

April 10, 2012, Revised 1/9/13 per Commission review at the 5/2/12 meeting

MINUTES: THE INLAND WETLANDS COMMISSION, Town of Hamden, held a Regular Meeting on Wednesday, April 4, 2012 at 7:00 p.m. in Thornton Wilder Hall, Miller Memorial Library Complex, 2901 Dixwell Avenue, Hamden, CT and the following items were reviewed:

Commissioners in attendance:

Nancy Rosenbaum, Chairperson
 Mike Montgomery
 Eric Annes
 Joan Lakin
 Kirk Shadle
 Andrew Brand
 Bob Gnida
 Mike Stone, arrived at 8:00

Staff in attendance:

Dan Kops, Assistant Town Planner
 Tim Lee, Assistant Town Attorney
 Tom Vocelli, IW Enforcement Officer
 Stacy Shellard, Commission Clerk

Ms. Rosenbaum called the meeting to order at 7:02. Mr. Montgomery called the roll and there was a quorum. Ms. Rosenbaum introduced the Commission and Staff.

I. Regular Meeting

1. Pending Applications:

- a. 12-1179** 0 Building Brook Road-Construction of a single family home
 Van Nes Developments LLC, Applicant

Ms. Roselind Page, Professional Land Surveyor, addressed the Commission and reviewed the application and the site. She said that Mr. Ken Stevens, Soil Scientist, inspected the site and determined that there are two wetland areas. One is located at the top of the northwest area of the property and the other at the southwest corner of the property. The wetland areas are a result of grading that was done in the past and it has created bleed out areas and breaks in the slopes. The ground water is coming down from a higher area located further from the west. The soils are not very permeable and the two areas are due to bleed out of ground water and are not true wetlands.

Ms. Page said that a single family house is being proposed which will be located at the southwest corner on the top plateau. There will be a 12 percent driveway which is the maximum allowed by the zoning regulations and it will be curved in a way to minimize the impact to the wetlands. The site will be served by the Town's sanitary sewer main which is located at the intersection of Mansur Road and Building Brook Road. Ms Page explained that based on the engineering calculations gravity sewers can be achieved by

cutting across a small parcel of land that is owned by Mr. Frank Van Nes, Property Owner, and a lot line approval will be needed. She stated that the Town Engineer has reviewed the drainage calculations. Ms. Page reviewed the proposed groundwater drainage plan and three alternative plans that were considered. She said that the proposed plan will achieve ground water and storm water management and efficiently protect the wetlands. During the site inspection there was an area down slope of wetland flag 9 where there had been a blowout of water which created erosion. A proposal for remediation was added to the plan to fill the area with crushed stone, filter fabric, top soil and seed.

Mr. Annes asked if the proposed sanitary sewer pipe will go through Mr. Van Nes' property or if it will go through the Dadio property. Ms. Page explained that Mr. Van Nes now owns the Dadio property and this will allow a lot line revision to be done for the sanitary system and the rain gardens. Mr. Annes asked if the lot line revision is done would it still leave the remaining lot buildable and Ms. Page said yes.

Mr. Gnida said that there has not been any recent rains and when he walked the site today there are areas at wetland flag 12 where there is water flowing and it is 20 feet closer to where the house is to be built. He asked if the stormwater management plan that includes a curtain drain around the property will dry up the spring. Ms. Page reviewed the stormwater management plan and stated that the hope is that the problem will be alleviated with the groundwater drains. Mr. Gnida said that below Building Brook Road there is a ditch that is down slope and it flows to the north and then goes upland to the north and he asked if the rain gardens overflow will exacerbate runoff to the ditch. Ms. Page explained that the rain gardens have been designed larger than what is required by the drainage calculations. There is a watershed ridge located further to the west and when the area was analyzed the rain gardens were designed to capture the impervious area that will be created as part of the development. There will be French drains at the bottoms of the rain gardens that have pipes going to the ditch and some water will come down and the rain gardens should not overtop. Mr. Gnida asked if the driveway will be impervious. Ms. Page said that they will be paved 12 percent impervious. There is a curb drain system designed to catch the water that comes down the driveway. Ms. Page said the Town Engineer had a comment that they wanted the cross slope down at the bottom of the driveway to be angled to direct the water straight into the ditch and she agreed that this would be in the final plan.

