I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. BUSINESS MEETING

III-A. PUBLIC COMMUNICATIONS

III-B. OLD BUSINESS
1. PERMIT APPLICATION #18-17, BOOTH HILL ESTATES SUBDIVISION PHASE 2 – Booth Hill Road. Proposal to create a 13-lot conventional subdivision involving road construction within a regulated area, detention basin construction and discharges of stormwater to a regulated area.

III-C. NEW BUSINESS
1. PERMIT APPLICATION #18-20, HUNTINGTON WOODS LLC – 702 Bridgeport Avenue. Proposal to excavate detention pond located on watercourse to original specifications by removal of silt and weeds.

2. PERMIT APPLICATION #18-21, THE RIDGE AT SAWMILL – 60 Beard Saw Mill Road. Proposal to construct an 89-Unit apartment complex with grading within upland review area and discharge of stormwater to a regulated area.

3. PERMIT APPLICATION #18-22, JODLOWSKI/SZLAGA PROPERTY – 34 Federal Road. Proposal to install new septic and home addition within upland review area and stream crossing for installation of public water service to replace well.

III-D. MISCELLANEOUS
A. Agent Reviewed Applications:
1. PERMIT APPLICATION #18-18, OSSO PROPERTY – 61 Fort Hill Avenue. Proposal to construct an above ground swimming pool and deck reconfiguration within upland review area.

2. PERMIT APPLICATION #18-19, D’ASCANIO PROPERTY – 29 Birchbank Road. Proposal to construct a deck addition within upland review area.

3. PERMIT APPLICATION #17-14, TOWN CENTER AT SHELTER RIDGE – Bridgeport Avenue/Mill Street/Buddington Road. Commission to authorize committee to make selection for peer review.

IV. MINUTES
September 11, 2018

V. ADJOURNMENT
Chairman Zahornasky called the Special Meeting of the Inland Wetlands Commission to order at 7:00 P.M.

I. PLEDGE OF ALLEGIANCE

All in attendance recited the Pledge of Allegiance.

II. ROLL CALL:

Gary Zahornasky, Chairman
Michele Kawalutzki, Commissioner
Ken Nappi, Commissioner
Charlie Wilson, Vice-Chairman

Excused:
Robert Dunford, Commissioner
Jack Goncalves, Commissioner
Joseph Reilly, Commissioner

Also Present:
John Cook, Staff

III. BUSINESS MEETING

III-A. PUBLIC COMMUNICATIONS - None

III-B. OLD BUSINESS

1. PERMIT APPLICATION #18-17, BOOTH HILL ESTATES SUBDIVISION PHASE 2 – Booth Hill Road. Proposal to create a 13-lot conventional subdivision involving road construction within a regulated area, detention basin construction and discharges of stormwater to a regulated area.

Jim Swift
Professional Engineer/Landscape Architect

June of this year the Commission approved a wetland impact that went from Booth Hill Road, it had to do with some buffers in inland wetlands as well as a Conservation easement, a drainage detention pond here, discharge down there at that location. We went back and forth, we did a lot of work John and I in straightening out certain things. That project was approved as you see it down here. Subsequent to that Planning & Zoning approved our residential on 1 lot but denied our ½ acre lots. So we submitted a few months ago, after this board, a revised plan, has a revised roadway, fewer and larger lots because they are 1 acre and I presented at that time this drawing that shows that road was moved slightly and it’s a public road instead of a private road. We re-organized the detention pond somewhat but everything in this direction and everything from here in this direction is precisely the same as the approved previous plans. I made the presentation and the Commission seemed happy. Initially we had a letter from the City Engineer pointing out some issues and a letter from Aquarion. So I had a meeting with John and Bob Kulacz and we came up with a new design that would meet the requirements of Bob’s letter. He was concerned about the discharge quantity coming down this watercourse, and the reason he was is because there’s 2 different water sheds there. They were unbalanced as far as the discharge rate and he was concerned I was discharging more water than this watercourse currently holds. We basically did what Aquarion is asking. They say why not double the size of the detention pond so that we can eliminate
the outlet to the detention pond. That defies the laws of physics, just because we double the size of the detention pond doesn’t mean we have outlet to it, that’s why I have some problems with Aquarion’s letter.

