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ATTEST: Donald L. Cooper
TOWN CLERK

MEETING MINUTES

Waterford Conservation Commission — September 22, 2016
Waterford Town Hall — 7:00 PM

Members Present:	Henry Curtis (arrived 7:05pm), Harold Hansen, Dave Lersch (arrived 7:06 pm), Tali Maidelis, John McSweeney and Jeff Sims
Members Absent:	Richard Muckle (notified absence)
Alternates Present:	Wade Thomas
Alternates Absent:	Joshua Steele Kelly (notified absence),1 vacancy
Staff Present:	Maureen FitzGerald, Environmental Planner Katrina Kotfer, Recording Secretary

1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

Chair J. Sims called the meeting to order at 7:02 p.m. W. Thomas was seated for R. Muckle.

2. APPROVAL OF THE September 8, 2016 MEETING MINUTES

Motion: Motion made by T. Maidelis, seconded by W. Thomas, to approve the minutes of the September 8, 2016 meeting as written.

Vote: 3-0- 2 H. Hansen and J. McSweeney, abstaining, not present at meeting.

J. Sims asked H. Hansen to chair the public hearing and recused himself from the meeting at 7:04 pm.

3. PUBLIC HEARING

C-16-7 54 Shore Road: Proposed Spillway Swale; Jerry Gorman – Applicant & Owner, Gerwick Mereen, LLC - Agent. (Public Hearing Scheduled September 22, 2016)

H. Hansen opened the public hearing at 7:05 pm. and read the notice of public hearing advertised in The Day newspaper. He noted that the exhibit list with exhibits 1-through 11 has been prepared and is in front of the Commissioners and applicant.

Don Gerwick, PE, of Gerwick-Mereen, LLC and John Ianni, Soil Scientist, were present for the applicant.

D. Gerwick gave an overview of the application and spillway design. He noted that the pond elevation has changed over time. The original outlet control elevation was in excess of two feet lower than it is currently based on a 1988 site plan. Over time, the outlet control elevation has changed to elevation 7. The proposal will not lower this elevation. The proposed spillway is 70 feet long and will have a 3 ft. wide base lined with fabric and 6 inch minus riprap. The intent is to release water from the pond following heavy rainfall events. The activity will temporarily affect 375 square feet of wetlands.

D. Gerwick reviewed the VE flood zone in the area and noted that much of the adjacent area is at elevation 8, below the VE flood zone elevation. He stated that the relatively narrow swale at

elevation 7 will not increase impacts to the pond from the VE zone.

J. Ianni, Soil Scientist, stated he delineated wetlands on the property on April 18, 2014. He reported that surface and groundwater levels were at their maximum at that time and the mapped edge of surface water by wetland flags #1 through #4 was over upland soil types. The fill soils along the retaining wall also contained redox features indicative of water table fluctuations. He stated there will be 375 square feet of temporary wetland impacts. The area where the work is to be done is a flat sandy area and the proposed E&S controls are more than adequate. In his opinion it would be preferable to do this work during a dry period.

D. Lersch asked if Mr. Ianni had checked the east side of the pond. J. Ianni replied that he did a visual observation as he did not have access to the neighboring property and observed a clear embankment on the west side of the pond. He stated that on a more recent August 2016 site visit, the pond was lower than when he had done his initial wetland mapping.

D. Gerwick reviewed the drainage area contributing to the pond.

J. McSweeney asked if the current water level in the pond is below the existing spillway. D. Gerwick replied that before Monday's rain it was below the spillway. J. Ianni stated that on September 17th the outlet was not flowing.

T. Maidelis asked if the potential flood impacts to the pond have been addressed. D. Gerwick replied that the spillway and surrounding lawn elevation is below the 100-yr flood elevation and below the VE flood hazard elevation of 12. He noted that from hydraulic point of view, there is not a significant impact to the pond.

Staff stated that if the project was to occur during the dry season it would minimize potential impacts and asked what type of wetland restoration is proposed. J. Ianni stated the area disturbed is small, and recommended it to re-grow naturally.

Staff stated that the disturbed area will be returned to existing grades.

H. Hansen opened the hearing for public comment. No one from the public spoke in favor or against the application. The public hearing was closed and the Commission adjourned for a five minute recess.

The Commission reconvened and J. Sims returned to the room at 7:30 p.m.

4. APPLICATION REVIEW

C-16-9 77 Foster Road – Proposed Excavation Operation – READCO, LLC – Applicant, Charles Secor – Owner, Theodore Harris – Agent(Action Date October 28, 2016, Last Meeting Date October 20, 2016)

Attorney Theodore Harris and Matt Broutin, PE. from BL Companies were present for the applicant. M. Broutin reviewed the plans with the Commission that incorporated staff and commission comments from the last meeting. He noted that the off-site wetlands are indicated, a wood chip berm included, individual phases for the excavation identified and modifications

made to the seeding notes and erosion control blanket specifications. Staff reported that she had reviewed the check print and is satisfied with the revisions.