Mr. Montgomery said that the curtain drains are not designed to catch surface water but designed to intercept sub surface ground water. The driveway is pitched towards the basin, but the pitch is not going to run on the surface to the basin from the driveway. Entering the southern basin will primarily be the runoff from the roof of the house. Ms. Page said the runoff would be from the roof, footing drain and a portion of the curtain drain. Mr. Montgomery feels that the problem will increase because there is ground water flowing all the time and a sudden rain fall will sink into the land. The installing of a french drain may not be effective. Mr. Montgomery researched different types of basins and he reviewed planting plans that would only require mowing once or twice per year. The designs of the basins should be such that they will drain within 24 hours. He said that the Town Engineer has stated that the detention volume provided is adequate; however there is no evidence that the amount will be detained in the basins. Mr. Montgomery feels that the basins are neither detention basins, retention basins or bio-remediation filters, but can meet criteria of all three if redesigned. Mr. Montgomery said the plan is to have filter fabric cover over the gravel, and he asked how a six inch pipe with many small holes covered with one inch thick stone over the pipe will provide detention. Mr. Montgomery reviewed the Town Engineer comments that the soil and mulch should be added.

Mr. Montgomery stated the following:

The submitted design for the stormwater basins do not seem to provide adequate retention, detention or bio-remediation functions. The basins do have the capacity to hold a 25-year storm event, but appear to discharge very rapidly and the applicant provided no calculations of discharge rates.

The Town Engineer noted that the discharge pipes should be covered with soil and mulch, but did not specify depth or type. To provide bio-filtration or bio-remediation as well as stormwater detention, the discharge pipes should be covered with a minimum of 18 inches of a porous, high organic soil mix (e.g. 40% topsoil, 30% coarse (concrete) sand, 30% hardwood compost). The filtration rate of this mix should be between 2-6 inches/hour.

Assuming that the porosity of the mix is 30% (void volume), an 18 inch layer at the bottom of the proposed basin would reduce its water holding capacity 50%. Extending the gravel across the bottom of the basin would increase the holding capacity 10% and double the retention, recharge capacity.

By taking into consideration the detention provided by such a redesigned basin, the applicant may be able to demonstrate that it not only provides bio-remediation but also provides equivalent pre and post site runoff characteristics for a 25 year storm. If not, then the basins need to be enlarged in area or depth to provide both bio-remediation and the desired run-off reduction.

A stand pipe should be added for cleanup and to prevent over-topping.

Need to define conservation-buffer area marked by wetland medallions.

Mr. Lee stated that Mr. Montgomery should state his specialized knowledge and background for the information he has provided.

Mr. Montgomery reviewed his resume and qualifications.

Mr. Montgomery said that the calculations need to be done by an engineer to determine the amount of soil and to determine how the system should be redesigned.

Mr. Annes asked if when the lot line revision is done and the sanitary pipe placed would it recreate new wetlands. Ms. Page said that she did not know.

Mr. Frank Van Nes, Property Owner, addressed the Commission and stated that the site has compacted soil and very little vegetation. There are no prevention measures in place to stop runoff. He reviewed his qualifications and resume to advise farmers about the soils, nutrition and health of their crops. He said that currently there are no rainwater catchment areas on the site, and any measures proposed are advantageous to what currently exists.

Mr. Montgomery said that the question is what should be incorporated for the detention, the retention and bio remediation of the property. He said if stone is put across the bottom of the basin with 18 inches of soil on top it would create the proper bio-remediation of the property. He said if stone is put across the bottom of the basin with 18 inches of soil on top it would create the proper bio-remediation, but he was not able to do the calculations to determine if the capacity of the basins after soil would be satisfactory. The ferocity of the water drainage must be determined and he would like to see the specifications of the filter fabric added to the proposed plan. Mr. Van Nes further discussed what would be needed to have the proper drainage and they discussed the planting plan.

The Commission discussed possible conditions of approval with Ms. Page. Ms. Page presented to the Commission the three feasible and alternative plans that had been considered. The Commission further discussed conditions of approval.

Mr. Montgomery made the motion to approve application 12-1179 with the following conditions:

1. The discharge pipes on the floor of the basin shall be covered with a minimum of 18 inches of a porous, high organic soil mix (e.g. 40% topsoil, 30% coarse (concrete) sand, 30% hardwood compost). The filtration of this mix should be between 2-6 inches per hour. The applicant shall demonstrate that the redesigned basins provide equivalent pre and post site runoff characteristics for a 25 year storm. If not then the basins need to be enlarged in area or depth to provide both bio-remediation and the desired run-off reductions. Calculations and basin redesign shall be approved by the Town Engineer.
2. Add a stand pipe for clean-out and overflow.
3. Demark with wetland medallions a 25 foot wide area around the wetlands and the southern basin.
4. Provide planting details for the basins and conservation areas subject to approval by the Commission Chairperson.
5. Incorporate comments #3 and #4 of the Town Engineer's March 30, 2012 memo into the site plan.
6. Submit a revised plan for approval by the Chairperson.