What Bob requested is kind of what Aquarion is asking. As you can see that the pond is significantly bigger, it is almost double in size. You can see that the grading extends much closer to the roadway in this location and we had been promising the Commission, we had been trying to balance out and give back to the Commission the same amount of Conservation Easement that we had given in the plan previously approved. Now that we are making this pond bigger, we lose that area as undisturbed. But in speaking with John we decided let’s make it a Conservation Easement anyway. We need to put an easement over this entire thing for the City of Shelton for a drainage easement, and we decided we’re going to put a Conservation Easement over it too. It doesn’t hurt anything or encumbers anything that matters to the homeowner. So it’s a good idea and we did it. So now there’s even more conservation area than the original approval.

Because the pond is so much bigger I thought it was a good idea to go a bit further with the design of this. What you see here is a blow up of the pond area and we’re adding a little bit more detail to it. One of the things we always have to calculate for is the city ordinance for storm water is the water quality volume basically the 1st inch of water that comes in and makes it down here. As the Commission is familiar with, we’d like to split our detention ponds with some sort of a stone berm so that water flows into the 1st part of the detention pond and then has to filter its way through the stone berm to get to the 2nd part. In this case we did a specific sizing of it so that it holds the entire water quality volume. The 2nd thing we did was we added a fabric stabilization all around the slope, that’s something we probably would have had to do for the erosion control permit that we’ll be getting from DEEP. We are doing 1 additional thing, and this came out of the meetings we were having with John, is we’re taking this entire slope on the fabric and we’re going to plant it with Red Maple Whips. That’s Red Maple, 2-3 feet high, has a small pocket root ball so won’t have any trouble planting it on the slope and we’re going to plant it very dense. 1 at every 10’ on the entire hillside. So we’ll have the stabilization fabric to get the grass growing but we’ll also have all those Red Maples so it turns out to be 110 trees. It will fill in that entire slope area and stabilize it and never have a problem with it. It’s fairly cost effective and reasonable.

Last but not least, John had 1 more issue that he wanted to bring to the floor which was that there is a wetland down here on an adjoining property and my theory on this had always been that if there was something that we could do to help those people because they say they have water issues, that’s why we’re putting this pipe in that picks up the water at this point and takes it all the way down and doesn’t discharge until it’s on the other side of that house. John’s request has always been that there was always an inland, in my opinion this will not affect the adjoining properties at all because I believe that this is a ground water system. It disappears in a lot of places; it’s hard to find the channel. Once you get down here the channel is very clear and it’s close to a perennial watercourse and that’s because all of this is formed by my opinion, ground water not dependent on surface water or some stream.

Having said all that John has put in his latest comments that why not take some nominal flow and discharge it at that point so that we could keep this wet. I thought about it and came up with is we could take out the bottom of our pond, just with a 4” PVC pipe, it will provide a steady stream of some flow in that area. I didn’t see any harm in it, I’m not crazy about it, when the neighbors see any type of pipe coming out in that area that they might get a bit antsy but I have to conceive John’s point. So those are the changes that were made, we’ve addressed everything in the City Engineer’s letter, we have provided him a copy of our easement letter, we’ve addressed most of which Aquarion has asked for of the things that are physically possible.
WCEO REPORT
October 11, 2018

PERMIT-APPLICATION #18-17, BOOTH HILL ESTATES SUBDIVISION PHASE 2 – Booth Hill Road. Proposal to create a 13-lot conventional subdivision involving road construction within a regulated area, detention basin construction and discharges of stormwater to a regulated area.

STATUS: 1. Application received September 13, 2018
2. 65-day clock to decide action or schedule public hearing expires November 16, 2018
3. Conservation Commission report to P&Z no date rec’d via email 10/9/18
4. Aquarion Letter rec’d via email 10/9/18
5. City Engineer Letter

PLANS: BOOTH HILL ESTATES PHASE 2
Cover Sheet September 6, 2018
Subdivision Plan
Existing Conditions Plan Jan. 30, 2018 rev. 9/6/18
Orientation Plan
Grading & Utility Plan
Septic Testing & Design
Soil Erosion Control
Plan & Profile
Construction Details

COMMENTS: As briefly discussed at the last meeting the plan has been modified to design as a regular subdivision. The changes to a standard subdivision and provisions for a conservation easement along Booth Hill Road go a long way to minimize disturbance and enhance future protection of the small regulated area that runs parallel to Booth Hill Road and flows into the Far Mill Reservoir. Particular note to lots 6, 16, 17, 18.

However, there are still reservations expressed over the design of the discharge with 440’+/- of piping. While this piping was approved with the earlier plan. I still raise the question that it may eliminate the flow that sustains the watercourse and wetland condition north of lot #6. It appears to essentially sever the hydraulic connection if not immediately, over time.

