

INLAND WETLANDS AGENCY  
JUNE 11, 2008 - 7:30 P.M.  
TOWN HALL ANNEX - COMMUNITY ROOM 2

I. ROLL CALL

Agency: Ashworth, Block, Sutphen  
Alternates: Furlong  
Staff: Jones, Silsby

The meeting was called to order by Acting Chairperson Sutphen at 7:30 p.m.

For the record, Furlong stated that she has reviewed all the tapes and documents for the Walmart application. She has had knee surgery recently, and she stated that she is not on any narcotics presently. She is comfortable in voting tonight.

II. PUBLIC COMMUNICATIONS – None

III. APPROVAL OF THE MINUTES of May 28, 2008 and June 4, 2008

MOTION: To approve the minutes of May 28, 2008

Furlong noted that she would abstain because she was not at the meeting.

Motion by Ashworth, seconded by Block, so voted 3 in favor, 0 opposed, 1 abstention (Furlong). Motion carried.

MOTION: To approve the minutes of June 4, 2008

Furlong noted that she would abstain because she was not at the meeting.

Motion by Ashworth, seconded by Block, so voted 3 in favor, 0 opposed, 1 abstention (Furlong). Motion carried.

IV. NEW APPLICATIONS – None

V. PENDING APPLICATIONS

There was a consensus by the Agency to move the Wal-Mart application to the end of this section of the agenda.

1. Burger King, 557 Long Hill Road

Charles Georgie, Architect, CGA Architects and Engineers of West Haven, CT., presented maps and gave an overview of the proposal, which includes the demolition of the existing building and replacing it with a new structure. The building will be more energy efficient and more compact but within the existing developed boundaries of the site. Pervious areas will be increased. Landscaping and parking lot changes were reviewed. Drainage was addressed and it was noted that a catch basin would be added to limit the amount of water flowing across the parking lot. It was noted that the dumpster would be located behind the building and the sedimentation structure would be about 40-feet from the wetlands.

Drainage, catch basins, sedimentation, landscaping, and roof areas were discussed. Members referred to the site walk held on June 4, 2008 and stated that the back area looked clean. For safety reasons, they suggested that a fence be installed at the back of the property.

MOTION: To approve the Burger King application for the following reasons:

1. The activity will take place within the current building and parking footprint.
2. There are no other regulated activities made inevitable by this granting this permit.

This permit is subject to the four standard conditions and the following additional conditions:

1. The plan shall be revised to show the berm and drainage pipes permitted in 1990.
2. Alternative dewatering methods may be used as approved by the Environmental Planner.
3. A hydrodynamic separator shall be installed between the final catch basin and the existing storm water discharge outlet.

Motion by Block, seconded by Ashworth, so voted unanimously

2. North Woods Subdivision, 1299 North Road (CT Rte 117)

James Bernardo, Land Surveying, LLC, Waterford, CT, presented revised plans for a 5-lot residential subdivision. He spoke about open space at the back of the property, a conservation easement area, and the intent to avoid wetlands. He is trying to accommodate future access to the Haley property east of this site.

The Agency was concerned with future wetland impact if a road were ever built to the Haley land. They scheduled a site walk for Wednesday June 18, 2008 at 12:30 p.m.

3. Groton Highpoint Subdivision, 245 Hazelnut Hill Road

Clint Brown, Dicesare-Bentley Engineers, gave a review of the proposal for open space improvements and the water main extension in conjunction with a 31-lot residential subdivision. He spoke about the recent changes made to the plan and about

the proposed storm water system. He stated that a permit is still in place but changes are required by the Planning Commission decision. The change includes the installation of bollards, three benches in the open space along the existing trail, installation of trail restrictors, and a new water line. He noted changes to the erosion control plan that are outside of the review area. Other changes to the previously approved plan include the installation of a 4 foot wide meandering path rather than a 6 foot wide concrete sidewalk in the road right-of-way and a change to the flow path within the detention basin.

It was noted that additional blasting may occur in regards to the water line and that the pavement near the detention area would be bituminous.

The Agency asked whether the bituminous access road to the detention basin could be made of a pervious material. Staff expressed concern about the possibility of creating an erosion problem on the steeper slopes.

Sutphen clarified the specifics of the application relating to the modified water line, placement of benches, bollards, trail restrictors as modified (stone would be used), and discharge changes. Modifications would be made to the existing permit only.

MOTION: To classify as a minor application

Motion by Ashworth, seconded by Block, so voted unanimously

MOTION: To approve the Groton Highpoint Subdivision application for the following reasons:

1. There are no wetlands or watercourses permanently altered or destroyed as a result of this permit.
2. The activities are minor and will take place in areas where other regulated activities have been permitted.

This permit is subject to the five standard conditions and the following additional conditions:

1. The approved activities shall be incorporated into the subdivision plan as approved by the Groton Planning Commission.
2. The erosion control plan and construction sequence shall be revised to incorporate these new activities.
3. Concrete check dams shall be installed along the water line within the regulated area on Hazelnut Hill Road.
4. The trail restrictors shall be either bollards or boulders.
5. The access road to the storm water management basin shall be pervious and non erosive, and shall terminate 100 feet from the edge of the wetland.