Motion: Motion made by T. Maidelis, seconded by W. Thomas, to approve the draft permit with conditions for application C-16-9.
Vote: 7- 0

W. Thomas left the meeting at 7:40 pm.

5. NEW APPLICATION

Motion: Motion made by H. Hansen, seconded by T. Maidelis, to modify the agenda to move the application for 607 Mohegan Avenue Parkway in front of 128 Clark Lane.
Vote: 6- 0

C-16-11 607 Mohegan Avenue Parkway – Timber Harvest – Mashantucket Pequot Tribal Nation, Owner, Chris Casadei, Applicant (Action Date November 24, 2016, Last Meeting Date November 17, 2016)

Chris Casadei, Hull Forest Products explained to the Commission that they are proposing a medium-scale selective timber harvest of 130,000 board feet on 40 acres of the total 220 acre parcel. There are three stream crossings proposed to be used that are existing woods roads. The larger stream crossing will be conducted with a temporary bridge and the remaining two crossing will be stabilized with corduroy on the approaches. He stated that the haul routes on slopes will have water bars installed to reduce any erosion.

Staff reported that she had walked the site and the boundaries are well marked and the proposed trees are marked. Staff reported that the proposal is consistent with Section 4.1.a, Farming.

J. Sims asked if it would be better to leave the corduroy at the crossing after the harvest is complete to continue to stabilize the area. Mr. Casadei was agreeable to leaving the corduroy at the approaches to the crossings.

Motion: Motion made by J. McSweeney, seconded by D. Lersch, to find that application C-16-11, proposed timber harvest, is consistent with Section 4.1.a, and is approved as of right.
Vote: 6- 0

C-16-10 128 Clark Lane – Pipe Replacement – Town of Waterford, Owner & Applicant, Brian Flaherty – Agent (Action Date November 24, 2016, Last Meeting Date November 17, 2016)

The Commission reviewed the application and photographs of the pipe. Staff recommended that the work be conducted in a low flow period and the elevations of the culvert invert match the existing elevation.

Motion: Motion made by T. Maidelis, seconded by D. Lersch to have staff prepare a draft permit of approval for C-16-10.
Vote: 6- 0

6. OTHER BUSINESS

No discussion.

7. VIOLATIONS

No discussion.

8. CONSERVATION COMMISSION TASKS

Review of Planning & Zoning Commission Application PL-16-12 77 Foster Road

M. FitzGerald noted the application for a special permit is under review by the P&Z Commission and the Commission is requested to provide comments on natural resource issues in its capacity as the conservation commission versus the inland wetlands agency.

Commission members raised concerns over the location of the activity in the upper watershed of Stony Brook, with a tributary to Stony Brook mainstem crossing Clam Lane just off the northwestern corner of the property. Wetlands on the site are identified as a critical wetland resource in the watershed. Measures to reduce the area of disturbance were discussed, especially on bedrock slopes and areas where limited soil profile occurs over bedrock.

The impact and fragmentation of the upland habitat is a concern.

Commissioners raised concerns that the excavation plan was not considered as part of the medical office development at the corner of Foster Road and Cross Road. The activity was presented to the inland wetland agency as directly related to and conducted in conjunction with the medical office development. Commissioners noted the excavation and grading requirements should have been reviewed comprehensively as part of the overall site plan to consider impacts and incorporate low impact development criteria.

Commissioners raised concerns with the proposed excavation of material from slopes on the west side of the site that are relatively steep with rock outcrops and the potential for erosion and down gradient sediment impacts to sensitive resources and Stony Brook. The depth of excavation leaves a minimal layer of soil over bedrock. Reconstructed soil profiles shallow to bedrock will be difficult to re-vegetate and stabilize. They requested the feasibility of excavating to the depths and grades proposed be examined.

Commissioners requested verification as to whether blasting or processing will be conducted as part of the excavation and how will the material be removed in areas where rock outcrops occur? If processing is proposed, the site plan should indicate where the machinery will be located, stockpile areas, and measures to control sediment and dust generated from the operation.

Commissioners raised concerns with future trespass, vehicle damage to the restored area and dumping of trash and debris due to increased width of the access. Measures were requested to reduce the occurrence of vehicle trespass, illegal dumping and disturbance on the site following excavation activities, such as removing the stone roadbed and restoring the track to existing conditions. Barriers across the access road to deter vehicle trespass are recommended. Significant damage to wetlands has occurred on the abutting property from vehicle trespass.

Commissioners recommended that no re-fueling of vehicles or equipment should be conducted on the excavation area. Stumps should not be buried on the site.

The existing cross culvert carrying a tributary to Stony Brook under the paved portion of the access drive should be protected from heavy truck loading. If damaged, it should be required to be replaced and the necessary permits procured before initiating work.

Commissioners questioned if there is historical or archaeological value to the property, noting the occurrence of many small piles of stone and stone walls on the site.

Staff reported that the Commission's comments will be collated and submitted to the Planning & Zoning Commission for the public hearing record.

9. CORRESPONDENCE
No correspondence was received.

10. PAYMENT OF BILLS
No bills were received.

11. ADJOURNMENT
With no further business, the meeting was adjourned at 9:00 p.m.

Respectfully Submitted,

Katrina Kotfer
Recording Secretary