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CITY OF SHELTON
INLAND WETLANDS COMMISSION
REGULAR MEETING MINUTES
Thursday, August 9, 2007
7:00 P.M., Room 303

I. PLEDGE OF ALLEGIANCE

All in attendance recited the Pledge of Allegiance.

II. ROLL CALL:

Gary Zahornasky, Vice-Chairman
Celeste Beattie, Commissioner
Randy Szkola, Commissioner
Norman Santa, Commissioner
Ken Nappi, Commissioner
Charles Wilson, Jr, Commissioner

Absent: Alvaro DaSilva, Chairman
Neil Hayes, Commissioner
John Cook, WCEO

Also Present: Sophia Belade, Inland Wetlands Clerk

Vice Chairman Zahornasky called the regular meeting of the Inland Wetlands Commission to order at 7:06 P.M.

III-A. PUBLIC COMMUNICATIONS and request to addressed the Commission with non-agenda items.

There was no one from the public that wished to address the Commission.

III-B. OLD BUSINESS

1. SHOW CAUSE HEARING – LIPOVSKY PROPERTY – 10 FAR MILL STREET.
Driveway construction through regulated area without permit.

No one was there to address the Commission. Vice Chairman Zahornasky read into the minutes John Cook's report:

Since there was no one here representing this property tonight or last month, the Commission discussed having a letter sent from Corporation Counsel.

Commissioner Szkola motioned to have Corporation Counsel send a letter to the owners of this property. Commissioner Charles Wilson Jr. seconded the motion.

A voice vote was taken. Motion passed unanimously.

2. PERMIT – APPLICATION #07-23, TWISTED VINE SUBDIVISION –EAST VILLAGE ROAD/POE PLACE/FOX HUNT ROAD/RUGBY ROAD/DICKINSON DRIVE & OKENUCK WAY.
Proposal to create a 26-lot subdivision involving road construction and discharge of stormwater and home construction within regulated buffers.

Jim Rotundo
Licensed professional Engineer
Rotundo Engineering, LLC

I'm here tonight representing EVR Joint Venture which is proposing to develop a 63 acre parcel located in the White Hills section of Shelton. With me tonight is Mike Darby who is a member of EVR Joint Venture. The other partner is Ken Schiable. The parcel that is in this application as I said is 63 acres, it is in the general vicinity of East Village Road, which is along the southwesterly portion of the site, you have Dickinson Drive, Poe Place which all right now end at the property lines. In the easterly side is Rugby Road and to the north you have Okenuck Way. Also in the southerly corner is Fox Hunt Road. So this property is basically abutted by all those roads that terminate at the existing property lines.

The parcel is in an R-1 zone. It is currently surrounded basically by R-1 zone single family residential development except for a portion in the easterly corner. There is existing City of Shelton Open Space located in this area. We did have a wetland investigation done, Roy Shook Associates, who is a certified Soil Scientist, walked the site, he flagged wetlands throughout the site and they were then mapped by Lewis Associates who is our Project Surveyor and represented on our site drawings.

There are basically three areas of wetlands here on the site. Looking to the southerly portion of the southerly side, right along the property is kind of a flat area which drains water from Longfellow Road. This water is collected here; it drains through a culvert under Poe Place and then drains down to a drainage way to the easterly side of the property. There is another narrow drainage you can see here in the southerly portion of the site, again this drains towards the easterly property line. This all drains down to the Upper White Hills Brook, which is located off the property to the east. There's also a narrowed drainage way which is at the end of Dickinson Drive, this area collects runoff, there's a catch basin which is located at the end of Dickinson. Water is collected in that catch basin and there's an existing drainage outfall which goes into a swale and down this drainage way. There's also an area of overland flow which contributes to that wetland corridor. There's a couple of small pockets to the easterly corner abutting the Open Space, and the wetlands that I've just described all flow in the general direction to the Upper White Hills Brook. There is a larger wetland pocket here which is not so much a drainage area, it's more of a flat wetlands area, it does provide flood storage. This collects runoff and drains to the north into a ponding area, to a culvert, underneath Little Fox Run and into an existing swale north of Little Fox Run.

Of the 63.3 acres site, these wetlands comprise about 8 acres total on the site. The proposal for the property is 26-lot single family residential subdivision. Each of the lots do meet the regulations for the R-1 zone and basically the development of this site is kind of divided into three different areas based on where the extension of an existing roadway will be. Of to the left, or the southeasterly side of the site, we are proposing an extension of Poe Place into a cul-de-sac and then Fox Hunt Road will be extended and intercepted with Poe Place. There is I believe 18 lots in this area here. The second area is the extension of Dickinson Drive, the extension of Dickinson Drive is approximately 320 feet, we are proposing 5 lots in that location. The third area is the extension of Okenuck Way which is on the northeasterly side of the site. That's approximately a 525 foot extension and we are proposing 4 lots in that location. In addition to the 26 residential lots, a large portion of the site is being designated as Open Space. Approximately 20.5 acres which includes the CL&P right of way, wetlands along the bottom and then a corridor up through the site will all be designated as Open Space. This has been before the Open Space Committee and has been approved by them. As I said that's approximately 20.5 acres. Excuse me, the Conservation Commission.

Commissioner Beattie: Minor point, I might have heard it wrong but you said 18 lots, 5 lots and 4 lots.

Jim Rotundo: Excuse me, 17 lots 5 and 4. In order to do this there area several regulated areas in which we will be required to fill. Starting on Dickinson Drive this area on Dickinson It's kind of the top of the wetland area where I described the drainage outfall. In order to extend Dickinson Drive, the red lines here are the limits of the wetlands. The blue line outside of that is the 25' grading regulated area, and the green line after that is a 50' construction setback regulated area. So in this area here as we extend Dickinson Drive we're filling between road construction, driveway construction and formation of embankments for the roadway itself approximately 4800 square feet of wetlands. That is our only wetland fill on the entire site. Drawings SP17 and 18 which I have on this board are in your drawing packets and I'm not going to go through what the each individual area is, I'd just like to summarize what the regulated areas are and what the activity is, but those numbers are on the drawings.

