

Inland Wetlands Commission
Regular Meeting
Final Minutes
September 2, 2021
Stonington Police Station, 173 South Broad St., Pawcatuck, CT

Seated for the meeting were Lee Reichert, Raul Ferreira, Dennis Unites, Michael Finiguerra, and Nick Salerno. Also in attendance, Candace Palmer, WEO. William Wright was absent.

The meeting was called to order at 7:00 p.m. on September 2, 2021 at the Stonington Police Station.

New Business:

IW #21-18 Robert J. & Rosanne N. O'Hara (Ian T. Cole-Agent) - Seeking a permit to replace existing pool, decking and install fence, patio and rain gardens within the upland review area. Property located on 33 Hopkins St., Stonington. Assessor's Map 127 Block 11 Lot 7 & 8, Zone RM-20.

The application was accepted and scheduled for site walk October 2, 2021.

Old Business:

IW #21-15 Stonington Country Club (Peter Gardner-Agent) - Seeking a permit for construction of a 12' x 12' on golf course bathroom and underground sewage system located within the upland review area. Property located on 396 Taugwonk Road, Stonington. Assessor's Map 69 Block 1 Lot 3, Zone GBR-130.
Withdrawn per applicant's request.

IW #21-07Jannat, LLC (Dieter & Gardner, Inc-Agent) - Seeking a permit for construction of a gas station/convenience store, associated parking and site improvements within the upland review area. Property located on 54 South Broad Street, Pawcatuck. Assessor's Map 14 Block 2 Lot 6, Zone LS-5.
Continued from August 5, 2021.

Attorney Rob Avena stated they have filed additional exhibits and provided copies to the intervenor. Peter Gardner reviewed the revised site plan and test pit results. The test pit shows the site will support the rain garden. The applicant presented a site map showing the location of the previous tanks on site that were removed. They have also provided a report on the removal of tanks. The previous property owner is responsible for that sitework and they are monitoring their activity as well as DEEP. Mr. Avena stated that the site is currently under monitoring but is in the last quarter and will hopefully be filing for closure soon. Mr. Reichert asked Mr. Cole to summarize his memo. Mr. Cole stated they tested the soil in the proposed rain garden area and found that the soils are fairly permeable and would support treatment and infiltration for the first inch of rain. Mr. Salerno asked whether this is standard. Mr. Cole responded it was and covers 90% of rain storms. Mr. Ferreira asked about the maintenance of the rain garden, which will be maintained by the owner. Mr. Finiguerra asked if the scale issue on one of the depictions had been resolved. The applicant responded that they have revised it on the submitted plans.

Attorney John Chase on behalf of the intervenor and Mark Temple, P.E., provided a rebuttal to the applicant's plans. Atty. Chase discussed the one-inch design standard for the rain garden and let the commission know they could request additional management. Atty. Chase spoke about the commission's charge and process. Mr. Temple passed out maps he will be referring to (Exhibit 2). Mr. Temple recommended that they require the applicant to use the existing building footprint to increase the planted buffer to the wetlands. Mr. Temple stated the wetlands on site are part of a larger wetland

system. Mr. Temple stated that he does not feel the rain garden will be better than the current site conditions since there is no automobile activity on site. That activity will create additional contaminants that don't currently exist. Mr. Temple also stated he doesn't understand how the rain garden calculations can be the same with the revised rip rap calculation. Mr. Temple commented on the test pit calculations and ground water table measurements. Mr. Temple stated that the monitoring wells are not down gradient of the contamination areas or service garage. Mr. Temple also raised concern over the installation process of the new tanks related to the ground water table. Mr. Salerno asked if expanding the rain garden would help with management. Mr. Finiguerra addressed the Town Engineer's comments that verified that the rain garden was appropriately sized for the lot. Mr. Finiguerra discussed the commission's charge and how they are appropriately doing their due diligence on this application. Mr. Finiguerra responded to Mr. Temple's points from his presentation. Atty. Chase asked Mr. Finiguerra to state his credentials. Mr. Finiguerra responded that he had a masters and a Phd in Marine Sciences. Atty. Chase responded to Mr. Finiguerra's statements and clarified his points. Mr. Temple asked about the rip rap calculation in the rain garden. Mr. Finiguerra stated that they did not ask them to change the calculation, but to verify the system was large enough, which they have. Mr. Finiguerra asked about the winter months effect on the rain garden system. Mr. Unites stated his expertise as a geologist, for the record and then spoke to the ground water table comments from the intervenor and stated that the data doesn't show significant fluctuation in the ground water table. Mr. Unites asked about the controls being done on their client's property two doors down. Mr. Temple stated that the tanks were removed in 2017 in which they pumped significant water out and treated then discharged with town approval. They also removed significant soils and have 11 monitoring wells on site. They have a separator on site for run off and a small swale that directs to a grassy stretch for sheet flow where treatment occurs. Mr. Unites asked about the maintenance logs on their site. Mr. Temple said they have a Director of Facilities that manages this. Atty. Chase submitted a written copy of Mr. Temple's testimony (Exhibit 3).