The Aquarion Water Company has concerns still with this design and recommends a larger detention basin. Is it possible to redesign the basin and its outflow parameters to utilize the existing watercourse and wetland corridor? But design the outflow to not amplify or aggravate the backyards of the two properties north of the subdivision. V

If the detention basin design truly mitigates the increase of runoff from the subdivision it would appear the use of the existing watercourse should not be hindered.

Other than this concern the current plan minimizes regulated disturbance with future lot owners when compared compared to the earlier plan.
October 10, 2018

John R. Cook  
Wetlands Coordinator  
City of Shelton  
54 Hill Street  
Shelton, CT 06494

Re: Booth Hill Estates Phase 2, Booth Hill Road;  
1) Subdivision Plan updated  
2) Plan Sheets 1 through 6 all dated January 30, 2018, revised 9/6/18  
3) Storm Drainage Report dated September 6, 2018  
4) Aquarion Water Company correspondence dated October 2, 2018 and March 6, 2018

Dear Mr. Cook:

This office has reviewed the revised development plans for phase 2 of this subdivision proposal. As with the original submission, Erosion and Sediment Control as well as Stormwater Quality are two of the major concerns with the proposal. These issues are also of concern to the Aquarion Water Company due to the Class 1 watershed property abutting this subdivision property.

This revised proposal has more impact to the Class 1 watershed property than the original proposal. Rather than a 700 foot long/24 foot wide private road, the revised plan calls for an 1100 foot long/25 foot wide city street. The revised proposal will generate less post-construction runoff sheet flow into the watershed A2 in comparison with the original proposal. However, the joint discharges from the proposed detention pond and its 24 inch outfall pipe into watershed A1 are greater with the revised plan. Aquarion expressed concerns with this discharge in their correspondence dated March 6, 2018. Those concerns have not been sufficiently addressed.

What is also lacking is confirmation that the developer has obtained or will be able to obtain a drainage easement from the property owner at 470 Booth Hill Road. Without said easement, the detention pond outfall cannot discharge into the existing intermittent watercourse located on private property. Additionally, we need to know what the existing flows in said intermittent watercourse are and whether the discharge from the detention pond outfall pipe may cause erosion due to the increased flows from the development.

Due to the aforementioned concerns, this office recommends that the application be halted so that the engineer can sufficiently address the interests of the water company and provide confirmation of the drainage easement and an analysis of the watercourse receiving the joint discharge.

Very truly yours,

Robert F. Kulcz, P.E.  
City Engineer

cc: Richard G. Schultz, Planning & Zoning Administrator  
File: Booth Hill Estates
Dear Ms. Hargr:  

The following comments apply to the proposed conventional subdivision on the corner of Booth Hill Road and Waverly Drive:  

1. Site Plan Discrepancy: The drawing titled “Subdivision Map” (sheet 1 of 1) indicates the proposed open space parcel is 2.687 acres, while sheet 2 of 8 indicates that the open space parcel is 2.27 acres. Also, the “Subdivision Map” drawing is not dated or stamped.

2. Open Space delineation: We have encountered many instances of homeowners expanding their yards into conservation areas. This results in the loss of open space and becomes a management issue for City staff. Therefore, the boundaries between the new building lots and the proposed conservation areas should be permanently and clearly delineated. Preference is for a simple stone wall to be built along the open space boundary. Lots 9-12 have existing stone walls along their rear boundaries with the State of Connecticut land (Centennial Watershed State Forest). We would like a new connecting stone wall built along the rear boundaries of lots 7, 8 and 9. There are existing stone walls onsite that will be destroyed when the new homes are constructed. The rock from these walls can be reused along the open space boundary. Alternatively, concrete markers 42” tall can be installed along the boundary at each property corner and along the open space boundary at a frequency of no less than one marker per every 100 feet.

3. Site Drainage: The plans show a retention pond and about 460 feet of overflow piping that would cross the new open space parcel and discharge into the intermittent stream channel next to the Aquafion property line near the drinking water reservoir. The applicant should be required to receive approval from Aquafion for any new discharge.
4. Conservation Easements: The applicant should be required to file a deed to the City of Shelton using the standard legal language as defined in the City’s Conservation Easement Ordinance.

Sincerely,

[Signature]

Thomas Harabinson
Chairman

Cc: John Cook, Inland Wetlands
October 2, 2018

Gary Zahomasky, Chairman
Shelton Island Wetlands Commission
City of Shelton
54 Hill Street – Third Floor
Shelton, CT 06484

Re: Booth Hill Estates – Phase 2, 13 Lot Subdivision

Dear Mr. Zahomasky,

In compliance with Public Act Number 06-53 of the Connecticut General Statutes, the Aquarion Water Company received notice of the above referenced application on September 14, 2018. The site of the proposed project is within the watershed of Aquarion’s Fur Mill Reservoir, a public water supply for not only Shelton but surrounding communities.

