

Minutes of the Regular Meeting of the Inland Wetlands Agency on March 5, 2014.

A. Roll Call

Present: Allen Cegan, Cathy Collins, Jim Connors, Ken Cowden, Lily Flannigan, Richard Lutz, Justin Margeson and Steve Munson.

Absent: Dave DeFlumeri, Carol Dunn and Brendan Magnan.

Also Present: MaryRose Palumbo and Lisa Streit.

Collins called the meeting to order at 7:30 p.m.



B. Pledge

All stood for the Pledge of Allegiance.

C. Public Comments

None.

D. New Business

- 1. IW-M-12-080: 400 Burnt Plains Road, Building #2, 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.

Baybrook has had difficulty keeping the site in compliance having issues with erosion control placement and installation as well as keeping contractors from putting wood, trash and debris on the silt fencing which is immediately adjacent to the wetland. MaryRose walked the site on 1/15/14 and instructed Scott Farquharson to clean up the site and fix the E&S controls. She walked the site with Mr. Farquharson on 2/24/14 and there was an improvement to the debris onsite.

MaryRose passed around 2 photo sheets with pictures numbered 1 to 10 from site visits on 1/15/14, 2/4/14 and 3/3/14

At the 2/24/14 site walk she requested that Mr. Farquharson add hay bales or coir fiber logs to the fence as protection when the snow melts and from the spring rains. She is concerned that the debris on the fencing has disturbed the integrity of the fence and impaired its ability to hold back the open soil in the spring rains. Hay bales were added to the front of the silt fencing and can be seen in the 3/3/14 site photos.

During the January site walk she noted that the downspouts were not being directed to the rain gardens as required on the approved plans. In response the extensions seen in the photos from

2/24/14 were added. However, in the 3/3 photos these extensions are in place but no longer connected to the downspouts. Mr. Farquharson has stated that Baybrook will be complying with the original approval to have all downspouts enter a rain garden at the front of the structure. MaryRose expressed concerns that significant bends in the downspouts and underground piping could be an issue with the roof drainage in the future. Mr. Farquharson assured her that the water will recharge through the rain garden as proposed and that the system will not back up and cause any issues for the property owner. She asked that his engineer review and approve the proposed drainage change. We do not yet have that documentation at this time. Mr. Farquharson is here this evening to present the proposed modification.

Scott Farquharson, Baybrook Remodelers said that they ran into an issue with the Building and Fire Departments for means of egress. They required these changes so that we could comply with the state codes. He said that Baybrook will be able to put in below ground drainage to the rain gardens. He said that they may have to build two rain gardens if the engineer determines that it is necessary.

Collins stated that she is concerned with the proximity of the stairs to the wetland line. Farquharson stated that they were notified by the State Building Official and State Fire Marshal that they needed to add the door and that they could not have as many stairs so they needed to modify the plans. Farquharson further stated that the wall will be made of railroad ties and/or pressure treated 6" X 6" lumber. Collins asked if there is engineering on this wall and if it would be interlocked with rebar. Referring to photo #7 the stairs seem to be hanging 4' off the ground and she asked how high this wall was. Connors questioned the lifespan of railroad ties, noting that if the wall fails the fill would be landing in the wetland. He feels that an engineered paver block wall would be better in this area.

Cowden stated that there needs to be a concrete wall made with forms or an engineered block wall. He asked how high the wall was going to be, no cross section was provided for review.

Farquharson said the wall would maybe use 6 X 6 lumber instead of railroad ties. They will be bringing in 2' of fill and there will be an 8" concrete step so it isn't a 4' high wall.

Collins stated that she is also concerned with the leader drains having fallen off already and the building is not even occupied. Also, with the changes in the grades how will they discharge to the rain garden? We will need to see a report on the underground leaders, if the engineer certifies that they are going to function properly.

Farquharson stated that he was not aware that the drains had fallen off. MaryRose presented pictures showing this. Farquharson stated that the downspouts did not change so they do not need to redesign them they will bring the water to the rain garden under the ground, they will not be using the leader drains that are shown going across the door in the pictures. Those are only temporary.

Connors said that if the grade is being changed than that changes the whole design and therefore, needs to be looked at by an engineer. If the roof drains had been put on the structure properly to drain to the front rain garden you wouldn't have needed to put the underground piping in.

MaryRose expressed concern with rain garden construction and getting sufficient water.

Lutz questioned the cement walk to the building and if it was gravel. Farquharson stated that its orientation had changed but it is still the same material.

Collins stated she was concerned with the pitch of the grading and putting that much fill so close to the wetlands, and there being no specs on the wall. She further asked how much fill would be brought in. Farquharson stated that he was not sure. Cowden shared these concerns. Connors stated that it needs to be an engineered wall to ensure that the wetland is protected.

Collins asked why the pitch to the rain garden isn't the same as what was approved. Farquharson stated that they didn't do anything to the rain garden so they shouldn't have to provide information on that. He said that they didn't get the requirements for the changes from the State until December.

Connors proposes that they take the gutters off and make it drain the right way to the rain garden. He asked if they are regular or leaf guard gutters; if they are not leaf guard they will clog up and there will be issues getting the water to the rain garden. Farquharson stated that they are regular gutters. Farquharson stated he had some difficulty getting the contractors to listen and he will be more on top of it. MaryRose asked what assurances will the Agency will have that it will be built according to the proposed modification if they aren't listening to you as to what is approved. Farquharson stated that a certificate of occupancy would not be able to be issued until it was completed. The elevation on plan A-5 was reviewed and Connors stated that the retaining wall should be extended further.

Lutz asked where the people go when they go out the lower door. Farquharson stated that they walk down the slope. There is no walkway proposed just a concrete pad and grass. Lutz stated that it appears that when you look at the plan it looks like the wall goes to the lower door. It could be the dark lines overlapping. Farquharson stated that it is just a grade line not a wall, it is not necessary to grade behind the building.

There was discussion to clarify if the lower door is an exit door. Farquharson said that it will have a regular handle; it is not a fire only exit.

The following motion was made by Connors and seconded by Cegan:

That the applicant provides the following additional information by 3/19/14 so that the Agency may make an informed decision on this modification request to permit IW-A-12-080, 400 Burnt Plains Road:

- 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

That is my motion

Munson asked if the Agency can hold a site walk when the information is received. MaryRose stated that they could. The motion carried unanimously.

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.

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 be installed by 5/15/14.

MaryRose spoke with Roman Mrozinski of the Conservation District and 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 and MaryRose has a site walk set with her for 3/10/14 to look at the area without snow cover and to review the proposed planting plan. 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 100ft of a wetland or watercourse in the Indian River Watershed without a permit. Work to be completed by 5/7/14.

No action taken.

F. Minutes

A motion was made by Munson, seconded by Connors to accept the minutes of the 2/19/14 meeting as presented. The motion carried unanimously.

G. Staff Report

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 project. MaryRose reported that the applicants' are appealing the IWA decision.

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

H. Chairwoman's Report

Collins reported that she went to the Planning and Zoning meeting and is concerned with the change in regulations and its affects to the IWA. MaryRose stated that they should not affect the IWA.

The next regular meeting will be on 3/19/14.

There being no further business to discuss, the meeting adjourned at 8:15 p.m.

Respectfully submitted,



Lisa Streit