

ESSEX PLANNING COMMISSION

September 13, 2012

7:30 p.m.

Essex Town Hall – Auditorium

PUBLIC HEARINGS

1. Call to Order and Seating of Members

The Meeting was called to order at 7:30 pm. by Chair Tom Danyliw. Seated for the Public Hearing were Chair Tom Danyliw, Vice Chair Linda Herman, Ralph Monaco, Alan Kerr, alternate Claire Tiernan for Carla Feroni, and alternates Neil Nichols and Bob Laundry. Also in attendance were Planner John Guskowski and Attorney Richard Roberts.

2. Subdivision Application: Ingham Hill Road (Map 93, Lot 1)

Augie Pampel, Essex Tree Warden, clarified discussion from the last Public Hearing. The curb cuts that were agreed upon do not necessarily mean that those trees would remain healthy. Mr. Ingram stated at the last hearing that the health of trees would go downhill very quickly. The appraised value of the ancient sugar maples was valid. The tree pricing discussed is the same method of appraisal that he would use and it is from state guidelines. Valuable roots will be cut and this will affect the life of the trees.

Public comment-

Judy Bombaci of 86 Ingham Hill read letters from two neighbors into the record. Nancy and Reeves Potts requested soil testing and a traffic study, expressing concern for stormwater runoff and additional traffic.

Daphne Neilson, 80 Ingham Hill, expressed concern that this would open up to a through road and to adjacent properties.

The Bombaci's were concerned for the loss of the trails, storm water runoff protection for Wetland 1, and that Ingham Hill will become a through road to Old Saybrook. A traffic study was recommended.

Bob Fisher, 47 Ingham Hill, is also concerned that Ingham Hill Road will be used to gain access to the Preserve. The point being, it has been 14 years since the initial proposal. A condition for approval in Westbrook is gaining access to Ingham Hill Road for the north and south properties. If Ingham Hill is opened to the preserve, it will mean use by hundreds of houses. There should be restrictions for what you can do to a "scenic road". He also requested a traffic study.

Larry Fortier, 78 Ingham Hill, lives across from Lots 4, 5, and 6. He feels the applicant has not proven or shown that septic systems are going to work with drainage on the properties. He is concerned for stormwater runoff and possible contaminants, and traffic increase concerns were expressed.

Charles Rothenberger, representing CT Fund for the Environment, an intervener in the Wetlands proceedings wants to encourage environmentally sensitive construction and passive solar heating and cooling. He is concerned about the natural resource impacts of Lots 2 and 3 on Wetlands 1 and 2. There are real challenges presented by both of those building lots. The modifications have not adequately mitigated the risks of adverse impacts. He encouraged following the lead of Inland Wetlands approval based on rejection of Lot 2. Development of Lot 3 would cause habitat fragmentation. Moving the building site on Lot 3 could shorten the driveway and eliminate the conductivity corridor. Retaining use of Old Wood Trail makes sense and is better for natural resources. He recommends disallowing Lots 2 and 3 or alternatively eliminating Lot 2 and conditioning Lot 3 on shortening the drive.

Mrs. Bombaci of 67 Ingham Hill borders on Lot 6. She stated runoff and traffic concerns and suggested soil testing.

Sue Ellen McQuin of 24 Ingham Hill spoke on behalf of 36 residents of Essex Meadows who signed a petition regarding blasting, lack of adequate site line information, public safety for residents walking, and the amount of construction trucks.

Mrs. McQuin then expressed her concerns and requested a traffic study be done for residential, commercial and construction traffic and the Essex Meadows walkers. Ken Bombaci, 86 Ingham Hill, expressed concerns regarding access for emergency vehicles, the speed limit, presentation of incomplete plans, and the historic value of the trees.

Tracy Lemay, 116 Ingham Hill Rd., discussed storm runoff, soil testing, and the proposed septic systems.

An Essex Land Trust representative expressed interest in long-term preservation of the Old Wood Road.