Mr. Shadle seconded the motion. Mr. Shadle, Mr. Annes, Mr. Gnida, Ms. Lakin, Mr. Brand and Mr. Montgomery voted in favor of the motion. Mr. Stone abstained. The motion passed 6-0-1.

- b. 12-1180** 160 Hartford Turnpike-Updated Tree Removal & Buffer Area Management Plan.
New Haven Country Club, Inc., Owner/Applicant
Tabled at Applicant's request

Ms. Rosenbaum advised the Commission that the applicant has requested this item remain tabled.

2. Notices-of-Violation, Cease & Desist & Restore Orders, Notices-to-Appear

- a. N.O.V.** 64 Rocky Top Road – clearing of trees & removal of vegetation

Mr. Tim Lee, Assistant Town Attorney, updated the commission with regard to the court case.

- b. N.O.V.** 251 Welton Street – oil spill or discharge

Ms. Rosenbaum advised the members that an update on 251 Welton Street is included in their packet.

- c. N.O.V.** Lot 10-Benham Hill Estates(aka 0 Benham Hill Place)
Failure to repair & maintain stormwater detention basin

Ms. Rosenbaum said that this item should be tabled until the May 2, 2012 meeting. The packet includes the engineer's summary of the temporary measures that have been implemented.

Ms. Lakin made the motion to table this item until the May 2, 2012 meeting. Mr. Gnida seconded the motion. The motion passed unanimously.

- d. N.O.V.** 777 Gaylord Mt. Road-unauthorized earthwork in or near regulated areas

The Commission discussed with Mr. Tim Lee, Assistant Town Attorney what actions can be taken so that the owner of the property will continue to move forward with a remediation plan.

Mr. Annes made the motion to table this item until the May 2, 2012 meeting and that the Commission direct Mr. Tim Lee, Assistant Town Attorney to send a letter to Mr. Bernard Pellegrino. Mr. Gnida seconded the motion.

The Commission discussed what the letter should entail and the fines that will be imposed if a plan is not received.

The motion passed unanimously.

3. Review Site Inspection Schedule

There are none

4. Review of March 7, 2012 Meeting Minutes

Ms. Rosenbaum stated that Mr. Montgomery called the roll.

Mr. Shadle said that on page 4, third paragraph read as follows:

Mr. Crosby asked what a definition of a pond is. Mr. Shadle discussed the characteristics of a pond. The main issue is that fish or their eggs can escape and go to another water course. Whether there is accidental breeding or planned breeding, the DEEP may want to be involved. Mr. Crosby said if he finds any Koi fish he will get rid of them. Mr. Shadle asked if the intention is not to continue with any type of fish or aquaculture in the area in question because of the law. Mr. Pellegrino said there was no intent, and that his client thought he was doing a good thing for the habitat.

Mr. Brand made the motion to approve the meeting minutes of March 7, 2012 as amended. Ms. Lakin seconded the motion. The motion passed unanimously.

5. Other Business

Ms. Lakin discussed the Hamden Art League Golden Bells Art Show that is taking place in the Senior Center.

Ms. Rosenbaum thanked Ms. Lakin for the site walk report. She also thanked Mr. Gnida, Mr. Brand and Mr. Montgomery for their participation in the site walk.

Ms. Rosenbaum thanked Ms. Lakin's daughter for the work she did creating the new IW brochure. The Planning Office will be responsible for printing the copies of the brochure.

Ms. Rosenbaum discussed Earth Day with the Commission.

Mr. Gnida said he had taken his grandchildren to see the movie "The Lorax" and then he took them up to 64 Rocky Top Road to give them an idea of a similar situation that took place in the movie. Mr. Gnida said that a lot of blue markings for the trail have been spray painted to replace the ones that were removed when the trees were taken down.

6. Adjournment

A motion to adjourn was made by Mr. Annes and seconded by Ms. Lakin. It passed with no dissenting votes. The meeting ended at 8:21 p.m

Submitted by: _____
Stacy Shellard, Clerk of the Commission