

TOWN OF KENT INLAND WETLANDS COMMISSION

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REGULAR MEETING MINUTES

The Kent Inland Wetlands Commission held a regular meeting on February 27, 2017 at 7:00 p.m. in the Kent Town Hall, 41 Kent Green Boulevard, Kent, CT.

1. CALL TO ORDER

Ms. Werner called the meeting to order at 7:01 p.m.

2. ROLL CALL AND APPOINTMENT OF ALTERNATES, IF REQUIRED

Commissioners Present: Lynn Werner, Chairman; Ken Deitz, Fred Hosterman, Marge Smith

Staff Present: Donna Hayes, Land Use Administrator

Ms. Smith moved to elevate Mr. Deitz to voting status. Mr. Hosterman seconded and the motion carried unanimously.

3. READING OF MINUTES OF PREVIOUS MEETINGS

3.A. Special Meeting Minutes, January 30, 2017.

Ms. Smith pointed out that Mr. Shope's name on page 3, section 5.B., paragraph 4, line 2 was misspelled and that Cobble on page 4 item 7.A.1. was misspelled.

Ms. Smith moved to approve the Special Meeting Minutes, January 30, 2017, as amended. Mr. Hosterman seconded and the motion carried unanimously.

4. APPLICATIONS

4.A. Application #1147-17, Linda Kidd, 108B Kent Road, 12' x 28' addition to existing house, Map 5 Block 10 Lot 21.

Ms. Kidd, owner of the property, was present to address the Commission. She explained that the plan was to put a screened porch addition on the front of the house. The addition will be placed on piers which will be hand dug. The number of piers will be determined by the Building Official. When asked how far from the river the addition will be, Ms. Hayes replied 121'. Ms. Werner asked how far above the river the house was located and both Mr. Deitz and Ms. Kidd replied approximately 12'.

Ms. Werner asked if silt fencing was going to be installed, Ms. Hayes suggested that it be placed between the proposed work and the top of the rock wall. Ms. Smith agreed. Mr. Hosterman felt that the

Kent Inland Wetlands Regular Minutes 2/27/17

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installation of the silt fencing would be more invasive than the actual construction and suggested that it was not necessary especially since the holes for the piers would be hand dug. Mr. Dietz agreed. Ms. Smith's concern was that not requiring the silt fencing might set a precedent. After discussion, it was decided that the minutes reflect that due to the flatness of the property and the location of the existing rock wall, the installation of silt fencing would not be a requirement in this case.

Mr. Hosterman moved to table Application #1147-17, Linda Kidd, 108B Kent Road, 12' x 28' addition to existing house, Map 5 Block 10 Lot 21. Ms. Smith seconded and the motion carried unanimously.

- 4.B. Application #1148-17, Steven Abbate, 99B Cobble Road, construction of new garage; new covered deck; and extension of existing deck, Map 10 Block 22 Lot 2.

Mr. Abbate was present to address the Commission. He explained that the proposal was to construct a new, attached two-car garage on slab. The existing garage will be converted to a family room. When asked how far away from the pond the construction will be, Mr. Abbate replied 50.4'. Ms. Werner asked if silt fencing will be installed and Mr. Abbate replied that it will be installed on both sides of the construction; one area facing the pond and one area facing the front of the house. Mr. Abbate added that a small deck will also be installed on the back of the existing garage, facing the pond.

Ms. Werner asked Ms. Hayes if she had any concerns. She replied that she was concerned about the location of the stock pile area. Mr. Abbate plans on placing the excavated soil in an area adjacent to his driveway. Ms. Hayes' concern was that there was a pipe that runs under the driveway and empties runoff into this area. Mr. Abbate said that the area is mostly dry but that when it rains it does get wet.

Ms. Werner asked Ms. Hayes to visit the site and determine if the Commission should conduct a site visit between now and the next meeting.

Ms. Smith moved to table Application #1148-17, Steven Abbate, 99B Cobble Road, construction of new garage; new covered deck; and extension of existing deck, Map 10 Block 22 Lot 2. Mr. Hosterman seconded and the motion carried unanimously.

5. OLD BUSINESS

- 5.A. Application #1146-17, John Worthington for Kent Housing for the Elderly, Inc., 16 Swifts Lane, installation of drainage from repaved parking lot, Map 19 Block 12 Lot 4.

