

INLAND WETLANDS COMMISSION

REGULAR MEETING

MINUTES

September 14, 2022 @ 7:30 p.m.

Council Chambers, Newtown Municipal Center

3 Primrose Street, Newtown CT

These Minutes are subject to approval by the Inland Wetland Commission

Present: Sharon Salling, Craig Ferris, Mike McCabe, Suzanne Guidera, Scott Jackson, Kendall Horch

Staff Present: Steve Maguire, Senior Land Use Enforcement Officer, Kiana Maisonet, Land Use Enforcement Officer, Helen Fahey, Clerk

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

PENDING APPLICATION

IW Application #22-14 by Farrell Building Company, property located at 90 Mt. Pleasant Road, to construct 11 Garden Apartment buildings, one clubhouse, and associated site improvements including driveways, parking and stormwater management.

Mr. McCabe read the legal notice for the record.

Mr. McCabe stated that the application meets the Wetlands Regulations and while the public brought up valid points he is in favor of approving the application as it meets the Regulations. Mr. McCabe said he would like to see the Maintenance Program, presented on August 24th, included as a condition of approval. Mr. Maguire suggested the applicant hand in an annual report on the maintenance program for the duration of the 5 year permit.

Mr. Ferris said the application has no direct impacts on the wetlands, and because of the modifications and the stormwater management system there will be no indirect impacts related to hydrology.

Ms. Guidera suggested the applicant hand in an Invasive Species Management and Removal plan as a condition of approval.

Mr. McCabe moved to approve Application IW #22-14 by Farrell Building Company, property located at 90 Mt. Pleasant Road, with standard conditions A, B, C, D, E, F, L & P.

With the following additional conditions:

- An Annual report on Stormwater Maintenance and Functionality shall be submitted to the Land Use Agency on every December 1st for the duration of the permit.
- An Invasive Species Management and Removal plan shall be submitted to the Land Use Agency for approval. Maintenance and monitoring by the applicant shall be in place for the duration of the permit.

The approved plans are Newtown Commons, 90 Mount Pleasant Road, Newtown, Connecticut dated April 28, 2022 and revised plans dated August 19, 2022. Water Quality Treatment plan, dated August 19, 2022, Newtown Commons Stormwater Control Facilities Maintenance Program dated received August 19, 2022 and all supporting documents. Mr. Ferris seconded. All in favor. Mr. Jackson and Ms. Horch abstained.

IW Application #22-20 by Ardian Llomi, property located at 56 Pole Bridge Road, to expand the existing pond for irrigation purposes.

Mr. McCabe read the legal notice for the record.

Ardian Llomi, Co-Owner of 56 Pole Bridge Road, presented his plans which consist of creating a pond below an existing smaller pond that is used as a dry hydrant. The purpose of the new pond is for irrigation.

Ms. Salling asked if the current pond is used for irrigation and Mr. Llomi said it is a dry hydrant. Ms. Salling asked how deep the current pond is. Mr. Llomi stated the pond is 12-15ft deep. Ms. Salling questioned if Mr. Llomi's plan was to expand to 20ft deep. Mr. Llomi clarified the new pond will be separate from the existing dry hydrant pond. The new, bigger pond will be below the existing pond, connected by a channel.

Ms. Guidera asked what feeds the pond and Mr. Llomi said rain. Ms. Guidera questioned if Mr. Llomi has spoken to an engineer about the project. Mr. Llomi said he has spoken to the man that excavated the dry hydrant.

Ms. Salling asked what the plan will be for the soils and Mr. Llomi said there are a few uneven areas on site so he will use the soil to level those out. Mr. Ferris expressed concern about filling wetland areas on the property. Mr. Llomi said there are no wetlands. Ms. Salling noted that the only way to determine wetlands in the State of CT is through a soil sample. Mr. Ferris said he would like to see where the soil will be put on the property. Mr. McCabe said he is concerned about filling in the drainage path that exists. Mr. Maguire suggested finding a spot on the property that is clearly upland to place the soils and the Commission agreed.

Mr. Jackson asked who will do the excavation. Mr. Llomi said Scott Ostrosky.

Ms. Salling said a good starting place is to visit the site again to identify a clear upland to place the soils (spills?) but typically a soil sample is requested of applicants.

Mr. Maguire confirmed the plan is to have two separate ponds with a spillway at a certain height and Mr. Llomi affirmed. Mr. Maguire expressed concerns with maintaining hydrology. Ms. Horch voiced apprehension with the lack of detail on the application. She said there are no soil erosion controls, or

cut and fill calculations. Ms. Horch asked if Mr. Llomi has thought about where he is going to put a silt fence, soil erosion controls and stock pile. Ms. Salling agreed with Ms. Horch's concerns and requested a cut and fill calculation.

