

Minutes
CONSERVATION COMMISSION/ INLAND WETLANDS AGENCY
WATERTOWN, CONNECTICUT
PUBLIC HEARING
Application # 643 - 741 ECHO LAKE ROAD

Meeting Date Thursday, January 8, 2009
Time: 7:00 pm
Meeting Place: Watertown High School Technology Center
324 French Street
Watertown Connecticut

Members Present: Mr. Ed Undercuffler, Chairman
Mr. Donato Orsini, Vice Chairman
Mr. Tom Murphy, Secretary
Mr. Mike Genovese

Members Absent: Mr. Tony DiBona
Mr. Joe Polletta
Mr. Jim Zawadzki

Alternate Present: Ms. Martha Sturgis
Ms. Denise Russ

Alternate Absent: Mr. Michael Brown

Others Present: Ms. Ruth Mulcahy, Land Use Administrator
Mr. Chuck Berger, Town Engineer
Mr. Chuck Bezio, Land Use Secretary

1. Call Meeting to Order

Chairman Undercuffler called the Public Hearing to Order at 7:00 pm.

2. Roll Call

Mr. Murphy executed the Roll Call.

Chairman Undercuffler seated Martha Sturgis for Tony DiBona and Denise Russ for Jim Zawadzki.

Chairman Undercuffler read aloud the Ground Rules as follows for the record:

**“GROUND RULES FOR CONSERVATION COMMISSION/
INLAND WETLANDS AGENCY”**

1. The applicant or his representative will make his formal presentation to the Commission stating the proposed regulated activities, the wetland impacts, and the alternatives which were considered by the applicant.
2. All comments, discussion and observations shall be made through the Chair after proper recognition by the Chairman. This is necessary to ensure that only one person at a time speaks on any issue, thus making it easier for everyone to understand and for clearer legal transcription.
3. All persons addressing the Commission shall begin by first clearly stating their name and address for the record. If necessary, the person may be asked to spell his name for the record.
4. Following the presentation of the application, the Conservation Commission/ Inland Wetland Agency will ask specific questions of the applicant.
5. After the Commission has asked its questions of the applicant, I shall then allow any members of the public who wishes to speak either in favor of this application or against it to address the Commission.
6. I shall then allow the applicant to respond to the comments of the members of the general public.
7. I shall then allow any members of the general public who wish to present any additional information or clarifying discussion to do so.
8. I shall then provide an opportunity for the applicant to respond to these additional remarks if he or his representative so wishes.
9. The Conservation Commission/Inland Wetland Agency has thirty five days from the date the public hearing commences to complete the public hearing. The Commission may ask the applicant for a thirty five day extension of the public hearing period if the commission requires any additional information or wishes to schedule a site walk to observe the situation for them.
10. The Conservation Commission/Inland Wetland Agency has thirty five days from the date when the Public Hearing is closed to render its decision.

3. **Hearing of Applications**

A. Continuation of the Public Hearing from September 11, 2008 and October 9, 2008 – Application #643 of 741 Echo Lake Road, LLC for construction of 66 condominium units and 2,045 linear foot new private roadway located on the Northwest corner of Echo Lake Road and Buckingham Street, Watertown, CT.

Recess or adjourn the Public Hearing must be closed by January 8, 2009.

Brain Baker a Civil Engineer from Civil 1 was present and reviewed the application with the Commission. Mr. Baker reviewed the three storm water areas with the Commission. Mr. Baker reviewed the revisions made to the application with the Commission. Mr. Baker noted that they have deleted two units and shortened the road way so the storm water renovations could be expanded. Mr. Baker advised the Commission that the applicant has increased the storm water renovations by adding a fourth water basin. Mr. Baker advised the Commission that there is 3:1 sloping grading changes made to the application. Mr. Baker advised the Commission that the applicant has removed the infiltrators. Mr. Baker advised the Commission that he had met with the Commission's staff Town Engineer Chuck Berger, Assistant Wetlands Officer Moosa Rafey, and Sean Hayden from the Northwestern Conservation District. Mr. Baker advised the Commission that the applicant agreed to provide footing drains a cross the road to provide ground water recharge. Mr. Baker reviewed with the Commission the report dated 1/5/09 from Sean Hayden of the Northwestern Conservation District. Mr. Baker advised the Commission that the applicant has some issues with some of the statements made in the report. Mr. Baker read a portion of his letter into the record regarding the stream channel criteria. Mr. Baker advised the Commission that the specifications for the rain garden seed mix and the fill is following the guidelines. Mr. Baker expressed concerns with Mr. Hayden's report indicating that a pollution analysis is not needed. Mr. Baker noted that the present plan is the most feasible and prudent plan and the applicant has submitted 5 plans to the Commission.

