

DRAFT

INLAND WETLANDS COMMISSION
Regular Meeting Minutes
July 11, 2012 ~ 7:00 p.m.
Town Hall Annex, 80 Doyle Rd., Bantam, CT

Call to Order: Chairman Robert Blazek called the regular meeting to order at 7:02 p.m.

Members Present: Chairman Robert Blazek, Vice Chairman Barbara Brower, Dr. Frank Schildgen, Jack Hamill, Frederick Minck and Alternate Abby Conroy. Also present were Inland Wetlands Agent Dennis Tobin, Ph.D, and Recording Secretary Ann Combs.

Members Absent: Carol Williams

1. Public Comment: None

2. Appointment of Alternates: Mr. Blazek appointed Abby Conroy as a regular voting member.

APPLICATION RECEPTIONS

3. Nelson (Lawlor) – 225 Town Farm Road 7/11/12
Construct 14'X18' shed in regulated area

Richard Nelson spoke as the contractor representing Lawlor and explained that they want to build a shed located in the back of the property behind the pool. This 14'X18' shed will store pool equipment and a lawnmower. It will be built on blocks or piers, and he gave the commissioners permission to walk the property.

4. Pollack – 119 North Shore Road 7/11/12
Demolish existing dwelling and rebuild on existing footprint; repair septic if needed

Frank and Carolyn Pollack were present to explain they want to demolish their cottage and build a slightly smaller one in the same footprint and possibly repair the septic. Per DEEP instructions they have designated a reserve septic area should the current one fail. They asked to add to the application two items which are included on the engineer's map: 1) re-drill well in same location as dug well; 2) repair stairs to the lake. Keith Cudworth of White Memorial worked with them on the dock and stairs and instructed them to put poles 4' down for the frame for the dock. They will have a concrete pad on which the dock will rest. Their engineer will attend the next meeting.

Motion: Barbara Brower moved to add to the agenda the following item: 4a) Hamilton/Steinweg – 56 Clark Road – pond cleaning.

Second: Dr. Frank Schildgen

Vote: All voted aye and the motion carried.

4a) Hamilton/Steinweg – 56 Clark Road 7/11/12
Pond cleaning

No one was present for this reception, so it will be moved to the next meeting.

5. 6645 Federal Square Realty, LLC – Village Green Drive

7/11/12

Demolition of two existing buildings; construction of a new building and associated improvements

T. J. Donohue, Attorney, was present to introduce this reception as a demolition of two existing buildings in Village Green Drive to make way for a 38,963 sq. ft. building in the rear of the 8.03 acre site to be a new and larger Stop & Shop. He introduced Jennifer Usher, Project Manager of BL Companies and Jeffery Shomas, Wetlands Scientist, also of BL Companies. They presented a grading and drainage map, site plan and photo of existing area. Buildings to be removed are the one currently housing the Chinese and Pizza eateries and optical store, and the one in the rear that used to house The Market. The new building will be built in the rear of the property and designated on the map as the proposed Building C. There are three wetlands areas. First, there is a small existing detention basin with a shrub/scrub habitat that is currently being used to manage storm water and will continue in the same way. The second larger basin is an open water habitat. The slope around both is nearly bare. Both basins will be cleaned and enlarged to accommodate the development. Thirdly the property is bordered on the east by the watercourse known as Tannery Brook with a thin forested buffer. They have a landscape plan to plant shrubs around the basins and maintain the buffer along the brook. They felt the impact to the wetlands will be minimal. Dr. Tobin requested that they quantify the fill that will be needed. For parking, the approved plan on file calls for 282 parking spaces with 91 reserved spots. The proposed plan calls for a total of 333 spots. There will be five propane tanks on the eastern side of the building to be used for heating and food preparation. They will research the date the original permit was submitted. Existing pipes will continue to be used for drainage as well as new pipes to the larger detention basin. For comparison, the current Stop & Shop is 24,000 sq. ft. and Rite Aid is 14,000 sq. ft. Mr. Blazek announced there will be a public hearing on this application at the next meeting on August 8, 2012 at 7:00 p.m., location to be determined. He also asked them to submit a bond in the amount of \$5,000.00.

APPLICATION CONSIDERATIONS

6. LaPlaca Oil & Propane – Torrington Rd. (Map 145, Block 021, Lot 10F)

7/11/12

Construction of 1800 sq. ft. office building, above-ground propane storage tanks, gravel driveway, parking and bio-filtration basin for storm water renovation

Chairman Robert Blazek appointed Vice Chairman Barbara Brower to take the chair, recused himself from this application and left at 7:30 p.m. Ms Brower read “Section 10 – Considerations and Decisions” from the Inland Wetlands Regulations which explains the criteria on which the Commission must base its findings.

Motion: Dr. Frank Schildgen moved to bring this application to a vote.

Second: Fred Minck

Vote: All voted aye and the motion carried.

Dr. Schildgen said he was surprised that so few public attended this meeting. He also said he has never had an application since he has been on the Commission where every square foot was in the regulated area. He said this is a peninsula with Class A water surrounding it on three sides which causes a greater concern for the water. He also noted that Sean Hayden’s report was negative toward the development. Because of this and his worry about the surrounding water, he said he would vote against the application.

Fred Minck cited the development all around the area with multiple vehicles causing much more activity than this application involving a couple large trucks a week. A previous designation for this space was an office building decades ago. He did not see a problem with this application and said he was in favor.

Jack Hamill was concerned with the condition of the fill and the perched concrete pad on top of a perched water table which is over the wetlands. There is so little room for anything to go wrong, that if it did, it would happen very fast. Clarence Welti's report says the structures within the soils are not stable enough to support the activities and they do not know the failure of these things. He never heard discussion of any alternative sites that were proposed. In view of these reasons, he said he would vote nay.

Vice Chairman Barbara Brower then called for the motion to approve or deny the application.

Motion: Dr. Frank Schildgen moved to deny the application for LaPlaca Oil & Propane.

Second: Jack Hamill

Vote: Dr. Schildgen, Jack Hamill and Barbara Brower voted aye, Fred Minck voted nay and Abby Conroy abstained because of absence from part of the proceedings. Barbara Brower announced the motion carried.

7. Approval of Minutes of June 13, 2012

Motion: Dr. Frank Schildgen moved to approve the minutes of 6/13/12.

Second: Barbara Brower

Discussion: Barbara Brower referred to an email from Sean Hayden dated 6/27/12. He said there was a typo in the first paragraph of Item 8 on page 4. The sentence says, "A memo from Sean Hayden, Northwest Conservation District, dated 5/9/1 says this is not an intense industrial use." It should be corrected to say, "A memo from Sean Hayden, Northwest Conservation District, dated 5/9/12, says this *is* an intense industrial use." All agreed with the correction.

Vote: Upon voting, all voted aye on the motion as corrected and it was passed.

8. Correspondence

- Notification from Aquatic Control Technology, Inc. of pesticide application in Bantam Lake and Hidden Pond dated 6/18/12
- June brochure from the CT Environmental Review Team (ERT) offering its project-directed services in assisting municipalities in environmentally-sound decision making.

9. Adjournment

Motion: Dr. Frank Schildgen moved to adjourn at 7:53 p.m.

Second: Jack Hamill

Vote: All voted aye and the motion carried.

Respectfully submitted,



Ann D. Combs, Recording Secretary