

Minutes of the Regular Meeting of the Inland Wetlands Agency on March 19, 2014.

**A. Roll Call**

Present: Cathy Collins, Ken Cowden, Dave DeFlumeri, Carol Dunn, Lily Flannigan, Richard Lutz Justin Margeson and Steve Munson.

Absent: Allen Cegan, Jim Connors and Brendan Magnan.

Also Present: DPLU Director Joe Griffith, MaryRose Palumbo and Lisa Streit.

Collins called the meeting to order at 7:30 p.m. and deemed DeFlumeri and Dunn voting alternates.

**B. Pledge**

All stood for the Pledge of Allegiance.

**C. Public Comments**

None.

**D. New Business**

1. **IW-A-14-012: 1718 Boston Post Road, Costco Wholesale** – proposed removal of 2-36” pipes replacing with a 4’ x 6’ wide box culvert with work in and within 100’ of a watercourse in the Indian River Watershed.

MaryRose reported that this application is on the agenda for the first time and can be discussed at the next meeting.

**E. Old Business**

1. **IW-V-11-049: 945 North Street, Barretta Realty Associates, LLC** – storage of wood, material and debris within 150’ of a wetland or watercourse in the Wepawaug River Watershed without a permit.

MaryRose reported that there is no new information. No action taken.

2. **IW-V-13-022: 37 Lakeside Road, Brad Frederick and Britnei Artz** – clear cutting trees and stockpiling material without a permit within 100’ of a wetland and watercourse in the South Central Shoreline Watershed. Information to be submitted by 4/15/14.

MaryRose reported that at the 2/19/14 meeting the Agency required the Fredericks to:

- Submit a revised planting plan with input from the MIWA office and Southwest Conservation District office to be submitted by 4/15/14.
- Conditional on approval of that planting plan, the plantings and erosion controls must installed by 5/15/14.

MaryRose spoke with Roman Mrozinski of the Conservation District; he said he had suggested that Mrs. Frederick contact the Master Gardner at the Conservation District for planting suggestions. Mrs. Frederick has contacted the Master Gardner. MaryRose was unable to walk the site with Mrs. Frederick due to conflicts. She walked the site yesterday (3/18/14) and sent information off to SWCD today.  
No action taken.

3. **IW-V-13-063: 30 Cedar Hill Road, Nancy Smith** – removal and deposition of silt and material from a pond and intermittent watercourse with work in and within 100' of a wetland or watercourse in the Indian River Watershed without a permit. Work to be completed by 5/7/14.

Work to be completed by 5/7/14; no action taken.

4. **IW-M-12-080: 400 Burnt Plains Road, Baybrook Remodelers, Inc.** – modification request for wall and grading for an approved 1590 sq. ft. structure with construction, grading and work within 100' of a wetland or watercourse in the Indian River Watershed.

MaryRose reported that this is a request for modification to the existing permit for the Youth Center building of Grace Baptist Church at 400 Burnt Plains Road. Baybrook Remodelers has submitted a modification request to allow a wall within 5' and grading within 7' of the wetlands to accommodate additional doors and a shortened stairwell. Baybrook Remodelers has already made the changes to the doors and stairs and is now looking to get IWA approval to add the wall and complete changes in grading.

At our last meeting the Agency moved that the following information be submitted by today so that an informed decision can be made on the modification request:

- Detailed plan for construction of the rain garden with engineering review of drainage changes;
- Engineering of the proposed retaining wall;
- Cross section of the fill;
- Clarification of the lower door path/egress to the parking area;
- Reconstruction of the gutters for proper drainage.

Dunn asked for clarification of earlier approval. MaryRose reviewed this. The applicant was not present. DeFlumeri stated that he felt it is appropriate to issue a violation. Cowden stated that he wanted a violation to prevent outside work from happening without approval. Collins agreed.

A five minute recess was taken.

Scott Farquharson came and read a statement, he is representing Pastor Joe Mixie. Grading changes are being required for building and fire codes mandates and additional means of egress from the lower level of the building. The building use is a youth center being used by 15-25 youths a few nights a week and on Saturdays. Under the code the use is considered assembly, which makes the second door required on the lower level. The upper level door at the same location was required by the State code to limit the number of steps to grade. Drainage was installed in error by installers without knowledge of stormwater control.

The main church has halls and a lower level that will be used for large gatherings. This is not the intent for use of the youth center. The main doors on both levels are more than adequate for constant use the other two exits are secondary. They are proposing just grass areas for these secondary access doors.

