the water from the property goes into stormwater detention basins. They can look at installing separators for the water coming off of the road.

Ms. Horch noted the bottom of the detention chamber on Building One is almost at the same elevation as the waterway. Ms. Horch asked whether a perc test was done at that elevation. Mr. Edwards stated yes, perc tests were done at all the detention basins. Mr. Edwards stated the perc test results should be in the stormwater management plans, but they were not. Mr. Edwards will check the perc rates. He did not have the data with him.

Mr. McCabe asked whether any fencing around the wetland areas had been considered, especially by the steep slopes. Mr. Edwards stated yes, the entire property will be fenced for security purposes.

Ms. Salling noted there are two wetland functions in the Wetland Assessment report. Ms. Salling stated one function, groundwater recharge/discharge, has been discussed but the other function, fish and aquatic habitat, has not been discussed. Ms. Salling asked what effect the hydrology, either a dry drought or flashy flood waters, would have on the fish and aquatic habitat. Jim McManus, Certified Soil Scientist, JMM Wetland Consulting Services, Newtown, stated they didn't discuss that particular item or pay much attention to it because he was not concerned. He didn't feel the stream would be negatively impacted because of the preventative measures they are taking.

There was a discussion regarding the stakes and the colors.

Mr. Maguire asked Mr. McManus if the entire site was surveyed for wetlands. Mr. McManus stated yes he walked the entire property and the brook was the only wetland area. Mr. McManus flagged the site except for the steep slopes.

Mr. Maguire asked Mr. McManus if he foresees any impact to the hydrology in the horseshoe of the stream by Building One. Mr. McManus stated there shouldn't be an impact to hydrology since it's not in a flood plain.

Mr. Maguire asked if there were any considerations on low impact development regarding pervious pavement or infiltration systems on the site. Mr. McManus did not know and stated he is "not a fan of pervious surfaces". Mr. McManus stated it's a low traffic area. Mr. Edwards wants the water to stay within the curbs and keep away from the slopes.

Mr. Maguire has serious concerns with the loss of buffer near Building One. Mr. Maguire stated he had signed off on an administrative approval with a 50-ft buffer along the wetland area. Mr. Maguire stated that the new plans have the disturbance areas at 5 to 10-ft from the watercourse. Mr. Maguire asked whether there is a possibility to swap a building or scale back the building. Mr. Edwards stated the slope is 2 to 1 but it could possibly be changed to 1 to 1 which would increase the separation along the edge. Mr. Edwards will look at alternatives.

Mr. Maguire asked about the grading plan along the knoll near the small building. Mr. Edward stated it will be graded down from the upper level to the lower level.

Mr. Maguire asked how much of the water going down the road will be treated. Mr. Edwards reiterated they can install a separator to treat everything. Mr. Maguire appreciated the contaminants would be treated but is concerned the heated water is entering the stream without any treatment or retention time before directly discharging into the stream. Mr. Edwards will take a look at options. One possibility is to move the entrance.

Mr. Maguire asked Mr. Edwards to give an overview of the planting plan. Mr. Edwards had not looked at the planting plan but will review for the next meeting.

Mr. Jackson confirmed the area where the trees will be marked.

Due to the Commission requesting new information, the Public Hearing will be continued to the next regularly scheduled IWC meeting on Wednesday, July 13, 2022, at 7:30 pm, in the Council Chambers at the Municipal Center, 3 Primrose Street, Newtown, CT.

## **OTHER BUSINESS**

Mr. McCabe asked Mr. Maguire if there were updates regarding Holly Estates. Mr. Maguire stated everything looks good at this time.

## **APPROVAL OF MINUTES**

### **Regular Meeting of June 8, 2022**

Change “liters” to “leaders”. Add “Ms. Horch questioned whether the applicant had adequate setbacks from the well”. Mr. Ferris moved to accept the minutes from June 8, 2022. Mr. McCabe seconded. Ms. Kurose abstained. All others in favor. The minutes from June 8, 2022 were approved.

## **ADJOURNMENT**

With no additional business, Ms. Horch moved to adjourn. Mr. Jackson seconded. All in favor. The Regular IWC Meeting of June 22, 2022 was adjourned at 8:34 pm.

*Respectfully Submitted, Dawn Fried*