Commissioner Nappi: So these numbers that we have in your narrative proposal of square footage affecting the wetlands is still correct?

Jim Rotundo: Yes, these numbers in the narrative, these are total numbers. These are accumulations of, if you looked at these two sheets

Commissioner Nappi: But you have them broken down, filling in wetlands about 4800?

Jim Rotundo: That is correct. Also in this area we do have grading within the 25' buffer, we do have construction within the 50' buffer of Dickinson Drive. Moving over to Fox Hunt Road extension, the extension of Fox Hunt Road we will, we're not filling in any wetlands, we are proposing a short retaining wall here to keep out of that wetlands area, but we are grading within the 25' regulated area and constructing roadway within 50'. The same up in this area here for the lot #5 driveway, we have disturbance within or filling within the 25' grading area and 50' setback area. These two areas here are storm water outfalls. The way we're handling our storm drainage, let me jump back. The last areas of work within the regulated areas are along Okenuck Way. Again the red line is the wetlands; the extension of Okenuck Way will stay out of the wetland area. The grading of the cul-de-sac will encroach within the 25' grading setback and also our 50' construction setback and that is also the same for lot 26 here. We have some encroachment within the 50' setback. The filling occurs to the driveway were within the paved driveways itself plus the embankment for it is within the 55' setback here. In this area here the embankment for our cul-de-sac, we have a small portion for the slope within the 25' setback and then we have some grading within the 50' setback here. And then the wetland diverges away from our roadway here.

Commissioner Szkola: So could you eliminate lot 26? Pull that cul-de-sac back some and reconfigure.

Jim Rotundo: Well one thing we could do is look at turning this a little here. We tried packing this back to get it further away, we have ample room in the lot here, so we could look at that also to try and get out of that regulated area all together.

Commissioner Nappi: How much are you into it?

Jim Rotundo: Within the 25' setback we're about half way there so we're about between 10 and 15'.

Commissioner Szkola: What's the acreage?

Jim Rotundo: The one thing that we have to our advantage here is, this is a rear lot so we do have to provide 1 ½ times but we do have plenty there. This is in the Open Space area so we could manipulate some of these property lines here to make sure that these lots work.

Commissioner Szkola: At the end of the cul-de-sac?

Jim Rotundo: Lot #25? We have 109,000 square feet.

Inaudible – everyone speaking at once

Jim Rotundo: The rear lot here is, if you see the wetlands, there's kind of an existing saddle in here, essentially it's a high point, where trying to put the driveway in that area. So the driveway falls within the 50' construction area in this tip here, by about 20' into it. Again, we move this over we could possibly take this out and line it up with that saddle.

Commissioner Szkola: While we're on this section I have a question, in the beginning you said you have a sheet flow at Dickinson. What are we going to do with that?

Jim Rotundo: This flow down here?

Commissioner Szkola: Yes, I would guess it goes by where that driveway is correct?

Jim Rotundo: That's correct. This is overland flow that comes here now. When this is graded out we're not going to be creating a low point here. So any overland flow will be collected in the roadway, will be collected within our storm drain system.

Commissioner Szkola: My concern is what's going to happen with the house, are you going to swale it along the driveway?

Jim Rotundo: Well, this as this area comes downs here, this is graded so that there is a swale on the uphill side of the driveway. Once we finalize what our actual house location is or our actual house footprint that will be taken into consideration, because this does slope up a little bit. So there will be provisions made in the back so we do get that water around the house.

Commissioner Santa: Could you make provisions for that sheet border to get under the road on Dickinson?

Jim Rotundo: That's actually one of the items that Mr. Cook and I had talked about was in the construction of this wetland fill area, any hydrology underground

Commissioner Santa: Good

Jim Rotundo: While we're in this area here,

Commissioner Nappi: What lot number is that that Randy asked about?

Vice Chairman Zahornasky: Lot #18.

Jim Rotundo: In this area in Dickinson here, as we were reviewing a little further with my clients here, there is an existing drainage soil that comes down and discharges into that from the end of Dickinson. As part of our improvements with the storm drainage that outflow's going to come out. Right now, I don't know if anyone has seen that out there, but it's kind of a mess out there. I have some pictures (pictures to follow) and I apologize because my color printer wasn't working for me today, but this is actual picture of the outfall, there's a stone head wall there, which is falling down, there's no outlet protection and it's discharging directly into that swale. And these are pictures of the swale, and what's happened is it's actually just getting carved out. There's a lot of erosion occurring. With our proposal here and the re-direction of that runoff, essentially that swale, there's no purpose for it. It is flagged as a wetland but right now it's an eroded channel coming down to this area and what we talked about doing was the potential of filling that but coming down stream into the wetland area and mitigating and in creating, picking a point along the channel and lowering that and creating a wetland along the corridor. And we do have the opportunity down here, we looked at the swale and potentially down into this area here, depending on where the erosion is and what we would propose in doing is taking that area down below where it made more sense to create some wetland along that corridor. We'd look at either down in the lower portions of the lots, as this swale comes down, down in these swales there's a couple of areas that flatten out a little bit and there's a lot of sediment in it from the road runoff which is dome down. So there's an opportunity to clean that swale out, possibly widen that area which even if there's still runoff coming down, will act like an area for further velocity dissipation. I think we have an opportunity to help this situation because that swale is sediment latent pretty much all the way down.

Commissioner Nappi: Is the pipe that's in this picture going under the road?

Jim Rotundo: Yes sir, there's a catch basin located right at the end of Dickinson and this discharges right at the end. Dickinson does not have a cul-de-sac, it kind of just ends. There's a catch basin at the end and then the pipe just comes off at the end of the road. Just for a matter of information, the project will be served by municipal water, there's existing eater in all the surrounding roadways which we will extend and we will be serving the lots with individuals septic systems, we've tested the lots and submitted to the Health Department and I have letters here, one from Aquarion confirming that they can provide water to the site and also from the health Department approving the feasibility of the 26-lots, they do require us to come back with engineered systems on each of the lots. (letters to follow)

Jim Rotundo: That's pretty much my presentation, if there's any more questions?

