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Inland Wetlands Commission
Regular Meeting
Draft Minutes
April 2, 2015

Seated for the meeting were Chairman Lee Reichart, Raul Ferreira, Jon Mitchell, Alisa Morrison, Nick Salerno. Also in attendance Candace Palmer, WEO.

New Business

IW-15-04 – Michael & Lynda Galetta – Seeking a permit for construction of a new gravel driveway for a single family residence with a portion of the driveway within the 100 ft. upland review area. Property located at 443 New London Tpke., Stonington. Assessor's Map 117 Block 1 Lot 1B; Zone RR-80.

IW 15-05 – Paul & Monica Dilorio, owner; (William Jackson, agent) – Seeking permit to construct an addition to a single family residence within the upland review area. Property located at 11 Sunset Ave., Pawcatuck. Assessor's Map 7 Block 1 Lot 50 Zone RA-20.

Site walks for both applications have been scheduled for May 2nd.

Old Business

IW #15-03 Stonington Boathouse LLC – Seeking a permit to construct a 4,500 s.f. commercial building with paved driveway, 80 space gravel parking area, storm drainage system and new well and septic system within the upland review area. Property located on Stonington Rd., Stonington. Assessor's Map 75 Block 2 Lot 3; Zone GC-60/RC-120.

The application was tabled at the applicants request.

Public Hearing

IW#15-02 Mystic River Square Condo Assn. (owner); Toll CT Limited Partnership (applicant) – Seeking a permit to extend the storm drainage system from its detention basin at Old Mystic Estates to Whitehall Pond, install a new outlet structure in pon 7 connect it to a discharge point at the Mystic River. Property located at 12 Michelle Lane, 102 Whitehall Ave. & 6 Whitehall Pond. Assessor's Map 165 Block 3 Lots 1A & 2 and Map 148 Block 3 Lot 3B; Zone GC-60, RR-80 & RH-10.

Joe Williams, attorney from Shipman and Goodman for Toll CT Limited Partnership, Mr. Williams explained the cause for the application and the original application in 2004, it was thought Whitehall Pond had an outlet pipe to the Mystic River however after flooding in 2010 it was discovered that said pipe was actually an inlet pipe. Construction was ceased by the town and the property owner hopes to continue construction with these proposed changes. There was a plan approved by Inland Wetlands in 2013 however it did not pass Planning and Zoning, they have since appealed that decision. This application is another attempt to create a solution. The application has been reviewed by several agencies and will also aid the Whitehall Pond Condominiums from future flooding. If all approvals are attained they will abandon the 2013 approval.

Dan Kroeber, engineer on the project, presented an aerial map and key points of construction. He then presented a topographic map to explain the current drainage. Mr. Kroeber explained the need for the outlet pipes in Whitehall Pond and the detention basin. The original application did not include any assistance to Whitehall Pond however this one will. Mr. Kroeber gave a more detailed view of the plans

for drainage on the property. They will be increasing the depth of the current detention basin and will be increasing the size of the emergency rip rap spillway. Mr. Kroeber expressed that he feels this is the best design for the property as well as the neighbors. Mr. Kroeber stated that they have not found rock ledge in the area of construction behind the Mystic Condo's. The section of the pipe located adjacent Whitehall Avenue will need some ledge removal. Mr. Kroeber clarified issues with the current detention basin without an outlet structure

Matthew Sanford, certified wetlands scientist, spoke about the existing conditions of the site. Found that there were no wetland soils on the site however there is a water body, Whitehall Pond. Along the Mystic River they did not find any wetland soils. Mr. Sanford described the plants located in the pond area. Mr. Sanford explained the impact of the activities of the project. After the installation of the outlet pipe from the detention basin, the area will be re-soiled and seeded to allow for minimal impact. Maintaining the current foliage and species of the pond relies on the outlet pipe to the Mystic River to allow for a 13 foot maximum depth of the pond. Wetland plants will be planted at the bottom of the detention basin to allow for sustainability.

Mr. Salerno questioned the impact of a 100 year storm on the Mystic River, some water may enter the pipe from coastal flooding. Mr. Mitchell questioned the area of the pond. Mr. Mitchell further questioned the ecology of the pond. Mr. Sanford explained that by maintaining the 13' elevation it would preserve the current ecology of the pond. Now that water will be flowing instead of stagnant Mr. Mitchell and Ms. Morrison questioned the impact on the habitat.

Public comment in favor:
Dexter White, Whitehall Pond Homeowners Association, spoke that the project would assist their homes. He commented on the historical levels of the pond and was in agreement with maintaining the 13' elevation after seeing wildlife decrease with less water flowing into the pond. He stated that this proposal was overwhelming passed by the homeowners association.

Betty Peterson, asked the commission if there are precautions to protect the wildlife during the construction.

Janet Welsh, resident of Mystic River Square representing the association, former resident of the Whitehall Pond condominiums explained the flooding effect of 2010. The board brought the application to the entire body of residents and they voted in favor of the application.

Public comment in opposition:
Steven Small, from Riverbend Drive, presented a letter from Gary Julian, fellow resident of Riverbend Drive. He then spoke regarding an aquifer at Whitehall Pond and his concern that it will affect his well system.

Jayne Scott, resident of Riverbend Drive, expressed concern for the outlet pipe into the Mystic River as well as issues with the Toll property and their plans to provide vegetation as a buffer.

Delycia Salsich, resident of Riverbend Drive, no objection to the application, but does have concern for her property and well.

Hamilton Salsich, resident of Riverbend Drive, shares concerns of his wife and questioned how deep and wide the trench will be.

Molly McKay, resident of Riverbend Drive, expressed concern with current flooding.

Fini McGlinchey, resident of Whitehall Avenue, questioned how the commission can view the wetlands in the winter. She also expressed concern for the salamanders migrating.

Rebuttal
Mr. Williams expressed the solution for the flooding and has been holding since. Mr. Kroeber spoke about the impact to the aquifers, there will be no change to the bottom of the pond so there will be continued supply to the aquifer. Mr. Kroeber expressed that the work that began was within the lines of a permitting project and have tried to mitigate the lack of vegetation in the meantime and there will be future vegetation added upon completion of the project. Mr. Kroeber addressed the width and depth of the trench. Mr. Sanford spoke about the impact to the nesting of the birds and assured it would not impact their habitat.

Ms. Morrison moved to close the public hearing, seconded by Mr. Salerno, all in favor 5-0, motion approved.

Ms. Morrison moved to approve the application with stipulations, seconded by Mr. Ferreira, discussion of the motion, Mr. Mitchell spoke regarding the change in hydrology. Ms. Morrison expressed concern over the hydrology of the pond as well. All in favor 4-1 Mr. Mitchell opposed, motion approved with the following stipulations:

1. Staff shall be notified prior to the start of construction to inspect sediment/erosion control measurements.
2. Engineering Department to work with the applicant to finalize the long term operations & maintenance plan (O & M) for the new storm drainage system. Final O&M plan to be filed on the land records.
3. Engineering Department to work with the applicant to define a future maintenance fund.
4. Minor plan changes noted in MMI comment response letter dated March 27, 2015 to be included in final plans.
5. Abandon Consent Approval IW #02-19 approved on June 6, 2013.

Minutes: Ms. Morisson moved to approve the minutes for 2/5/2015, 2/28/2015, 3/9/2015 and 3/28/2015, seconded by Mr. Salerno, all in favor 5-0, motion approved.

Ms. Morrison moved to adjourn, seconded by Mr. Ferreira, all in favor 5-0, the meeting adjourned at 9:07 p.m.