

**Inland Wetlands and Watercourses
Minutes of Public Hearing & Regular Meeting**

October 21, 2015

The Inland Wetland Commission held a Public Hearing and Regular meeting on October 21, 2015 in Council Chambers of Town Hall, Stratford, CT.

Members Present: R. Hojdich, A. Schlager, W. McCann, Alternate J. Waite, T. Fahy, D. Blake

Members Absent: V Massey, E. Scinto, J. Tucciarone

Others Present: Christina Batoh, Conservation Administrator

Call to Order: Chairman Hojdich called the meeting to order at 7:04 p.m.

Items submitted into record as of this date:

**SUPPORTING DOCUMENTS SUBMITTED DURING PUBLIC HEARING FOR IWWA #2015-4
450 James Farm Road**

Public Hearing IWWA - #2015-4 Date: September 16th, 2015 Detailed List of Exhibits Submitted during the Public Hearing	
Exhibit Identification	Detailed Description
A	IWWA Application #2015-4 prepared by Rose, Tiso & Company. Application was signed on July 15 th , 2015.
B	Site Development Plans entitled, "Resubdivision of Property located at #480 James Farm Road and #450 James Farm Road, Stratford, Connecticut" prepared by Rose, Tiso & Company, LLC. Sheets Ex-1, revised on November 17 th , 2008, SP-1 & SP-2 dated April 28, 2015, and SP-3, SP-4, SP-5, SP-6, SP-7, & SP-8 revised on February 18, 2015.
C	Site Engineering Design Report entitled "Proposed Housing Development, Stratford, Connecticut, Job No. 0782," prepared for Cummings Enterprises, Inc. by Rose, Tiso, & Company, LLC dated June 11, 2015.
D	Staff Comments #1– IWWC Application #2015-4: Construction of five single-family homes with associated sewer and drainage infrastructure. Site Address: 450 James Farm Road, Stratford, Connecticut. Assessor's Reference: Map 50.00 Block 4 Lot 9. Applicant: Cummings Enterprises, Inc. <i>Sent to applicant via certified mail on July 21, 2015.</i>
E	IWWC Application #2015-4 prepared by Rose, Tiso & Company. Application was signed on June 15 th , 2015. <i>Revised and resubmitted on August 6th, 2015.</i>

F	Site Development Plans entitled, "New Housing Development prepared for 450 James Farm Road, Stratford, Connecticut" prepared by Rose, Tiso & Company, LLC. Sheets SP-1 through SP-8 were revised on August 5 th , 2015 and resubmitted on August 6 th , 2015.
G	Site Engineering Design Report entitled "Proposed Housing Development, Stratford, Connecticut, Job No. 0782," prepared for Cummings Enterprises, Inc. by Rose, Tiso, & Company, LLC dated June 11, 2015. Revised and resubmitted on August 6 th , 2015.
H	Response to Staff Comments #1 sent to applicant on July 21 st , 2015. Response is dated July 29 th , 2015 and was prepared by Manuel Jose Silva, P.E., Civil Engineer with Rose, Tiso, & Company, LLC.
I	Delineation and functional assessment of wetlands entitled "Wetland Delineation and Functions and Values Assessment, 450 James Farm Road, Stratford, CT." Assessment is dated August 5 th , 2015 and was prepared by Michael S. Klein (Registered Soil Scientist and Certified Professional Wetland Scientist) of Environmental Planning Services.
J	Completed "State Inland Wetlands & Watercourses Activity Reporting Form."
K	Draft of legal "Conservation Easement" prohibiting activities in the 50 foot wide area as shown on the map entitled "Resubdivision of Property Located at #480 James Farm Road and #450 James Farm Road." Map was prepared by Rose, Tiso, & Company, LLC and revised on November 17 th , 2008.
L	Certified Mailings of Applicant noticing Public Hearing to adjacent property owners.
M	Intervention petition dated September 15 th , 2015 filed by Richard J. Ezyk – 570 James Farm Road, Stratford, Connecticut.
N	Information submitted into the Record by Richard J. Ezyk on September 16 th , 2015 including: i) Technical comments on IWWA #2015-4, ii) Exhibits RJE #1 through RJE #9.
O	"Environmental Comments" prepared by Stephen Danzer, PhD of Stephen Danzer, PhD & Associates LLC, Wetlands & Environmental Consulting. Comments are dated September 12 th , 2015 and were submitted into the Record by Meral Prewitt (of 575 Peters Lane) on September 16 th , 2015.
P	New York Times article authored by Kirk Johnson, published on September 10, 1992, and entitled "28 Graves Giving up Secrets of the 1700's," submitted into the Record by M. Prewitt on September 16 th , 2015.
Q	Historical Documentation- First Stratford African-American Community established on James Farm Road, submitted into the Record by M. Prewitt on September 16 th , 2015.
R	Letter to Commissioners and Ms. Batoh, dated September 16 th , 2015, regarding IWWC Application #2015-4 submitted into the Record by M. Prewitt on September 16 th , 2015, on behalf of the Concerned Citizens Group.
S	Comments and signatures of concerned citizens, submitted into the Record by M. Prewitt on September 16 th , 2015.

T	Comments submitted into the Record by Robert Smith of 135 Pepper Ridge Circle, Stratford, CT, on September 16 th , 2015.
U	Notice of Public Hearing in the Connecticut Post on September 2 nd , 2015 and September 11 th , 2015.
V	Ms. Batohs' response to applicant
W	Letter from R. Smith, 135 Pepper Ridge Circle to Inland Wetland Commission

X Response from Engineer and Soil Scientist to prior intervenor

Y Filed pleading pursuant to Section 22a-19 of the Connecticut State Statues

Z Comments from the Town of Stratford's environmental intervenor

AA Report from Mr. Ezyk

IWWA Application #2015-4 – Construction of five (5) single-family homes with associated sewer and drainage infrastructure. Site Address: 450 James Farm Road, Stratford, Ct. Assessor's Reference: Map 50.00 Block 4 Lot 9. Applicant: Cummings Enterprises, Inc. – Chairman Hojdich read and entered into record letter from R. Smith, 135 Pepper Ridge Circle to Inland Wetland Commission.