Mr. Maguire asked about machinery access. Mr. Llomi said the machines will drive over the outlet of the pond. Mr. Maguire requested temporary crossing to protect the wetland and outlet. He also requested a construction sequence, and a stone lining of the channel between the two ponds.

IW Application #22-20 by Ardian Llomi will be CONTINUED to the next scheduled IWC Meeting on September 28, 2022 at 7:30 pm in the Municipal Center, Council Chambers, 3 Primrose Street, Newtown, CT.

IW Application #22-21 by 24 Pecks Lane LLC, property located at 24 Pecks Lane, to construct a 6,000 sq. ft. commercial building and associated site improvements.

Mr. McCabe read the legal notice for the record.

Jason Edwards, J. Edwards Associates, 227 Stepney Road, Easton Connecticut and Larry Whippie, property owner and developer of 24 Pecks Lane presented their application. The site is 2.5 total acres with 1 acre of wetlands. They are proposing to disturb 37,000 sq. ft. of the upland review area and there will be no direct impact on the wetlands. A 6,000 sq. foot commercial building is proposed that will have two uses: a landscaping business, and a small sawmill. A paved driveway with garage doors is proposed on the left side where the landscape business will be. On the sawmill side, a gravel driveway is proposed. Erosion control plans consist of a barrier around the outside, stockpile area, anti-tracking aprons, and a temporary sediment trap. Stormwater will be collected from all impervious surfaces and the gravel area into a catch basin on Pecks Lane. The property is served by public water and a septic system is proposed at the front of the building. The landscape plan consists of a series of trees along the back of the parking lot to provide some screening as well as along trees along the front of the site.

Mr. Ferris asked how the rocks will be removed from site. Mr. Whippie said it will be blasted but a lot of the rock will stay on site to create the gravel driveway and used to create a pitch on the driveway. Mr. Edwards said any larger boulders or rocks will most likely be placed along the edge of the parking lot to add a barrier.

Ms. Horch asked if there are plans to curb around the gravel and Mr. Edwards said they not proposing to at this time. Ms. Horch asked if the applicants need permission from The Town to hook up to their catch basin. Mr. Edwards said he reached out to public works and is waiting on a response. Mr. Edwards said the other option would be to overflow it to the wetlands directly but that would cause more disturbance to the wetlands.

Ms. Guidera asked if the stormwater basin filters out any debris or any oils. Mr. Edwards said there is not an oil separator in the basin. Ms. Guidera questioned if the applicants have given any thought on how to contain oil or gas spills being that landscaping equipment will be held there. Mr. Edwards and

Mr. Whippie said the equipment will be indoors for the most part but they can look at adding an oil separator in the catch basin.

Mr. Maguire said his concern was having leaky equipment out in the gravel area, but if the plan is to have it mostly indoors that alleviates his concerns. Mr. Maguire requested the applicants demarcate the edge of the gravel area to define it and keep it from moving over time.

Ms. Guidera asked how loose materials like wood chips will be stored on-site and protected from drifting into the wetlands. Mr. Whippie said he can use concrete blocks to construct an area to contain woodchips.

Mr. McCabe requested stakes where the gravel area will be.

Ms. Horch wondered if the applicant had any concerns that the stormwater basin is below groundwater. Ms. Horch didn't notice the overflow elevation out of the stormwater basin on the plans. Mr. Edwards said he will double-check the calculations.

Mr. Edwards clarified he will stake the gravel area, add storage bins for loose material, add a demarcation note for the gravel edge area, and provide a summary of vehicles that will be parked in the gravel area.

IW Application #22-21 by 24 Pecks Lane LLC, will be CONTINUED to the next scheduled IWC Meeting on September 28, 2022 at 7:30 pm in the Municipal Center, Council Chambers, 3 Primrose Street, Newtown, CT.

APPROVAL OF MINUTES

Regular Meeting of July 27, 2022

The approval of the minutes will be tabled to the next scheduled IWC Meeting.

OTHER BUSINESS

Mr. Maguire spoke about a notification from Algonquin Gas Transmission. They conducted an internal inspection to look for any issues and found an issue on Alberts Hill Road. They will be digging into the pipes and have to temporarily cross the wetland. Algonquin Gas Transmission is a federal license exempting them from any local permits so this is just a notification.

ADJOURNMENT

With no additional business, Mr. Ferris moved to adjourn. Mr. Jackson seconded. All in favor. The Regular IWC Meeting of September 14, 2022 was adjourned at 8:43 pm.

Respectfully Submitted, Helen Fahey