Mr. Michael Gawel and Ms. Tegan Baker were present to address the Commission.

Ms. Werner read an email from Brian Baker, P.E., from Civil 1 regarding the application. A copy of this email is attached to the application. Basically, the email makes a suggested change in the size and design of the last catch basin to be installed as part of the project. The change would incorporate the installation of a 3' or 4' deep sump with a SNOUT cover for the pipe outlets. This SNOUT would prevent oil/floatables from leaving the basin and entering the wetlands. Both Mr. Gawel and Ms. Baker reviewed the email and Mr. Gawel agreed saying that using a deeper basin with the SNOUT would be feasible and better for everyone.

Mr. Dietz cautioned that if the sump is not cleaned out, the outlet would be clogged and the water would bubble out of the top of the catch basin. Mr. Gawel said that he understood and Ms. Smith suggested that a reminder be placed in the approval letter. Mr. Gawel said that the facility has an on-site maintenance person who would be responsible for cleaning out the basin to keep it functioning properly.

Kent Inland Wetlands Regular Minutes 2/27/17

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Mr. Hoffman moved to approve Application #1146-17, John Worthington for Kent Housing for the Elderly, Inc., 16 Swifts Lane, installation of drainage from repaved parking lot and the installation of a 3' or 4' deep sump with SNOUT as the last catch basin which must be maintained in order to keep it in working order, Map 19 Block 12 Lot 4. Ms. Smith seconded and the motion carried unanimously.

6. NEW BUSINESS

- 6.A. Modification to Application #1071-14, The Marvelwood School, 473 Skiff Mountain Road, Map 7 Block 17 Lot 1, construction of detention pond in regulated area; modification to include increase in size of detention basin.**

Mr. Jeremy Oskandy, EIT, of Arthur H. Howland & Associates, was present to address the Commission.

Mr. Oskandy gave a description of the original application approval which was given in 2014. The reason for his appearance before the Commission tonight was to apply for a modification to the original permit. He explained that the size of the detention basin that was designed and approved in 2014 needs to be increased as a result of the changes to the originally proposed addition to the existing gym/fine arts building.

The new plan incorporates a 9% increase in the overall area, much of which is to accommodate technical and mechanical areas. The driveway was extended in order to provide a loading dock closer to the stage. This extension required a grade change and the addition of a retaining wall and rip rap slope south of the existing tennis courts. The overall change to the impervious area is approximately 6,800 s.f. or 5.5%.

Mr. Dietz asked for verification of the elevation for the basement and Ms. Werner asked how deep the basement would be. Mr. Oskandy said that the basement would be approximately 14' deep. Ms. Werner asked where the excavated material will be placed and Mr. Oskandy replied that they have two large stockpile areas to the west of the construction area. This area will be enclosed with haybales. When asked why he was not using silt fencing, he replied that the amount of the material could blow out the silt fencing should there be a large rain event. Mr. Oskandy said that the excavated material will be stockpiled, most will be removed from the site and some will be used for the berm. Mr. Oskandy said that most of the fill for the pond will be supplied as a result of the excavation of the pond.

Mr. Oskandy had created a sheet that showed the old plan vs the new. Ms. Werner asked that a copy of this sheet be included in the file. Mr. Oskandy explained the changes which includes a larger footprint and a roof over the originally proposed open air area. He explained that the detention basin was basically stretched in length and contains a smaller shelf. This provided more volume with no increase to the depth of the pond and less excavation. Ms. Werner asked for a copy of Mr. Oskandy's explanation of the changes to the detention pond as well.

Mr. Deitz asked if this increase in the size of the pond will handle any runoff. Mr. Oskandy replied that it would. Overall, this new design will be more effective. Instead of coming over the berm, the spill way will be in the cut side of the hill. This increases the flow channel in the bottom portion which only discharges into the spillway. There is one area that will always contain water and one area that will remain dry. Mr. Oskandy went to a double catch basin to provide more capacity for a 100 year storm. An additional 30' overland flow will also be added.

Ms. Werner asked if the whole area would be vegetated and wanted clarification that one area will remain semi-wet while the other will be mostly dry. Mr. Oskandy replied that the area would be vegetated and

Kent Inland Wetlands Regular Minutes 2/27/17

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that yes, one area will remain wet and one will be mostly dry and would only be wet for approximately 24 to 48 hours after a major rain event.