Town Engineer Chuck Berger was present and advised the Commission that he had met with Brain Baker from Civil 1 and Sean Hayden from the Northwestern Conservation District. Mr. Berger noted that he does not have a memo to submit to the Commission at this time regarding the revisions made to the plans. Mr. Berger noted that he is not on the same page with Brain Baker and there are many items that still need to be addressed. Mr. Berger confirmed that the new 2004 Water Quality Guidelines are not regulations, but the Town has tried to implement as many of the recommendations as possible.

Mr. Berger reminded the Commission that Engineer Trinkaus comes to the Commission with certifications as an Erosion Control Professional as well as a certified Water Quality Professional. Mr. Berger advised the Commission that he has had discussions on the issues he has raised that he agreed with and points that he had disagreed with. Mr. Berger advised the Commission that there are a few issues he would need to discuss further with Mr. Trinkaus.

Chairman Undercuffler noted that it appears that the Town Engineer still has concerns with the application.

Ms. Sturgis requested the Town Engineer to do a review of the revisions made.

Ms. Mulcahy advised the Commission that staff can do further reviews and may comment on the information that has been submitted, after the public hearing is closed but noted that staff can not accept nor review any new material.

Sean Hayden from the Northwest Conservation District was present and reviewed his letter dated 01/05/09 with the Commission. Mr. Hayden noted that there is nothing in his letter regarding the storm water renovation that is not in the State Guidelines. Mr. Hayden advised the Commission that many of the items in the report are important and should be implemented. Mr. Hayden noted that the applicant is offering 3' sediment forebays and Mr. Trinkuas is recommending 4' sediment forebays and this is an important design criteria. Mr. Hayden expressed concerns that if the forebays are too shallow then it doesn't work properly. Mr. Hayden discussed the 2:1 slopes needing engineered stabilization if the applicant is not going to do reverse slope bench. Mr. Hayden expressed concerns with the storm water and storm water renovation areas with the Commission. Mr. Hayden expressed concerns with the depths of the proposed basins. Mr. Hayden discussed with the Commission what works best with the water quality renovations. Mr. Hayden noted that the guidelines do note that deep areas of your wet pond should be combined with the shallow areas. Mr. Hayden expressed concerns with the depth of the proposed basin. Mr. Hayden noted that it is the shallows that do all the cleaning and renovation. Mr. Hayden also noted that settling happens only in the deeper areas. Mr. Hayden stated that water is in contact with soils and vegetation in the shallows and that this also is an important design element. Mr. Hayden expressed concerns with the aquatic bench being the berm that separates the basin area. Mr. Hayden noted that in the guidelines the aquatic bench is a large area and is not the berm that separates basins. Mr. Hayden expressed concerns that the applicant had not followed the Guidelines. Mr. Hayden discussed the ground water recharge volume and what was required with the Commission.

Ms. Mulcahy asked if the ground water recharge volume had been submitted.

Mr. Hayden replied "yes". Mr. Hayden expressed concerns and needed clarification on the basin design to provide minimal amounts of water quality treatment. Mr. Hayden expressed concerns with that the basin does not have many of the required design elements of a storm water quality pond.

Chairman Undercuffler asked Mr. Baker if he is speaking about the B2 basin?

Mr. Baker, replied "Yes".

Mr. Hayden expressed concerns with the number of temporary sediment traps using the four storm water renovations. Mr. Hayden noted that he would recommend more.

Mr. Hayden expressed concerns with the sediment and erosion control plan details because they do not explain how the water will get to these renovation areas during construction. Mr. Hayden recommends putting in additional sediment traps near the location of the construction areas.

Mr. Baker stated he would agree to add additional sediment traps and swales near the location of the construction areas as necessary as a condition of approval.

Mr. Hayden expressed concerns with the applicant not having a pollution analysis. Mr. Hayden reported that the TSS analysis does not meet the 80% removal rate that is the DEP requirement.

Ms. Mulcahy advised the Commission that a third part reviewer can submit additional comments on materials submitted. Ms. Mulcahy advised the Commission that the independent third party is considered staff and can comment and review materials which, have been submitted before the public hearing closed.

Mr. Baker advised the Commission that Civil 1 had developed Reflections at Echo Lake. Mr. Baker noted that this project is of a good design and is protective of storm water for a moderate density development.

Ms. Mulcahy reported to the Commission that she has had several complaints regarding the storm water drain system on the project. Ms. Mulcahy explained that there is a group of residents that have been researching the files because there are things that are not properly functioning on the site. Ms. Mulcahy expressed concerns with using this site as an example of the quality of the storm water management system being proposed.

Public: None.

Discussion: The Commission discussed closing the public hearing and getting an additional review from Chuck Berger the Town Engineer.


Ms. Russ moved to close the public hearing. Mr. Orsini seconded the motion.

Discussion: None

Vote: 6 in favor Abstained: 0 Opposed: 0

MOTION PASSED UNANIMOUSLY

Attest:



Ed Undercuffler, Chairman
Conservation Commission
Inland/Wetland Agency

Approved by: Chuck Bezio, Land Use Secretary