Chris Cryer, resident of Old Saybrook, and representative of the Alliance for Sound Citizen Planning said a petition has requested a conservation sale of the property. He proposed that excessive driveway space on Lot 3,4,5,6 could be combined and situated to reduce the amount of permeable surface, and that some type of sedimentation filtration system in the catch basins be installed. The property has high ecological value. Vernal pool 6 has very high value and holds some species that are in decline. He inquired about the rigor of the biological study particularly regarding nesting hawks, bobcats. An endangered hawk has been seen. He recommended biological consultant for an independent study. Mr. Cryer then discussed the trees inside the parcel, particularly wolf trees. They need protection, and he asked if there has been an inventory of wolf trees which protect the protect canopy. Stonewalls, particularly in Lots 1 and 2, are historic treasures, and need to be inventoried. An archeological study should also be done.

Attorney Matthew Ranelli, Shipman and Goodwin, was present on behalf of the interveners. Sigrun Gadwa, and Ed Lally were also in attendance and had a new report on site line distances.

Attorney Brian Smith objected to the report due to the timing of the report submission.

Ed Lally, engineer, reported on the site lines in relation to trucks and safety. He noted that no vehicles honored the 25 mph speed limit. Feasibility of 6 lots was never demonstrated under the conventional subdivision. The same problem exists for an open space subdivision. He urged against the strategy of waiting until bought to determine buildability. The plan does not meet the subdivision regulations pertaining to rain gardens, test pits, and perk tests. Driveway site lines are not adequate.

Attorney Brian Smith led the applicant response. He noted that a leading herpetologist addressed the sensitive area. They plan for the area to be self-contained rather than a connection to the other River Sound properties. Like the neighbors, the applicant would like to maintain Wood Trail Road to minimize disturbances.

Tom Danyliw asked John Guskowski's opinion as to whether the applicant had adequately provided a conventional subdivision plan, and he concurred that they had, referring to Section 3.1.2 of the regulations.

Bob Doane, engineer for the project, responded that they went above and beyond what was called for. He referred to the Essex Highland approved application, an example of a conventional layout.

They will be sold as individual lots, and it is up to buyers to position the house, septic etc. The hypothetical preliminary designs for the position and location of the homes and septic systems were confirmed by the Sanitarian. They have demonstrated that each of the lots can support a sanitary system as confirmed by technical standards of the health code.

John Guskowski confirmed that the plans were approved by Brad Cheney, Sanitarian, and were also reviewed by Steve Trinkaus as confirmed by letter.

Bob Doane also explained the test holes and "receiving soils". Stormwater runoff and discharging of effluent are two separate issues. If effluent is running, then it is a failed system. The health code is very conservative. Septics need to be engineered systems in Essex. There was a discussion on the depth of the ledge on the properties relative to the septic systems.

Claire Tiernan asked about passive solar. Bob Doane noted that all lots have potential for passive solar. Paving reestablished the crown in the road. The driveways were moved based on a meeting with Augie Pampel to accommodate the trees. Steve Trinkaus addressing quantity and quality reviewed the Stormwater Management Plan. Driveways have an 8" gravel base and 2" of pavement. Plans have been reviewed by the Fire Marshal and meet standards. Positioning of the driveway for Lot 5 and Lot 6 relative to the trees was discussed in a meeting with Augie Pampel.

Site plans and erosion control is the responsibility of the owner and follows typical procedure. In response to traffic study requests, Bob Doane noted that curves shouldn't be changed because people are speeding, but trimming underbrush can help to establish site lines. It meets the site distance of the regulations. With an appropriate crown, runoff is addressed. It was repaved to establish a crown and keep flow in the gutter.

Nick Ballantone looked at the site and established that there was no archeological affect to the site. Stonewalls are shown on the plans. There is no intention to have the property connect to Old Saybrook.

Ralph Monaco asked if the applicant would be willing to voluntarily place deed restrictions on the property on the Old Saybrook side.

Tom Danyliw suggested going to the Selectmen to discontinue Ingham Hill Road.

All of the critical areas of protection were considered and have been accepted.

Comment on the biological impact reviewed that for the entire piece of property and all of the study that was done, determined that the subdivision has no unreasonable environmental impact. They are willing to have an arborist look at the trees and make recommendations for long-term survival.