Ms. Werner asked if this area was designed to be more of a rain garden. Mr. Oskandy said that was right because they found that designing for major events was not as environmentally friendly as they thought. Designing for the smaller, more frequent events seems to be better for the environment.

Mr. Oskandy said that they have added some additional vegetation due to the increase in the size. The bottom of the detention basin will be the New England Wet Mix and the side will be the Conservation Wildlife mix which will be mowed once a year. White Pines, dogwoods and junipers will make up some of the surrounding vegetation around the area.

Ms. Werner said that the modification to the building has increased the impervious surface. This increase to the impervious surface mandated an increase to the detention pond. Mr. Oskandy agreed.

Mr. Hosterman asked if a maintenance plan will be included with the permit. Ms. Smith referred him to the maintenance plan located on sheet SES.1. Ms. Werner suggested that this maintenance plan be referenced in the permit modification. Mr. Oskandy said that he could supply this as a word document and Ms. Hayes said that she would attach it to the modification letter.

Ms. Hayes asked if any of the pipe sizes had to be increased. Mr. Oskandy said the drainage had been redesigned because of the increase of footing drains. The main pipe size did not change, but the drainage pipe went from an 18" to a 24".

Ms. Hayes asked if the tennis court will be remaining and Mr. Oskandy said that it would but that a small retaining wall with a rip rapped sloped area will be added.

Mr. Hosterman moved to approve Modification to Application #1071-14, The Marvelwood School, 473 Skiff Mountain Road, Map 7 Block 17 Lot 1, construction of detention pond in regulated area; modification to include increase in size of detention basin. Ms. Smith seconded and the motion carried unanimously.

6.B. Review of Fee Ordinance

With regard to charging for an engineering review, Ms. Werner compared this Commission's Fee Ordinance with that of Planning and Zoning. Ms. Smith said that she feels the Commission should be able to charge for a professional review like P&Z. Mr. Deitz agreed. Ms. Hayes explained the process of changing the Ordinance. Ms. Smith suggested that the wording from P&Z be included in the Wetlands Ordinance. Mr. Hosterman stated that the Commission will have to be very clear about the fact that the applicant would be responsible for any outside review.

Ms. Hayes said that she will make the appropriate change to the Ordinance and find out when this could be reviewed. It will remain on the agenda for the next meeting.

7. COMMUNICATIONS TO THE COMMISSION

A. WRITTEN

- 7.A.1. Permit Application for the Use of Pesticides in State Waters: Lake Waramaug in Warren; Skiff Mountain Pond.**

Kent Inland Wetlands Regular Minutes 2/27/17

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Mr. Deitz said that the Skiff Mountain Pond is located next to a well. Ms. Smith said that it might be an old farm well. Mr. Deitz said that it was very close to the well and asked if there was a map of all approved Town wells. Ms. Hayes said that she did not have anything because it is not permitted by the Town, but is permitted by Torrington Area Health District. Ms. Werner said the information should be on line and asked Ms. Hayes to find out.

The Lake Waramaug in Warren application had been withdrawn and was not discussed at this meeting.

7.A.2. Request for Reauthorization under the General Permit for Diversion of Water for Consumptive Use, Lake Waramaug Country Club.

Ms. Werner asked Ms. Hayes to check with Mr. Tom McGowan of the Lake Waramaug Task Force to find out if anything had changed and if the applicants were a good steward of the Lake. Because the next meeting is so close to the renewal date, Ms. Werner said that if there is an issue, that a special meeting be scheduled.

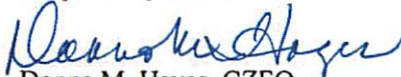
B. VERBAL

Ms. Hayes advised the Commission that the Land Use Clerk she had hired had sent her an email this morning stating that she had received an offer for, and had taken, a full-time job and was rescinding her acceptance of the job offer.

8. ADJOURNMENT

Mr. Hosterman moved to adjourn at 8:36 p.m. Mr. Deitz seconded and the motion carried unanimously.

Respectfully submitted,



Donna M. Hayes, CZEO
Land Use Administrator

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