Aquarion source protection staff has reviewed and commented on the previous application for this site. Given the close proximity to Class 1 and Class 2 watershed land, Aquarion still supports the Shelton Conservation Commission’s recommendation to preserve the property in its undeveloped state given its important function in protecting water quality.

In review of the current application, Aquarion continues to have great concerns with the stormwater impacts from this proposal. In a previous letter, we Aquarion recommended doubling the detention pond size to prevent any overflow. Another option would be to consider eliminating the need for the detention pond and the overflow pipe entirely by incorporating Low Impact Development practices for stormwater control. Examples of this are included in the attached publication from US EPA on LID practices. Before we comment on any other aspects of this plan we would like your commission to ask the applicant to address this issue.

The current configuration of the detention pond and piping is a threat to Aquarion’s source water quality. The plan calls for a 24 inch pipe overflow from the storm water detention pond directly to the North Western corner of the Booth Hill Estates property where it meets Aquarion property about 350 feet from the reservoir. Since the design of the detention pond is to collect run-off water from the site and catch basins along the 1000 foot roadway, there is risk of impaired water quality from sediment, salts, fertilizers, herbicides, pesticides, other contaminants.

Once these improvements are made Aquarion would like to again have the opportunity to review and comment on the revised plans. In addition, Aquarion recommends the City of Shelton Wetlands Commission request independent professional engineering and environmental reviews of this application.
Aquarian once again appreciates the opportunity to comment on this project and thanks you for your help in protecting the public drinking water supply. If you have any questions please feel free to contact me.

Sincerely,

George S. Logan
Director – Environmental Management

Enclosure

cc: John Cook, City of Shelton, Wetland Administrator
    Richard Schultz, City of Shelton, Planning and Zoning Administrator
    Jim Swift, P.E., ASLA
The Commission stated that they would like to have all documents and comments in to the Commission prior to next meeting, preferably on November 6. Mr. Swift and John Cook will confer to make sure all documents are received prior to the next meeting scheduled for November 8, 2018.

III-C. NEW BUSINESS

1. PERMIT APPLICATION #18-20, HUNTINGTON WOODS LLC – 702 Bridgeport Avenue. Proposal to excavate detention pond located on watercourse to original specifications by removal of silt and weeds.

WCEO REPORT
October 11, 2018

PERMIT-APPLICATION #20, HUNTINGTON WOODS LLC – 702 Bridgeport Avenue. Proposal to excavate detention pond located on watercourse to original specifications by removal of silt and weeds.

STATUS: 1. New Application
2. 65-day clock to decide action or schedule public hearing expires December 15, 2018

PLANS: SPLIT ROCK CORNER
Site Plan Pond Maintenance Oct. 2, 2018

COMMENTS: Similarly, as with some of the other detention basins along Bridgeport Avenue the plan is to go into the pond and remove vegetation and sediment to original specifications that was approved by the Commission when the site was developed.

As this pond was constructed not only on an active watercourse, the system is does receive a variety of runoff from surrounding urban development. The small pond constructed on this system in addition to some engineering function does also provide an aesthetic component when patrons enter the site from Bridgeport Avenue so the restoration in this regard is important to the owner to allow continued function of the fountain feature.

Recommend receipt for review.

Steve Bellis
Attorney for Client James Blakeman

This is Split Rock shopping center. The detention pond was built in 2004 and over the past 14 years it has filled in with leaves and silt. Like John stated we just want permission to go in and clean it up and hopefully get the water working so that the fountain works again. In my application there is an adjacent green area, there are some trees in there. Unfortunately some have died and their limbs are falling on cars in the parking lot, we wanted permission to remove the dead trees. We have no schedule as to when this will occur but would like permission so that if there is a break in the weather we can start.

Accepted for review, approval at next meeting.

2. PERMIT APPLICATION #18-21, THE RIDGE AT SAWMILL – 60 Beard Saw Mill Road. Proposal to construct an 89-Unit apartment complex with grading within upland review area and discharge of stormwater to a regulated area.
Al Shephard  
Professional Engineer

Here with the applicant. This is the property that we went in to the subdivision and the assisted living is under construction over here. We have added a second building onto the property. There’s a swale along the highway and it’s a rip rap swale, it is in the regulated area so we wanted to come in front of the board. This was ledge outcrop when we started, still a ledge outcrop but flatter now. I wanted to go over the drainage. I’m using pipe storage because of the ledge. We have gall ways over here and over here. I have oil separators for drainage. There’s 1 catch basin can’ get in to the southeast of the property, there’s a small watershed that doesn’t surface. We’re providing all the storm water management to the 100 year storms, there are no wetlands on the property but it’s next to a drainage swale.
WCEO REPORT
October 11, 2018

PERMIT-APPLICATION #21, THE RIDGE AT SAWMILL – 60 Beard Saw Mill Road.
Proposal to construct an 89-Unit apartment complex with grading within upland review area and discharge of stormwater to a regulated area.