Commissioner Nappi: The suggestions that our Inland Wetlands Board made, have you reviewed them with them?

Jim Rotundo: Yes, I haven't seen an updated report, I did meet with John.

Vice Chairman Zahornasky read into the minutes Mr. Cook's WCEO Report. (report follows): #1: plans now provide 4 district phases. Applicant and Engineer are complemented for this effort. Major problems of the past are often due to too much raw disturbance. The main question would be on how to assure phasing adherence.

Commissioner Nappi: You said there were three phases and John is saying four.

Jim Rotundo: If I could correct that so there is no confusion, I have kind of categorized it as three development areas. The phasing plan in which we're talking about developing is breaking it down further. Where phase 1 is the development of Dickinson Drive, phase 2 is the extension of Poe Place just past Fox Hunt Road and the extension of Fox Hunt Road, the third phase would be the completion of Poe Place and then a fourth phase would be Okenuck Way. Seemed the make sense as far as the site lays out and it's very constructible that way.

Commissioner Nappi: Your answer to this question, I mean the question would be how do you ensure phasing?

Jim Rotundo: That is a part of the plan package so if that's approved, I would just like to clarify we do designate phases but the 1, 2, 3, 4 is more of a delineation such as we're saying Dickinson Drive is phase 1, Okenuck Way is phase 4, but theoretically Okenuck Way could be constructed second.

Vice Chairman Zahornasky: I think what John's referring to is that he doesn't want to see all four phases going on at once.

Jim Rotundo: And I think if that's a condition of approval,

Inaudible – everyone speaking at once

Jim Rotundo: As soon as a phase starts that phase will be completed.

Commissioner Szkola: And the next phase wouldn't initiate until that phase was completed?

Jim Rotundo: Correct.

Commissioner Szkola: Ok, so that will be in the minutes.

Vice Chairman Zahornasky: Ok, item #2 on John's report is regulated activity

Commissioner Nappi: If the coordinator doesn't see a problem if there was some work that had to be done, I don't have any problem with that. Leaving it up to him.

Vice Chairman Zahornasky: Regulated activities plan SP-18 does not show stormwater discharge to regulate area at Okenuck Way. Just needs to be corrected.

Jim Rotundo: Ok, we do have an outfall here. We're discharging into a level spreader and at the tip of that level spreader does encroach into the 50' construction setback. We'll look into that.

Vice Chairman Zahornasky: Item #3: Discussed 4' sumps or double if ledge prohibits depth for all catch basins; while plans do not reflect it presently engineer agreed to incorporate. Referenced staff comment #1 of July Report. Ok? Comments? No. Item #4: Asked to recheck for I/W or watercourses at Fox Hunt Road provided copy of I/W Project #79-126 mapping. This map showed addition I/W in vicinity of 440'-430' elevation. Rip rap discharge extended extensively to minimize hillside discharge on flatter point of 411.6' approximately 55' from and 17' above present flagging. Suggest level spreader in this location.

Jim Rotundo: Ok, that's this area up here. We're proposing a rip rap channel down to as John says a flatter area discharge. We're wrapping this around; we could extend that a little further to extend the level spreader. That is a level spreader, there's an area here which was part of the Fox Hunt Road subdivision in which it showed a wetland at this outfall, but it showed it ending at the property line, now our Soil Scientist flagged the wetlands and actually closed it out in this location. I've sent this information to our Soil Scientist but I've not yet heard back from him yet. It doesn't affect our construction, our onsite wetlands have been looked at and flagged, John, as far as my understanding was, wanted just a verification and clarification of what's going on. I have not been able to get that yet.

Commissioner Beattie: You won't have any problems with the adjacent property owners in that area?

Jim Rotundo: The discharges from what we are proposing here comes down the property line below the adjacent residential and down into there's an existing wetland here. There is an existing discharge from Fox Hunt Road which will actually be intercepted in that same channel and come down. So what we're proposing as an outfall will not flow out to any adjacent properties.

Vice Chairman Zahornasky: Ok, anything else on that item? No, item #5: Lots 6 and 11. Suggest require home placement Lot 6 to shift south and east to maximize separation to I/W and thereby minimize future setback difficulties. Suggest rotate dwelling for Lot 11 so the log axis is parallel to Poe Place. Same benefit as noted above.

Jim Rotundo: Lot 6 we looked at and yes we could probably do that. What we do here is we could shift the house down and depending on the house footprint we could either bring the driveway to Fox Hunt or the driveway could be shifted on the uphill side. Shifting the driveway to the uphill side will bring the house further away from the wetland and the setbacks but the driveway will go in there. What I'm trying to say is there is an opportunity we could do something here as John would have liked to see or liked us to look at. Lot 11 is a little different, this is sloping down and the only feasible area we found for septic was down in this area here. So what John wanted us to try and do was to rotate this house and bring it down further that encroached into our septic area. It would be a little harder to do on this lot 11 than on lot 6 because of the restrictions I would have on the site.

Commissioner Szkola: How about shifting the road to the north?

Jim Rotundo: We could look at what the, well shifting this may have some implications on all these lots around here. It's something we could take a look at.

Commissioner Szkola: Just in that, maybe take the bend out of the road.

Jim Rotundo: Well this would have to bend further in this direction. These lots here are about at their minimum area.

Commissioner Szkola: But if you went with a straight line from there

Jim Rotundo: Well one thing that we would have to do here also is the Town's road standards for geometry. We could certainly explore it.

Commissioner Nappi: Could you put up the wetlands map showing the wetlands in map 11?

Jim Rotundo: This house right now is encroaching into the 50' construction setback. Our proposed septic system is down below here and we could maintain a gravity system. Moving this around and shifting it, this system would either push closer into the wetlands or we have to re-explore this area and it would turn into a pump system. So it complicates the construction of that lot 11. As Randy indicated, we could take a look at and explore this and see if there is any benefits.