New plans and pictures were submitted as well as specks for a retaining wall. They have proposed changes of grading to include a lower level exit at an elevation of 122' and a retaining wall of 4' X 10' from the lower exit to the end of the upper stairs. The height changes will be 7" at the stair landing to 4' at the lower exit. The elevation at the stair landing will be 126.17' from the concrete pad. It will slope down to 124' near the front corner for a change of 2' in a distance of 25'. There will be minor grading along the side of the wall of 7" to 4' in a run of about 10'. The fill will be required to be about 7 yards to fill in the retaining wall and do the grading changes and can be removed from the construction of the rain gardens. Work will go forward as soon as approval is received.

Collins noted that the rain garden 'A' next to wetland flag 9 is right on top of the wetlands. Farquharson stated that it can be moved. Collins asked if there is a new proposal for fixing the pitch of the roof drainage. Farquharson stated that the drain in picture #1 (right rear) will be set to go into the front rain garden and the right rear drain will be removed and the drain is being pitched to the front of the building. Fill required will be about 7 yards and can be removed from the rain garden.

Lutz asked if the drainage is underground. Farquharson confirmed this. Lutz stated that he is concerned with the gutters and asked if they will have leaf guards. Farquharson stated that this has been done; they are installed. He further stated that the rain garden only has to be 50 sq. ft. (rain garden 'A'). Rain garden 'B' is by the temporary propane tanks.

Collins stated that she would like to see rain garden 'A' moved further from the wetland line.

Cowden stated that he is concerned with rain garden 'A' and how it will be impacted by snow removal/storage. If there is a winter similar to this year, there is

no place to put the snow. He is concerned that if there is a year with a number of storms the snow and ice will pile up in the rain garden and back up the drainage

Also, the downstairs area; if there is 10-12" of snow there will be an egress issue and he would like to see a walkway for safe exit from the building. He is concerned that if there is no walkway it will not be shoveled and they will be exiting onto a snow covered grass slope. Munson stated that he did not feel this was an IWA issue. MaryRose explained that the concern is the door area is sloped and there will be fence and bushes there. For safety the grass will have to be shoveled which will lead to erosion into the wetland. Farquharson stated that if there is a sidewalk then people will shovel snow into the wetlands and he doesn't see a need for a sidewalk as it is only a secondary exit. The 10-15 people is for the whole building, there is just a kitchenette down there it won't really be used. Collins asked if there was underground drainage for rain garden 'C'. Farquharson stated that there was (the rain garden will be 5' x 20').

Lutz stated that on one side, rain garden 'C' is for the whole side and for the other side there is rain garden 'A' and 'B' and asked if one could be eliminated. Farquharson stated that it could not due to the driveway.

Collins asked Cowden if he ever built the type of retaining wall that is proposed. Cowden stated that he has and as long as it is specked by the Engineer it is appropriate for this project.

Collins asked if the proposed fill would be coming from the rain garden. Farquharson stated that it would and would be 2 yards. He clarified 2 yards and stated that he misspoke before when he said 7 yards. MaryRose asked if some fill had been brought in already. Farquharson stated that there has in order to square off the corner of the building. This was taken from the site and part of the original approval.

Cowden stated that the walkway from the 1<sup>st</sup> picture shows that it goes to wooden steps and he is concerned with trees and grass that will erode without irrigation. Farquharson stated that if walkways are required, they will do that. The lower door has a 4' x 4' pad and they would like it to be grass. MaryRose stated that they would like some kind of stabilized path that is going to last as without significant sunlight and no irrigation it will be sparsely vegetated.

Lutz asked about relocating rain garden 'A' and if the Engineer would research any other locations. MaryRose suggested considering the rear of the property.

The following motion was made by Munson and seconded by DeFlumeri:  
I move that a site walk be scheduled for application IW-A-12-080, 400 Burnt Plains Road, on 3/25/14, 2014 at 5:00PM. That is my motion.  
The motion carried unanimously.

**F. Minutes**

A motion was made by Munson, seconded by DeFlumeri to accept the minutes of the 3/5/14 meeting as presented. The motion carried unanimously.

**G. Staff Report**

MaryRose stated that she has copies of the Southwest Conservation District spring newsletter if anyone is interested. It includes an order form for their spring native plant sale. You can also access the order form on their website.

Grove St Pump station and sewer project final paving and planting will be in the spring.  
Indian River Interceptor is on hold  
Sanitary Sewer Infill's No. 1 final paving will be in the spring.  
Cascade Blvd- Garden homes is ongoing,  
Way Street is ongoing.  
Girl Scout Pool is ongoing.

Munson asked about the West River Street violation. It was discussed that the concern is that this is a lengthy process and the wall failing and what recourse there is. MaryRose will discuss this with the City Attorney.

Please remember to call or email if you are unable to attend a meeting.

**H. Chairwoman's Report**

There is a site walk on 3/25/14.  
The next regular meeting is on 4/2/14.

There being no further business to discuss, the meeting adjourned at 8:30 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.