Attorney Avena states that they stand by their application and that they meet the standards of the commission.

Mr. Salerno confirmed he has listened to the recording of the last meeting on this application.

The commission discussed adding an additional monitoring well southwest of the building and north of the rain garden.

Mr. Unites moved to approve the application with the following stipulations:

1. Staff shall be notified prior to the start of construction to inspect sediment/erosion control measurements.
2. Modify the soil media in the rain garden to 85% Sharp Sand, 13 % compost and 2% topsoil mixture to enhance permeability. Furthermore, remove the floatable mulch and topsoil lens of soil.
3. Provide perc test information within the region of the rain garden on the final plans.
4. Consider raising the rain garden berm height 0.5' as allowable, perhaps modify in field to accommodate factor of safety volume.
5. Install a monitoring well southwest of the current building and north of the end of the rain garden to monitor water quality and water levels in coordination with the other three monitoring wells on site.

Motion seconded by Mr. Ferreira, all in favor 5-0. Motion approved.

IW #21-16 Janice P. & Hal C. Wingo, III (Peter Gardner-Agent) - Seeking a permit to construct a new single-family residence, driveway, septic system, utilities and associated site improvements within the upland review area. Property located on 9 School House Road, Mystic. Assessor's Map 176 Block 7 Lot 24A, Zone RA-20.

Mr. Gardner presented the site plan. The commission had a site walk and following Ms. Palmer's suggestion they will install shrubbery between the home and wetlands. Steve Grabalski stated the shrubs will be mature when planted. Mr. Finiguerra asked about construction erosion and sedimentation controls. Mr. Grabalski stated they will be installing hay bales and silt fencing and will install more if necessary. The boulders will be re-used as a base for the driveway and also assist with catching silt. The applicant is open to pavers that have holes for grass to grow through. The septic system will be located right around the upland review area line. Mr. Unites asked about the roof run off and requested it not run off to the wetlands. They would lead the roof leaders to a small rain garden.

Mr. Unites moved to approve the application with the following stipulations:

1. Staff shall be notified prior to the start of construction to inspect sediment/erosion control measurements.
2. Plant list and schedule for driveway edge is to be submitted and approved by town staff prior to issuance of a zoning permit.
3. Roof leaders are to drain into shallow rain garden located to the south of hatched area.

Motion seconded by Mr. Ferreira, all in favor 5-0. Motion approved.

IW #21-17 Daniel Ross (Seamus Moran, P.E.-Agent) - Seeking a permit for construction of a new single-family residence and associated activities. Underground sewage system located within the upland review area. Property located on 16 East Forest Road, Mystic. Assessor's Map 177 Block 11 Lot 2, Zone RA-20.

Seamus Moran presented the site plan. The applicant is proposing a four-bedroom single family residence on the current vacant lot which will be outside the upland review area. Within the review area will be the septic systems and roof leaders and footing drains. There were a number of test pits on site, but were only able to locate the septic as they have on the plan and have performed a nitrification dilution analysis. The commission discussed the roof run off and potentially discharging it through sheet flow adjacent. The applicant agreed to that solution. The commission discussed the nitrification dilution calculations.

Mr. Finiguerra moved to approve the application with the following stipulations:

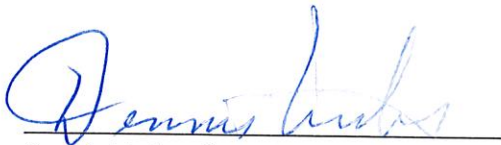
1. Staff shall be notified prior to the start of construction to inspect sediment/erosion control measurements.
2. Roof leaders are to drain along the northern westerly line in a grassy swale.

Motion seconded by Mr. Ferreira, all in favor 5-0, motion approved.

Minutes:

Mr. Ferreira moved to approve the minutes of the August 5, 2021 and August 28, 2021 meetings, seconded by Mr. Finiguerra, all in favor 5-0. Motion approved.

Mr. Finiguerra moved to adjourn, seconded by Mr. Unites, all in favor 5-0. The meeting adjourned at 9:03 p.m.



Dennis Unites, Secretary