Commissioner Beattie: What are the numbers of the lots across from 6 and 11?

Jim Rotundo: These here? 12 and 13.

Vice Chairman Zahornasky: Item #6: Poe Place discharge. Extensive riprap level spreads 170' +/- indicated to extend to edge of regulated area. This extensive spreader should greatly minimize scour potential.

Jim Rotundo: That is the purpose of that is to create the energy

Vice Chairman Zahornasky: Item #7: Suggested check integrity of channel to handle volume flow from Dickinson Drive and provide any necessary measures to insure future stability of channel. Also suggested use of drop manhole so final lengths of pipe are flat as possible to reduce velocities.

Jim Rotundo: That is what we are going to do here is from the end of Poe Place we did put an additional manhole so we're coming out flatter and also off of Dickinson that's already been shown with a manhole. Essentially what that's going to do is we have a steeper pipe coming in from the catch basins, we're going to drop down the outlet pipes so we're coming out, I believe we designed it at 2% velocity. Now the channel in this area, John wanted me to take a look at is as far as structural integrity. Much of this is actually in bedrock and there's a lot of existing boulders in it. So there's a lot of areas in here which it naturally dissipates energy so it's our opinion that with the reduces velocity coming in here and the nature of that channel, it really isn't an erosive situation.

Vice Chairman Zahornasky: Item #8: Wetland fill for Dickinson investigate use of poly envelope, under drain or culvert in case of any possible spring in this area. At same location access to Lot

22 has been shifted to reduce regulated activity by placing driveway to high side. Further the applicant is discussing a land swap with adjacent lot thereby providing an even greater opportunity to square lot line and allow regulated activity reduction. We discussed that earlier right?

Jim Rotundo: That's correct

Vice Chairman: Zahornasky: Item #9: Okenuck Way discharge has been revised to provide level spreader. Subsequently this flows to sizeable level wetland area.

Jim Rotundo: That's in this area here. We discharge into an energy dissipation pool and into a level spreader to transform that point discharge back into a sheet flow prior to the wetland.

Vice Chairman Zahornasky: In summary staff and applicant's engineer had a very fruitful meeting to discuss July comments and final review. It appears the design team has made a concerted effort to address typical agency concerns. Staff recommends comments 1-5, 7 and 8 and subject to City Engineer approval for stormwater management features. Those are John's comments. Anybody else?

Commissioner Szkola: What's the increase in runoff on the entire site?

Jim Rotundo: Of the entire site is 143.7 to 152.4. So there's about 9CFS one of the things that I did not mention in my presentation is that each of these lots we're proposing infiltrators on each of the lots to handle roof runoff. That's something that John and I discussed. So what roof runoff will be handled on an individual lot basis in these infiltrator chambers.

Commissioner Szkola: So an increase of runoff I'd like to see it go down to 0. First I'd like to see the City Engineer explore it also.

Jim Rotundo: Ok that discharge point, if I may, there's actually two discharge points that we analyzed. That's down into the Upper White Hills Brook, there's a small area that comes into this wetland. This increases from 21 to 23, so there's 2 CFS increase here. This has been provided to the City Engineer. We haven't received comment but I do expect to discuss it with him.

Commissioner Szkola: Ok, if there is any way for a retention pond, I'd really like to see that.

Vice Chairman Zahornasky: Any other comments? Anybody from the audience?

Commissioner Szkola: I'd like to see us adhere to our policies of 0 increase.

Vice Chairman Zahornasky: Without disturbing anything else. See if it's possible.

Commissioner Nappi: Have you had any discussion with the City Engineer?

Jim Rotundo: No.

Vice Chairman Zahornasky: Anyone else?

ED SZADDECZKY
11 POE PLACE

Mr. Szadeczky: What are we going to do with the culvert at the end of Poe Place? Right now if we have a bad storm, there are no catch basins on East Village Road. Whatever comes down Longfellow there's one catch basin on Longfellow, that catches everything and when they put the house up on Longfellow and East Village someone put a catch basin in this guy's yard. So now there's 2 catch basins and everything that comes off those two catch basins comes in the back of my house, comes around and goes underneath that culvert. Now is there going to be any disturbance, are you going to improve this at all somehow?

Jim Rotundo: Right now at the end of Poe Place there's a cul-de-sac. There's a catch basin located essentially in the middle of the cul-de-sac. There's one just upstream basically right in front of your house.

Mr. Szadeczky: I guess that's hooked into it

Jim Rotundo: That's correct, that's hooked into the catch basin in the center of the cul-de-sac. There's also a culvert that comes underneath the cul-de-sac which allows for runoff in this wetland to come through and then drains down to one of the drainage ways down through the

site. With our proposal, there's a high point being formed in the road just beyond the extension of our roadways. So as far as any new runoff we will not be contributing any to that area. So essentially it's the same flow that's going there today. We're not proposing any improvements to the existing culvert under the road, but we are re-configuring some of these catch basins basically to line up with the existing curve. So I guess to answer your question with our development now in our road construction we are not contributing any additional run off to that area but we are not improving or making any improvements to that entire system as it is today. Essentially the exiting condition will remain the same.

Vice Chairman Zahornasky: *Maybe the alignment might help?*

Jim Rotundo: *Now I know that your house is here*

Mr. Szadeczky: *There's only one storm run off and that comes up, I'm trying to locate where we are. Here's the catch basin upstream. Is this one that comes up here and goes along Longfellow? That's the only existing runoff and it hits here and goes across the street and comes down here somewhere. There's got to be some kinds of improvements up here.*

Jim Rotundo: *Well, where that water's coming from is essentially outside of our project limits. I know we talked a little before the meeting; you were talking about runoff on East Village Road. That's an existing condition on East Village Road where there's no curbing to basically contain the water.*

Mr. Szadeczky: *So none of that wetland is going to be disturbed around my area, in the back or nothing?*

