

Inland Wetlands & Watercourses Commission September 20, 2006 Public Hearing/Public Meeting

The Inland Wetlands & Watercourses Commission held a Public Meeting on Wednesday, September 20, 2006 at 7:30 P.M. in the Community Room, Wethersfield Police Department, and 250 Silas Deane Highway, Wethersfield, CT 06109.

Members Present:

Fred Clark, Chairman
Dave Ambrose, Vice Chairman
Lawrence Buck
Frank Morris
Lou Sanzaro
George Camarco

Also Present:

Don Moisa, Wetlands Agent

Chairman Clark opened the meeting at 7:45 p.m.

GENERAL COMMENTS (Eleven (8) persons in the audience)

No comments.

PUBLIC Meeting

Application No. 540-06, Peter Leombruni, 200 Broad St., Parcel No. 263-007

New home construction within a regulated area.

Chairman Fred Clark indicated that 4 of the 5 members of the commission who were present at the August 16, 2006 Public Hearing were present. In addition Commissioners Dave Ambrose and Lou Sanzaro had listened to the tapes of the August 16, 2006 Public Hearing and had reviewed all the record information and were capable of voting and participating with the decision on the application.

Chairman Clark reviewed the history of the application. The Commission had the application over a 2 month period and had heard from the public and the applicant.

The original application was based on the Town Wetlands mapping and the Commission requested that the applicant field locate the wetlands and to further clarify the issues related to the flood plain.

The house foot print has been reduced by eliminating the garage.

The wetlands consultant for the applicant had summarized the non negative effects of placing the house in proximity to the wetlands but not in the wetlands.

The applicant also noted that the cuts and fills were balanced.

Peter Lambrouni PE in concert with Peter Parizo PE LS had addressed drainage issues with areas of standing water.

This property was previously approved in 1998 and has been modified from that previous application.

The neighbor reference to the previous application and suggestion to move the house further back from the edge of the

wetlands was addressed by the applicant and the applicant's consultant as not feasible and prudent as there were additional uses for the property such as the horse farm that the applicant would like to retain.

Commissioner Buck motion to Approve as a Plenary Ruling, citing as a reason that based on documentation and testimony from the applicants experts the wetlands that exist on this property were no longer having any significant wetland function, the impact to the wetlands was not significant, the concern of other town commissions in preserving the streetscape warranted a sufficient reason to allow a minimal impact on a non significant wetlands, and this has ceased to function as a wetlands for many years.

Seconded by Commissioner Morris. All voted in favor, Motion passed.

Application No. 542-06 ES, Hometown Developers LLC, 91 Nott Street Parcel 209-009 Construction of 21 unit residential housing development within a regulated area. Also seeking erosion and sediment control plan certification.

Dan D'Addeo and Mark Trahan of Advance Realty LLC and Dave Pickett of Close, Jensen & Miller, PC, and Attorney John Harvey represented the applicant.

Mark Trahan introduced Dave Pickett, Dan D'Addeo, and John Harvey.

Mark Trahan outlined the project as 21 homes on slab foundations

Mr. Pickett presented revised plans with the Flood Zone and Wetlands highlighted.

Mr. Pickett pointed out plan revisions including combination hay bale/silt fence erosion control, correction of contours adjacent to the retaining wall, and erosion control both along the wetlands at the south end of the project and at the toe of the proposed excavation.

Mr. Pickett submitted cross-section sheets to show how they came up with the earth work calculations increase of 1100 Cu. Yds. of increased flood storage

Mr. Pickett had been in contact with MDC and would be able to eliminate a pump station for the sanitary sewer and use gravity feed sewer. Since they would need 3.5' of cover they would have to raise the grade at the rear of the site.

Mr. Pickett also outlined phasing of the project.

Dan D'Addeo discussed efforts to contact Northeast Utilities to get permission to go on Northeast Utility property to clean Beaver Brook.

Mr. Pickett also discussed the vertical datum and adjustments of the vertical datum from MDC Datum to 1929 Datum to NAVD 1988 Datum

Chairman Clark and Commissioner Buck discussed with Mr. Pickett inconsistencies with the vertical datum shown on the various plans submitted and their concern with the differences between the site plan presented and the FEMA flood zone maps.

Chairman Clark expressed his concern about the MDC Datum and the shifting of 3 ' between datums as shown on the plans and the FEMA plans showing the site in a regulated flood plain.

Commissioner Buck discussed that 3 panels of the FEMA maps indicated MDC Datum and one panel indicated NGVD 1929 datum but if you line up 2 panels together it would all be the same datum so the entire FEMA map was done on MDC datum.

Commissioner Buck agreed with the conversion from MDC Datum to NAVD88.

Commissioner Buck questioned if the plan was based on recent on the ground field topography and pointed out that there was a DOT benchmark across Nott St. that has both 1929 & 1988 datum on it.

Mr. Pickett indicated the survey was done in 1999 & 2000 and has since been added to.

Chairman Clark expressed concern that the commission is being asked to accept information that the FEMA study shows the site under water during a 100Yr. storm but the information presented by the applicant says it is not under water.

Mr. Pickett discussed contacting FEMA to get a letter or document to clarify the FEMA study.

Commissioner Buck questioned if the Commission regulates everything as shown within the 100 Yr. Flood Zone or do they regulate based on the elevations shown in the FEMA study.

Chairman Clark pointed out that sheet 3 of 10 has a note indicating MDC Datum but has the same contours as shown on the full scale plan and does not show a 3' difference and this inconsistency is a cause of alarm.

Also the cut and fill calculations used an elevation of 33.21 as the flood elevation however when you review the documents submitted it shows that at Morrison Ave. the flood plain drops 4'. The Morrison Ave. culvert creates an obstruction to Beaver Brook coming down stream. The calculation stating the applicant is creating 1100 Cu. Yds. Of Flood Storage would not be correct and could actually be filling of Flood Plain.

Chairman Clark pointed out that there is clearly a conflict of information from the Datums to the FEMA Flood Mapping.

Mr. Pickett and the Commissioners discussed doing a limited field survey to check the datum of the plan, contacting FEMA for clarification of the Flood Zone, and preparing a Letter of Map Amendment for approval by FEMA

Vice Chairman Ambrose disqualified himself from voting citing a possible conflict of interest.

Motion by Commissioner Buck, seconded by Commissioner Morris to table the application. All voted in favor. Motion carried.

GENERAL BUSINESS

1. Approval of Minutes -
 - a. [July 19, 2006](#) (FC,DA,LB,JH,AM,FM,MS) Approved
 - b. [August 16, 2006](#) (FC,FM,TM,LB,GC) Tabled
2. Correspondence (NO ACTION REQUIRED)
 - a. Mike Turner letter to David Anderson
 - b. 2006 Municipal Inland Wetlands Commissioners Training Program Segment III
 - c. Article "What is a Wetland"
 - d. Connecticut Federation of Lakes newsletter.

ADJOURNMENT

Motion by Commissioner Buck, seconded by Commissioner Ambrose to adjourn the meeting at 9:25 p.m.

Don Moisa, Wetlands Agent