Attorney Belis, representing petitioner, entered into record Engineer and Soil Scientist comments in response to prior intervenor.

Attorney James Creswell, representing the Town of Stratford, submitted verified pleading filed pursuant to Section 22a-19 of the Connecticut State Statues. He also submitted and reviewed comments from the Town of Stratford's environmental intervenor. He noted that the wetland area is more important than the applicant has suggested. Reviewed comments from Mr. Danzer and in response concludes this application is incomplete.

Mr. Tim Casey, Engineer with STV Inc., reviewed the April 28th plan and notes ten (10) points of deficiency:

- 1) Ground water at site elevation
- 2) Explutration rate
- 3) Calculated 2.8 acreage while designers calculate 2.23 acres
- 4) Inspection of galleries every twelve (12) months
- 5) Storage volume – calculates 4000 cu ft. – designer calculates 6500 cu ft.
- 6) Catch basins along driveway
- 7) Outlet control
- 8) No access to detention systems
- 9) Overall storm management system plan

10) Sanitary sewer pump

In conclusion, he stated size of the storage system is too small, disagreement on acreage and calculation of volume of storage and lack of detailed access to system. He noted these details need to be addressed and feels this application is incomplete as submitted.

Mr. Silva, Rose-Tiso & Company, addressed the intervenors' conclusions from the last meeting. He discussed the sewer pump, propane generator noting these exceed requirements of the State. He noted the WPCA approval is pending. He reiterated that the DOT's storm water manual from 2000 & 2004 was used in calculations. Mr. Silva referred to the site plan noting a primary and secondary treatment plan would be implemented, discussed maintenance plan and impervious surface plan. Referring to site plan, discussed gallery system.

Commissioners questioned sanitary systems open chambers, pump system check valves and the propane tank. Ms. Batoh questioned the method used to calculate the water flow.

Mr. J. Cowan, Soil Scientist, Environmental Planning Services, disagrees with Mr. Danzer's report dated October 14th. His conclusion is that the wetland function is limited and fragmented. Referring to the graphic at the end of the report, noted half of the wetland is developed. In response, Ms. Batoh noted these homes were built in the 1970's prior to rules on wetlands. She also addressed the hydrologic impact due to tree removal. Commissioners questioned Mr. Cowan's prior work record in the Town of Stratford, restrictions which will be put on the condo community, safeguards which would be put into place in case of a problem in future years, and funding which would be implemented in case of an environmental problem. Attorney Creswell questioned the impervious ground which would be created after construction.

Members of the public speaking in opposition of the project:

- 1) Resident of 200 Judith Terrace
- 2) Resident of 292-A Agawam Drive
- 3) Resident of 480 James Farm Road
- 4) Resident of 135 Pepper Ridge Circle
- 5) Resident of 65 Coach House Road (read statement from Ms. Prewitt and Mr. Ezyk
- 6) Resident of 280 James Farm Road (read report from Mr. Ezyk and submitted into record)
- 7) Resident of 10 Judith Terrace
- 8) Resident of 800 James Farm Road (speaking on behalf of Concerned Citizens Group)
- 9) Resident of 75 Candlewood Road

Seeing no other members of the public speaking for or against Application #2015-4, Mr. Fahy made a motion to continue the Public Hearing until November 18th. The motion was seconded by Mr. McCann. The motion carried unanimously

Regular Meeting

Chairman Hojdich called the regular meeting to order at 9:05 p.m.

Approval of Minutes: Mr. Waite made a motion to approve the minutes of September 16th. The motion was seconded by Mr. Blake. The motion carried unanimously.

Old Business: None

New Business:

- a. **IWWC Permit #2014-3(M):** Permit Modification to include Canaan Road Bridge Deck in rehabilitation of under twenty (20) foot span bridges at various locations throughout the Town of Stratford. Site Address: Multiple Locations Applicant: Town of Stratford – Ms. Batoh informed the Commissioners this is in addition to the permit already in place. **Mr. Blake made a motion to accept permit #2014-3(M). The motion was seconded by Mr. Schlager. The motion carried unanimously.**
- b. **IWWC Permit #2001-9(M):** Remaining bond release request. Construct Avalon Bay Communities, Inc. Address: 1600 Cutspring Road & 140 Circle Drive. Applicant: Avalon Bay Communities, Inc. – Mr. Batoh noted that all conditions have been met. Mr. McCann questioned escrow monies in condo associations. **Mr. Waite made a motion to release bond for permit #2001-9(M). The motion was seconded by Mr. Blake. The motion carried unanimously.**

Staff Report: None

Administrative Permits:

- a. **IWWC Permit #2015-8(A):** Debris removal, installation of timber retaining wall, minor grading and fill, and in-kind replacement of driveway within a regulated (250 foot) upland review area from Pumpkin Ground Brook. Address: 131 Winton Place. Map 50.15, Block 5, Lot 4. Applicant: Mario Guerrero, Jr. – Ms. Batoh discussed the granting of the permit and the conditions put forth.

Commissioner's Forum: Commissioners discussed beaver dam created in Pumpkin Ground Brook.

Adjournment: Seeing no other business to discuss, Mr. Fahy made a motion to close the meeting at 9:20 p.m. The motion was seconded by Mr. Waite. The motion carried unanimously.

Respectfully Submitted,

Gail DeCilio