Jim Rotundo: *That is correct.*

BRUCE FAULKNER
271 EAST VILLAGE

Mr. Faulkner: *My driveway, there's a local storm drain up there. I get the runoff and if you go by my house you'll see bags of fill that the City put temporarily along my property which ended up in my driveway. So I bagged it and use it as temporary sand bags. I'm just here to make you guys aware of the fact that there is some serious water that comes down. I know that has nothing to do with you guys. But it is something that the City should address at some point. I called them last year and I called them this year because the road is actually eroding away. When it comes off of Rogers and Kim's farm, I've got in on film. It's pretty substantial, anyway I put the sandbags up, it goes whipping around the corner and dumps onto the house next to me and goes down around the corner and if it doesn't get to the storm drain around the corner then it goes down I forgot his name. So there are issues that you need to be aware of.*

Inaudible – everyone speaking at once

Jim Rotundo: *This drains all down into this wetland area here and it gets into the culvert that goes under Poe Place and drains down into this location here. This is all undisturbed area, it will remain as is. This is all off site runoff which contributes to that area and as the gentleman had indicated, originates on East Village Road and comes down a slope.*

Mr. Faulkner: *My concern is that there is a line of trees and I'm sure they help soak up some of the water. I'm just wondering how much can be retained as far as a buffer zone. Will those big pines on my property remain there?*

Jim Rotundo: *Much of this area here where we're proposing, I think those can be saved, the area that we're proposing for the development here is basically a hay field. The area that we're proposing is non disturbed in this wetland area is a tree area; the tree line does come up the property line. So that is outside of our proposed development.*

Inaudible – everyone speaking at once

Mr. Faulkner: *Now where will all those septic systems be, behind?*

Jim Rotundo: *No, actually in the front. They will be on the downward side of the house.*

Vice Chairman Zahornasky: *Mr. Faulkner, it seems that it's a City problem on East Village Road. You've contacted the City Engineer?*

Mr. Faulkner: *Yes, I'm going through that. I don't get it in my garage*

Inaudible – everyone speaking at once.

Mr. Faulkner: Like I said, it's been that way for ions. It would be nice to have a curb there. They did come out and mark it but that was three months ago. One other question I was wondering, I came here to see if there was going to be any other connection between where Poe is, Dickinson, those are all cul-de-sacs so any additional traffic will have to go past, down Longfellow correct? To access those cul-de-sacs correct? In other words, through Poe, because the majority of the houses are on Poe right?

Jim Rotundo: There's eight lots that are proposed on Poe. Access on Fox Hunt Road.

Mr. Faulkner: Now when you guys are doing construction, are you going to be coming down Longfellow and going past my house? Because that road is in such bad shape.

Jim Rotundo: Well you're at East Village Road correct?

Inaudible – everyone speaking at once

Vice Chairman Zahornasky: That has nothing to do with this commission.

END SIDE A – TAPE 1

*Vice Chairman Zahornasky: I have a couple of correspondence here that I'd like to enter into the record. Letter from the City Engineer and second letter is from Thomas Harbison, Chairman of the Conservation Commission addressed to Alan Cribbins, Planning & Zoning:
(letters follow):*



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Office of the City Engineer
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Email: shelton.eng@cityofshelton.org

August 9, 2007

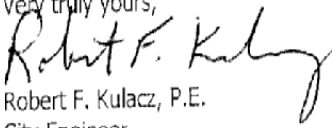


John R. Cook
Wetlands Coordinator
City of Shelton
54 Hill Street
Shelton, CT 06484-3207

Re: Twisted Vine Estates - 26 Lots;
Extension of Fox Hunt Road, Poe Place, Dickinson Drive & Okenuck Way

Dear Mr. Cook:

It is my understanding that the above referenced proposal is on the agenda for discussion purposes only. Please be advised that this office only recently received the revised drawings dated 7/25/07 and the Site Drainage Report. The Commission should not entertain approval of this application until this office has completed the review of the project and the potential impacts to the watercourses which traverse the property and to the areas where the new storm sewer system outfalls will terminate.

Very truly yours,

Robert F. Kulacz, P.E.
City Engineer

CC: Richard D. Schultz, Planning & Zoning Administrator
File



City of Shelton

07-23



Shelton Conservation Commission

54 Hill Street

Shelton, Conn. 06484

RECEIVED
JUL 25 2007

SHELTON INLAND WETLAND
COMMISSION

July 25, 2007

Mr. Alan Cribbins, Chairman
Planning and Zoning Commission
City of Shelton
54 Hill Street
Shelton, CT 06484

Re: Twisted Vine Estates, PZC #07-38, IWC #07-23
East Village Road, Okenuck Way, Rugby Road

Dear Chairman Cribbins:

At its regular meeting of July 11, the Conservation Commission reviewed the proposed 26-lot residential subdivision entitled Twisted Vine Estates and advises favorable approval of the submitted plan with the following recommendations:

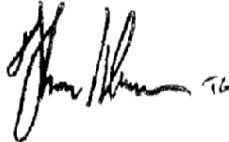
- 1) Recommend the site contractor use biodegradable siltation fencing for erosion control if possible. This will avoid complaints from the public and City personnel from having to remove the silt fence once the site is stabilized.
- 2) Recommend the regulated setbacks, as dictated by the Inland Wetlands Commission, from the stream corridor on lots # 14, 15, 20 & 21 be delineated by the adopted post and sign installation prior to bond release.
- 3) Recommend as a condition of approval the applicant's re-use of the stone walls on-site, or allow the future lot owners use of the walls to preserve the character of the property and the natural resources of the site.
- 4) Recommend more detailed delineation of the storm water drainage outlet/detention basin construction to the rear of lots 15 & 16 to avoid erosion and maintenance on the future City open space.
- 5) Recommend the P& Z Commission accept the applicant's offer for a conservation easement with a restriction on cutting any tree greater than 6" DBH

(non -invasive species) along lots 23, 24, 25 & 26 for a depth not less than that of the building setback so there is no clear-cutting and a buffer is preserved adjacent to City open space.

- 6) Recommend as a condition of approval that the Conservation Agent review the site for significant trees, including some specimen oaks observed at 36-42" DBH (diameter at breast height) for possible preservation in the lot design.