Placement of house for passive solar will be encouraged. The applicant feels they have satisfactorily addressed all of the issues, and ask that all of the lots be approved. Lot 2 could not be built on unless it receives Wetlands approval.

Motion by Neil Nichols and **seconded** by Linda Herman to close the Public Hearing
Motion carried unanimously.

REGULAR MEETING

1.Call to Order and Seating of members

The Meeting was called to order at 10:40 pm. By Chair Tom Danyliw. Seated for the Regular Meeting were Chair Tom Danyliw, Vice Chair Linda Herman, Ralph Monaco, Alan Kerr, alternate Bob Laundry for Carla Feroni, and alternates Neil Nichols and Claire Tiernan. Also in attendance was Planner John Guskowski.

2. Approval of Minutes

Motion to approve the minutes of the August meeting by Linda Herman and **seconded** by Bob Laundry. Linda Herman made several grammatical corrections.
Motion carried unanimously.

3. New Business

a. CGS Sec. 8-24 Referral from Selectmen: CRRA

John Guskowski reported and reviewed a letter from Attorney Royston. They are required to come to Planning by statutory requirement.

Motionby Bob Laundry and **seconded** by Claire Tiernan to approve the lease for CRRA. **Motion carried unanimously.**

4. Old Business

a. Ingham Hill Road Subdivision

The site line report will be referred to the town engineer.

b. Ivoryton Grants – National Register and Main Street

A \$10,00 grant from the state was received for a consultant to prepare the application for the Nation Register. The RFQ has been advertised, with 6 responses. Janice Akeson, Jane Piro and Neil Nichols will review applications as well as the Town Historian.

Motion by Linda Herman and **seconded** by Ralph Monaco to allow this group to select a Consultant. **Motion carried unanimously.**

Main St. Investment Fund is a grant category for implementation projects in a Main St. area where there is an existing plant. Ivoryton is the best target to create an iconic-shared street at Main St. and Summit St. The idea is to do a stamped brick look for a large section possibly from the Farmer's market area down Main St. A Town Meeting is scheduled to approve the application for the grant. Representatives from the Fire Dept. discussed access concerns.

Motion by Ralph Monaco and **seconded** by Linda Herman to endorse submission of the Main St. grant application. **Motion carried unanimously.**

5. Report of Committees and Officers

a. Report from TOPPS (Traffic Calming) Subcommittee

Claire Tiernan reported that she spoke to Joe Budrow regarding Grove St. They would like the Commission to approve the recommendations so far, which includes sidewalk extension and the STEAP grant. It would also include removal of the center line on Grove St. and placing signage to deter drivers from speeding. Bike lane striping, crossing signs and striping are among the suggestions. They are trying to do less expensive things that would calm traffic.

Motion by Claire Tiernan and **seconded** by Ralph Monaco to refer these recommendations to the Traffic Authority. **Motion carried unanimously.**

b. Report from Inland Wetlands Representative

Claire Tiernan reported that the Ingham Hill Subdivision application was approved without Lot 2. It was not a unanimous decision. Ken Bombaci is appealing the decision.

c. Report from CRERPA Representative

There was no meeting.

d. Report from Economic Development Committee

Bob Laundry reported that there was discussion about moving the farmers market. Al Wolfgram attended. Discussion followed.

e. Chairman's Report

Chair Tom Danyliw asked that Affordable Housing be put on the agenda next month.

Chairs of Commissions met last week.

f. Planner's Report

River Cog (formerly CRERPA) will meet next month. John Guskowski will work with Jean Davies, Transportation Planner, to look at Westbrook Rd. between Centerbrook and Bokum Rd.

The State Plan of Conservation and Development is being revised. The proposed locational guide map for Essex was presented. Comments are requested.

Correspondence and Invoices

Invoices were reviewed.

Motion by Ralph Monaco and **seconded** by Bob Laundry to approve payment.

Motion carried unanimously.

Motion to adjourn at 11:20 p.m. by Linda Herman and **seconded** by Bob Laundry.

Motion carried unanimously.

Respectfully submitted,
Sandra Meinsen
Recording Secretary