STATUS: 1. New Application
2. 65-day clock to decide action or schedule public hearing expires December 15, 2018

PLANS: HAWKS LUXURY RENTALS, LLC
Grading and Utility Plan Oct. 2, 2018
Soil Erosion Control Plan

COMMENTS: The proposed plan is a different user and use; assisted living versus private apartments, and the layout has more regulated activity than the one previously considered by the Commission several years ago. As the original business plan was not executed the property owner has developed his own plan for this apartment complex.

It is this particular plan that has been designed with more disturbance within the upland review area for grading and parking. Because the increased grading work is a direct product of this particular design staff in standard fashion is to question why a design was not investigated to maintain the same work as the commission previously considered. Copies of drainage analysis has just arrived 10.9.18 and will forwarded to City Engineer for review.

Recommend receipt for review.

AJ Grasso
Prestige Builders
14 Red Tail Court

There’s 11 acres total here, Breakview is in the process of building on 8 acres and they were working with us to have an option to purchase the other 3 so that’s what was submitted to you originally. Their option was to run 5 years and we couldn’t wait 5 years. One of the agreement in selling them this property for assisted living, we no longer have the ability to sell the remaining 3 acres. They don’t want competition adjacent to their property. That’s why it has changed to a low grade of disturbance.

Accepted for review and would ask that the City Engineer take a look at this and have his comments presented prior to next meeting.

3. PERMIT APPLICATION #18-22, JODLOWSKI/SZLAGA PROPERTY – 34 Federal Road. Proposal to install new septic and home addition within upland review area and stream crossing for installation of public water service to replace well.

Tomasz Jodlowski, homeowner
34 Federal Road

WCEO REPORT
October 11, 2018

PERMIT-APPLICATION #18-22, JODLOWSKI/SZLAGA PROPERTY – 34 Federal Road.
Proposal to install new septic and home addition within upland review area and stream crossing for installation of public water service to replace well.

STATUS: 1. New Application
2. 65-day clock to decide action or schedule public hearing expires December 15, 2018

PLANS: IMPROVEMENT LOCATION SURVEY
Tomasz Jodlowski & Joanna Szlaga – 34 Federal Road
Oct. 7, 2017 rev. October 4, 2018

COMMENTS: This homeowner application provides for three regulated activities to this modest ranch home of 950 SF. The first is the construction of a home addition. A portion of the addition is within the upland review limit of the watercourse. The second is a new septic system. A portion of the new system is within the upland review limit of the
watercourse. The third regulated activity is the installation of a water service to provide public water and to abandon the existing well.

The addition complies with the standards for wetland upland review that are flagged just beyond the property line. The three regulated activities proposed are all within yard spaces created with the home was constructed approximately 60-years ago.

Recommend receipt for review.

John Cook has been out to site. Accepted for review, November 8 for approval.

III-D. MISCELLANEOUS

A. Agent Reviewed Applications:

1. PERMIT APPLICATION #18-18, OSSO PROPERTY – 61 Fort Hill Avenue. Proposal to construct an above ground swimming pool and deck reconfiguration within upland review area. – Approved as Agent

2. PERMIT APPLICATION #18-19, D’ASCANIO PROPERTY – 29 Birchbank Road. Proposal to construct a deck addition within upland review area. – Approved as Agent

3. PERMIT APPLICATION #17-14, TOWN CENTER AT SHELTER RIDGE – Bridgeport Avenue/Mill Street/Buddington Road. Commission to authorize committee to make selection for peer review. – Approved as Agent
IV. MINUTES
September 11, 2018 - tabled

V. ADJOURNMENT

Commissioner Kawalutzki motioned to adjourn the Special Meeting of the Inland Wetlands Commission. Vice Chairman Wilson seconded the motion.

A voice vote was taken; motion passed unanimously.

Chairman Zahornasky adjourned the Special Meeting of the Inland Wetlands Commission at 8:17 P.M.

Respectfully submitted,

Sophia V. Belade
Clerk – Inland Wetlands

1 tape available in Town Clerk’s Office