Thank you for your consideration.

Sincerely,



Thomas Harbinson, Chairman

Cc: John Cook, Inland Wetlands ✓

Vice Chairman Zahornasky: I just wanted to enter these into the record.

Commissioner Nappi: But that was directed to P&Z?

Vice Chairman Zahornasky: Yes, but it was copied to us and I wanted to read it into the record. Anything else? No other comments? We'll wait for this to be reviewed by the City Engineer and take a look at those things that we talked about.

Mr. Szadeczky: Will there be any blasting? There's a lot of ledge

Vice Chairman Zahornasky: You'll have to ask P&Z.

Jim Rotundo: In our test holes that we did for our soil test, we did encounter some ledge. I'm pretty sure that there will be some blasting at this site, the extent I'm not sure.

Mr. Szadeczky: When you do blasting you encounter many problems. Underground water problems whatever.

Inaudible – everyone talking at once

Vice Chairman Zahornasky: All right, that being said, see you next month and we'll wait to hear from the City Engineer. Thank you.

III-C. NEW BUSINESS

1. PERMIT-APPLICATION #07-25, HUNTINGTON STREET SIDEWALK – HUNTINGTON STREET. Proposal to construct sidewalk involving culvert extension on tributary to Far Mill River.

WILLETTA CAPELLE
CITY OF SHELTON ENGINEERING DEPARTMENT

Mrs. Capelle: Good evening Commissioners, my name is Willetta Capelle and I'm representing the City of Shelton Engineering Department for the Huntington Street sidewalk culvert extension. The City is proposing to install a sidewalk on Huntington Street from Commerce Drive to Roaring Brook Lane and we had our consultant do our design. Basically it's two culvert extensions, one is at Buddington Road in this section and it's a 24" pipe it's going to be extended about 10' and then the other one is in front of, well it's on City right of way abutting #216 Huntington Street and that extension will be also about 10'. The first one that I mentioned at Buddington Road also will have a catch basin as part of that culvert extension. There are some photographs here. This is the first one upstream and downstream on Buddington Road, just right across here, in the upper right corner of this picture here and here's the existing culvert entrance here and this is just an overview kind of looking at the area. This is what it looks like now. Below this is the other location, it's hard to see that's why I have it flagged here. This is the existing culvert exist so one is on the upstream side and this is downstream but these are in two separate locations but they're both tributaries to the Far Mill River.

Vice Chairman Zahornasky: How far is the sidewalk planning on going?

Willetta Capelle: From Commerce Drive to Roaring Brook.

Vice Chairman Zahornasky: John had emailed everybody I think on Wednesday about 3:00. I have here a couple of comments. His comments say Application #07-25; Huntington Street sidewalk is straightforward and looks only to extend the culvert to provide sufficient room for a sidewalk. He doesn't have any problems with it.

Commissioner Norman Santa motioned to approve PERMIT – APPLICATION #07-25, HUNTINGTON STREET SIDEWALK – HUNTINGTON STREET. Proposal to construct sidewalk involving culvert extension on tributary to Far Mill River. Commissioner Randy Szkola seconded the motion.

A voice vote was taken. Motion passed unanimously.

III-D OTHER BUSINESS

1. AGENT REVIEWED: APPLICATION #07-24, MONTEIRO PROPERTY – 120 THOMPSON STREET. Proposal to reconstruct dwelling with a larger footprint within buffer to regulated area.

Vice Chairman Zahornasky: John's not here, but again from his comments he said that Agent review for 07-24 was concluded and permit issued. There were no outstanding issues with that so that's been taken care of.

Commissioner Nappi: I'm sorry, I apologize for being a bit late, the property on Far Mill Street, we just referred that to Corporation Counsel? But part of that Randy, in John's report was that the City failed to remove all the fill. Are we going to have John contact the Highway Department because it says that additional material should be removed to restore the area, so it seems to me it's a violation of the City, part of that violation

Inaudible – everyone speaking at once

Commissioner Szkola: But they didn't survey it so they didn't know what was on

Vice Chairman Zahornasky: Yes, maybe we should have someone determine what's the City's and what's not because the way I read it is it's kind of ambiguous.

Inaudible – everyone speaking at once

Commissioner Nappi: It may be part of the City that caused that violation and until we find that out, I know that you've already done it

Commissioner Szkola: But someone was supposed to have surveyed it right?

Commissioner Nappi: Well on John's report it's in front of us but John's not here. I'm just cautioning that we're referring something we don't know if the City was the one that caused part of the problem

Commissioner Szkola: Well who was supposed to have surveyed it?

Commissioner Nappi: Well John was supposed to report back to us. John was supposed to meet with the owners as far as I remember.

Commissioner Szkola: So nobody has responded.

Inaudible – everyone speaking at once

Commissioner Szkola: From what I gathered it was supposed to have been surveyed.

Commissioner Nappi: I'm just saying, the City needs to do something.

Vice Chairman Zahornasky: Let's do something, should we make a request to the Highway and Bridges Department that we have turned this matter over to Corporation Counsel that if the City is in any violation

Inaudible – everyone speaking at once

Vice Chairman Zahornasky: Let's send a letter to the Highways and Bridges Department indicating that this matter has been referred to Corporation Counsel. Have Bill Mooney contact Mr. Cook to discuss the item and make sure that the City is compliant.

IV. MINUTES

July 12, 2007 Regular Meeting

Minutes for July 12, 2007 were tabled until next meeting.