Motion by Block, seconded by Ashworth, so voted unanimously

4. Benchmark Assisted Living, LLC, 90 Poheganut Drive

The Agency reviewed their site walk that was held on June 4, 2008. They noted that the basin was overgrown and had some sediment at the inlet pipe. This is less of an impact in terms of impervious surface compared to the 2003 proposed office building which the Agency ruled did not require a permit.

Attorney Harry Heller, representing Benchmark Assisted Living, LLC, submitted plans as an exhibit for a 48 unit assisted living facility for alzheimer patients. Reviewing the proposal, he explained that all development would be outside the regulated area and upslope of an existing parking lot and storm water basin. He spoke about the parking area and storm water treatment train, which would filter out floatables and suspended solids. He distributed aerial views of the plan and explained about the location of the basin in relationship to the reservoir. The applicant anticipates having 32 parking spaces, which are currently in existence. Clint Brown of Dicesare-Bentley Engineers stated that the dumpster would be located near the loading area, which is several hundred feet from the wetland.

**MOTION:** To find that the activity associated with the development of the Benchmark Assisted Living/Residential Life Care Community as shown on the plan dated May 14, 2008, does not require a permit from the Inland Wetland Agency.

The Agency recommends that the Planning Commission consider retrofitting the storm water management system to provide additional sediment and pollutant removal. They recommend the use of rain gardens or infiltrators for the roof drainage and the use of sheet flow to drain the parking area as appropriate. They recommend that sand and vegetation be removed from the detention basin.

Motion by Block, seconded by Ashworth, so voted 3 in favor, 0 opposed, 1 abstention (Furlong). Motion carried.

5. Proposed Retail Development (Walmart Super Center) 481, 489, 491, 495, 529 Gold Star Highway

Staff noted that the applicant has consented to an extension if the Agency needs additional time to make a decision. She also noted that Ashworth is now a regular member and can vote accordingly.

Furlong asked for clarification about pond #4 and requested to see Debra Marshall-Baker's testimony. She gave concerns about the increase in volume at this discharge point. Staff presented the drainage map showing the location near the Sojourner Inn.

Furlong expressed concern about the changes in stormwater management from the 2006 plan. Staff explained that there are now three different infiltration/detention units handling the roof water rather than two. Discussion followed about the infiltration system. Furlong does not think that the infiltrators are the right size. She continued to give her concerns and does not believe that the plan is the same as was previously approved. She thinks that the Agency needs to review the entire project again. Furlong

does not feel that the infiltration system will keep the water clean enough and is not comfortable with the proposal as is.

Sutphen believes that the applicant is proposing these changes due to the Planning Commission's denial of their site plan. Staff added that the stormwater management system was one of the reasons why the Planning Commission denied the application.

Staff read from Marshall-Baker's memorandum regarding extra flow and increase volume of runoff at pond # 4.

Furlong was concerned about the increase in the amount of water runoff. Staff explained that the size of the pipe in front of the former Sojourner Inn has been reduced from 48" to 24".

Block understands that it is a different size pipe but believes that this new proposal has more changes than what was originally approved.

Ashworth referred to the previously approved application from 2006. He stated that the devices at the back were infiltrators but the devices shown on the new plan do not infiltrate the stormwater. He believes that discharge to the wetlands has changed. Most members agreed. Staff noted that the water may infiltrate through bedrock if fissures are created during construction.

Discussion followed about improving the stormwater treatment train.

Furlong is very concerned about water quality. She suggested that the Agency deny this application and have the applicant come back with a complete and better plan. She referred to the University of New Hampshire findings.

Ashworth stated that the previously approved plan is still valid and cannot be rescinded. He believes that tonight's proposal should be denied because the roof water will no longer discharge to an infiltrator. Instead, it will flow through a detention system. There is no guarantee that it will improve the quality of water.

Block questioned whether this plan is better than the old plan. She agreed with Ashworth. She suggested that the treatment train be improved as part of this application.

Sutphen stated that the applicant will probably come back and make a case for the changes to the entire site's stormwater management system. She feels similarly to other members and is not comfortable with the magnitude of changes.

Staff distributed a draft motion for denial.

MOTION: To deny the Retail Development (Walmart Super Center) application for the following reasons:

The Agency finds that there will be very limited infiltration, if any, of storm water due to the soil conditions on the site and that there will be inadequate pollutant removal prior to the discharge of the storm water to the wetlands as a result.

Motion by Ashworth, seconded by Furlong, so voted unanimously to deny this application.

VI. NEW BUSINESS

1. Report of Chair – The Agency agreed to cancel the regularly scheduled meeting of July 9, 2008. Sutphen stated that she would not be present at the July 23, 2008 meeting. Ashworth stated that he would not have been present at the July 9, 2008 meeting.

Block reported that her granddaughter had noticed a new stone dam across a watercourse on the Merritt property, recently acquired by the Groton Open Space Association. Furlong reported that a neighbor had constructed a wooden bridge across the watercourse for horses to use. The bridge has been removed and GOSA members placed stones in the watercourse to allow pedestrian access. Furlong believes that the stones will be removed in the near future. The Agency asked staff to investigate.

2. Report of Staff – None

VII. ADJOURNMENT

The meeting adjourned at 9:10 p.m.

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Eunice Sutphen, Secretary  
Inland Wetland Agency

Prepared by Robin M. Silsby  
Office Assistant II