Vice Chairman Zahornasky: L'Hermitage, that's one thing in here so I'll mention it really quick. John did go out there and he met with them as you can see from the report. I guess they weren't aware of, they're going to look at between the Engineer, Al Shepard. They're the ones that came in. Once of the neighbors was saying that he was getting water or the water was getting close to his basement. So we asked John to go out there and take a look because they constructed this berm 10 or 20 years ago. We said what caused this condition to change now after 20 years he's getting water. So when they went out there to look, John thought it was kind of funny that only the one homeowner was complaining about getting water when we figured that if that wasn't

working everybody along that back row adjacent to that owner would also be having the same problems. So it says that the plan designed the wetland for use as stormwater detention. That is how it is presently functioning. The survey shows the top of the berm is essentially at the level of the proposed overflow. In essence the entire berm is the overflow not just a small notch. So at some point staff conversation with the associate's Engineer saw only a benefit to provide some small riprap if anything to prevent scour of the berm. In order to create or restore the berm, as proposed additional material and piping would be needed to raise it so the present top would become the bottom of the overflow. Since the overflow would only be 20-22' wide instead of the current condition of 140'+/- it seems this could raise the maximum detention level. The survey shows the basement slab height is 1.5'-2.5' above the present berm height. So their engineer and the City Engineer both agree that it is not a necessity to cut a notch in the berm. Their engineer further agreed and recommended that a full check of functional footing drains and roof leaders. They're going to investigate it further. That being that, that's it. I guess they're going to work on it

V. ADJOURNMENT

Commissioner Randy Szkola motioned to adjourn. Commissioner Norman Santa seconded the motion.

A voice vote was taken; all were in favor. Motion passed unanimously.

MEETING ADJOURNED at 8:07 PM.

Respectfully submitted,

Sophia V. Belade

Sophia V. Belade
Clerk – Inland Wetlands

1 tape is on file with the Town Clerk's office

Attachments follow









98 Bank Street • Seymour, CT 06483 • Website: nvhd.org
 Tel:203/881-3255 • Fax: 203/881-3259

August 3, 2007

Alan Cribbins, Chairman
 Shelton Planning & Zoning Commission
 Shelton City Hall
 54 Hill Street
 Shelton CT 06484

RE: "Proposed" 26-lot subdivision "Twisted Vine Estates"
 Fox Hunt Rd, Poe Place, Dickinson Drive & Okenuck Way, Shelton CT
 Owner: EVR Joint Venture.

Dear Mr. Cribbins:

On May 22, 23, and 24, 2007, deep test holes and percolation tests were witnessed and recorded by Gary J. Merlone, R.S., with this health district. Also on site was the professional engineer from Rotondo Engineering, LLC.

Please be advised that pursuant to NVHD subdivision regulations and protocol, the above referenced property is approved with the following provisions.

That all 26 lots *require* detailed professional engineered plans be submitted for review and approval prior to the issuance of any permits by this health district.

Also, public water will be required for each of the 26 lots as shown on the subdivision plans submitted to this office. Additionally, many of the 26 proposed lots do have wetlands soils and the Wetlands Commission needs to be notified accordingly.

If you should have any additional questions or comments concerning the above subject property, please do not hesitate to contact this office.

Sincerely,

Gary J. Merlone, R.S.
 Chief Sanitarian
 Xc: Rotondo Engineering, LLC.
 Owner

Ansonia • Beacon Falls • Derby • Naugatuck • Seymour • Shelton

Aquarion Water Company
of Connecticut
600 Lindley Street
Bridgeport, CT 06606
www.aquarionwater.com



Quality Water for Life®

August 3, 2007

Keith Buda – Project Engineer
Rotondo Engineering, LLC
25 Brook Street, Suite 201A
Shelton, CT 06484

**RE: Proposed Subdivision, Twisted Vine Estates
Fox Hunt, Poe Place, Dickinson Drive & Okenuck Way, Shelton, Connecticut**

Dear Mr. Buda,

This letter confirms that, based on an estimated average daily demand of approximately 7,800 gallons per day, Aquarion has sufficient water supply to provide domestic water service to the twenty-six homes of the Twisted Vine Estates project in Shelton, subject to possible improvements to Aquarion's system which will be funded by your project. We estimated average daily demand based on standard consumption of 75 gallons per capita per day and an average of 4 people per residence. The need for, and extent of, the possible system improvements can be finalized once the domestic and fire protection needs are finalized.

This service commitment is valid for homes constructed within 12 months from the date of issuance

If you have any questions regarding this letter, please feel free to call me at (203) 337-5822.

Sincerely,

A handwritten signature in black ink that reads "David J. Banker".

David J. Banker
Project Manager – Capital & Planning

Cc: Anthony Franceschini



City of Shelton
Office of Inland Wetlands Commission
54 Hill Street
Shelton, Connecticut 06484-3267

John R. Cook
Wetland Coordinator
203-924-1555 Ext 23
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Email: jr.cook@snet.net

WCEO REPORT
August 9, 2007

APPLICATION #07-23, PERMIT-APPLICATION #07-23, TWISTED VINE SUBDIVISION – EAST VILLAGE ROAD/POE PLACE/FOX HUNT ROAD/RUGBY ROAD/DICKINSON DRIVE/ & OKENUCK WAY.

- STATUS:** 1. Application received July 12, 2007
2. 65-day clock to decide action or schedule public hearing expires Sept. 15, 2007
3. Field walk held

PLANS: TWISTED VINE ESTATES

Overall Site Plan SP-1	dated July 5, 2007	submitted 7/6/07	rev. 7/25/07
Site Development Plan SP-2 to SP-4	"	"	"
Erosion Control Plan SP-5 to SP-7	"	"	"
Plan & Profile Fox Hunt Road SP-8 to SP-9	"	"	"
Plan & Profile Poe Place SP-10	"	"	"
Plan & Profile Dickinson Drive SP-11	"	"	"
Plan & Profile Okenuck Way SP-12	"	"	"
Erosion Control & General Notes SP-13 to SP-14	"	"	"
Subdivision Plan		submitted 7/11/07	
Deep Test Hole Data SP-15	dated July 23, 2007		
Percolation Test Data SP-16	dated July 23, 2007		
Regulated Activities Plan SP-17 to SP-18	dated July 25, 2007		

COMMENTS: Since the July meeting staff met with the applicant's engineer and the plans have been revised to reflect the total regulated activities. The engineer has prepared a detailed regulated activities plan SP-17, 18 to ease focus on those areas. The applicant's agent has forwarded a drainage study and revised plan package to the City Engineer for review.

1. Plans now provide 4 district phases. Applicant and engineer are complimented for this effort. Major problems of the past are often due to too much raw disturbance. The main question would be on how to assure phasing adherence.
2. Regulated activities plan SP-18 does not show stormwater discharge to regulated area at Okenuck Way. Just needs to be corrected.
3. Discussed 4' sumps or double if ledge prohibits depth for all catch basins; while plans do not reflect it presently engineer agreed to incorporate. Referenced staff comment #1 of July report.
4. Asked to recheck for I/W or watercourses at Fox Hunt Road provided copy of I/W Project #79-126 mapping. This map showed addition I/W in vicinity of 440'-430' elevation. Rip rap discharge extended extensively to minimize hillside discharge on flatter point of 411.6' approximately 55' from and 17' above present flagging. Suggest level spreader in this location.
5. Lots 6 and 11. Suggest require home placement Lot 6 to shift south and east to maximize separation to I/W and thereby minimize future setback difficulties. Suggest rotate dwelling for Lot 11 so the long axis is parallel to Poe Place. Same benefit as noted above.
6. Poe Place discharge: Extensive riprap level spreads 170' +/- indicated to extend to edge of regulated area. This extensive spreader should greatly minimize scour potential.

7. Suggested check integrity of channel to handle volume flow from Dickinson Drive and provide any necessary measures to insure future stability of channel. Also suggested use of drop manhole so final lengths of pipe are flat as possible to reduce velocities.
8. Wetland fill for Dickinson investigate use of poly envelope, under drain or culvert in case of any possible spring in this area. At same location access to Lot 22 has been shifted to reduce regulated activity by placing driveway to high side. Further the applicant is discussing a land swap with adjacent lot thereby providing an even greater opportunity to square lot line and allow regulated activity reduction.
9. Okenuck Way discharge has been revised to provide level spreader. Subsequently this flows to sizeable level wetland area.

In summary staff and applicant's engineer had a very fruitful meeting to discuss July comments and final review. It appears the design team has made a concerted effort to address typical agency concerns. Staff recommends comments 1-5, 7 and 8 and subject to City Engineer approval for stormwater management features.

COMMENTS FROM JULY: Presently the application has been discovered to be incomplete. There are a number of plan corrections needed. The regulated activities as applied incompletely accounted for the Commission regulations of construction and watercourse setbacks. For this reason the applicant cannot represent the regulated activities accurately tonight. They have been advised of this fact. In addition, the cover sheet and overall site plan do not show a portion of the property on East Village Road. While it has been stated to be "free split", it presently is still part of the subject parcel and should be shown as such.

The cursory review indicates the following:

1. Catch basin details and design should be revised to provide minimum 4' deep sumps or a double basin if ledge prevents this depth.
2. The project site appears part of the upper reach of the Upper White Hills Brook watershed. It appears that the majority of the stormwater discharges are to upland hillsides without any apparent stormwater detention. It is not known if any of the drainage affects Indian Well State Park. The State has had to undertake significant efforts to control the erosion from several watercourses on Park property. It is extremely important with the extension of the roads from this development that thorough consideration and analysis be given to evaluate stormwater management and long-term stream stability from any added runoff.



City of Shelton
Office of Inland Wetlands Commission
54 Hill Street
Shelton, Connecticut 06484-3267

John R. Cook
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Email: jr.cook@snet.net

WCEO REPORT
August 9, 2007

L'HERMITAGE CONDOMINIUMS – Detention berm

COMMENTS: Staff has reviewed the file, discussed with NOK associates, the City Engineer and unit owner and L'Hermitage representative. Any changes that may be considered to the old woods road/berm are not so much a wetlands issue but a stormwater engineering issue.

The plan designed the wetland for use as stormwater detention. That is how it is presently functioning. The survey shows the top of the berm is essentially at the level of the proposed overflow. In essence the entire berm is the overflow not just a small notch. At the time of staff conversation with NOK Associates engineer, he saw only a benefit to provide some small riprap if anything to prevent scour of the berm. In order to create or restore the berm, as proposed additional material and piping would be needed to raise it so the present top would become the bottom of the overflow. Since the overflow would only be 20-22' wide instead of the current condition of 140'+/- it seems this could raise the maximum detention level. The survey shows the basement slab height is 1.5'-2.5' above the present berm height. NOK engineer Alan Shepard and City Engineer both agree there is not a necessity to cut a notch in the berm. NOK further agreed and recommended that a full check of functional footing drains and roof leaders.

Staff has offered continued assistance to meet with the unit owner and NOK representative. A telephone message from the Association representative indicated that they would be meeting with NOK to discuss the matter further.



City of Shelton
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WCEO REPORT
August 9, 2007

VIOLATION: LIPOVSKY PROPERTY – 10 FARMILL STREET

COMMENTS: The site was rechecked and no recent filling is apparent except for the material cast into the regulated area by the City H&B department during headwall maintenance. The H&B department removed the material deposited in April however, additional material should be removed to restore the area.

While overgrown the areas filled initially are still evident and heavy equipment or commercial vehicles may be parked on some of this material. Without a new survey it is difficult to determine if the equipment and vehicles are parked on #10 or #14 Far Mill Street. Staff spoke with the owner of #14 and brother to #10 to convey the importance of responding at the Show Cause Hearing.

COMMENTS FROM JULY: As the Commission may recall the landowner filled a wetland without benefit of a wetlands application or permit. They historically used a common drive with #14 Farmill Street to access the rear parcel of #10 Farmill Street. This was approved by the Engineering Department in 1989 and signed off in July 25, 1990. This common driveway was used until the landowner built a separate one without driveway permits or wetland permits. Counsel for the landowner in December of 1999 indicated that his client and the landowner himself on multiple occasions would file the necessary paperwork. Time has continued to pass and the formal application and site plan as requested by the Commission never was filed. The file notes show a chance encounter with the landowner on Aug. 29, 2000 indicates he would comply.

A nearby property owner wishes to address the board and request revitalizing the matter.