



Town of Lebanon
INLAND WETLANDS COMMISSION
Special Meeting

Monday, September 14, 2020 ~ 7:00 p.m.
Fire Safety Complex, 23 Goshen Hill Road

Members Present: James McCaw (Chairman), Dennis Latchum, Jim Bender, Carl Bender, Jim Hallene, Michelle Trani, John Drum
Members Absent: Robert Slate, Dean Gustafson
Others Present: Philip Chester (Town Planner), Catherine McCall (minutes)

I. CALL TO ORDER

The meeting was called to order by Chairman James McCaw at 7:00 pm.

II. PUBLIC HEARING

- a. IW-20-8722: William Swale, Kelleys Corner, Assessors Map 105, Lots 143 & 145. Filling 2,150 sq. ft. of wetlands for new home construction. Wesley Wentworth (Wentworth Civil Engineers, LLC), Joel Theroux (Soil Scientist), and Brandon Handfield (Yantic River Consultants) presented. William Swale was present.

The following documents were received into record for the Public Hearing file:

- 6/26/20 IWC application of William Swale, Jr.
- 6/24/20 report of Wentworth Civil Engineers, LLC.
- 6/24/20 stormwater management report of Wentworth Civil Engineers.
- 6/25/20 wetland soils report from Wentworth Civil Engineers, LLC.
- 4/21/20 vernal pool survey from Joseph R. Theroux, Soil Scientist.
- 9/8/20 wetland function/impact assessment from Joseph R. Theroux.
- 9/11/20 review letter from Yantic River Consultants, LLC.
- 9/14/20 email from Frank Hoisi, President Amston Lake District to P. Chester.
- 9/14/20 letter from Marc Lang, Conservation and Agriculture Commission Chair to the Inland Wetlands Commission.
- 9/15/20 letter and revised site plan from Wentworth Civil Engineers, LLC to Inland Wetlands Commission per Yantic River Consultants 9/11/20 comments.
- Receipts for certified letters sent to abutting property owners.

James Bender noted that looking at the map he did not feel there would be runoff onto Manion Lane as was noted as a concern in the Amston Lake District letter.

Mr. Wentworth provided an overview of the project which contains a naturally occurring wetland. The proposed raised ranch is situated to best utilize the contours of the property with as little impact to the wetlands area as possible. To access the proposed garage, the driveway would be raised and cross the wetlands. There is no expected stormwater runoff from the project as mitigation will be installed to

prevent it. He outlined changes that have been made to the original plan to provide as little impact to the wetland area as possible based on comments by Mr. Theroux and Mr. Handfield, and believes all concerns have been mitigated or minimized.

Joseph Theroux spoke and stated the property contains wetlands and an intermittent watercourse in the central portion which functions as an important vernal habitat. He indicated that direct filling would cause all wetland function to cease in that area. There would be significant impact from the removal of tree canopy, but he believes the pool will continue to provide habitat. The driveway might pose a barrier to amphibian migration, but this could be mitigated by the type of driveway installed. Noise and lighting would also present some disturbance to the habitat and should be taken into consideration. Herbicides or pesticides should not be used on the lawn, and sand and salt use on the driveway would be detrimental. He does not believe it would be a good idea to create additional wetland area to make up for what is being removed as it might do more damage than not. He believes the plan does as much as possible to create the least amount of negative impact.

Brandon Handfield stated that his concerns have been addressed but warns that long term maintenance must be kept to specifications to perform properly long term. This could present a challenge without professional handling of the work.

Philip Chester questioned the ability of all the construction to take place within 23-feet of the proposed house and the inability for constructing a deck or shed given the limited size of the site. He noted that the house could be setback five (5) feet which could cause less impact to wetlands. Mr. Wentworth agreed, but noted the limits of disturbance would not change, but noted that the pushback would put all but the front corner of the house out of the wetlands. He asked to see a wetlands planting plan. Mr. Chester asked if the Commission or the homeowner would be responsible for hiring an engineer to oversee the project. Mr. Swale is expecting to provide for that, and yearly monitoring.

No comments were heard from the public.

Ms. Trani asked about the timing of construction activity verses the time the vernal pool might be present and amphibian movement most impacted. The homeowner intends to build in the summer to cause the least amount of disturbance. She also asked about curtain drains and their impact. Mr. Wentworth explained that no drains are planned or needed based on the proposed home being a raised ranch.

Carl Bender asked Mr. Theroux if he believes there will be a wildlife impact. Mr. Theroux stated that it will maintain some vernal pool function, though at a diminished capacity. Carl Bender said that he would like to see a revised site and planting plan. Based on this and other outstanding questions the Commission will keep the Public Hearing open and will continue the hearing to the October 5, 2020 meeting.

III. OLD BUSINESS

- a. IW-20-8722: William Swale, Kelleys Corner, Assessors Map 105, Lots 143 & 145. Filling 2,150 square feet of wetlands for new home construction. Discuss and act.

No action taken. See II.a. above.

- b. IW-20-8729: Prides Corner Farms, 122 Waterman Road, Assessors Map 251, Lot 5. Creation of recycling pond. Discuss and act. Matthew Sanford (Soil Scientist) and David Murphy (Engineer) from Milone and MacBroom, Inc. were present, as was Christian Joseph from Prides Corner Farms. Mr. Sanford stated that all questions previously submitted by the Commission have been answered, and noted that the pond is designed for a one-hundred-year storm and is engineered to stop water from escaping into nearby areas by the installation of storm drains and catch basins. The last two catch basins are designed with rip rap aprons to stabilize the pond base and they are also proposing installation of increased berm heights.

Brandon Handfield (Yantic River Consultants) discussed his previous recommendation for a pond liner and his concerns with contaminated water seeping into ground water. He recommends a swale be installed to ensure the water would flow properly to the catch basins and is concerned that without a diversion swale it would be possible for the water to bypass the runoff mitigation system.

Mr. Sanford clarified that the contaminated water discussed is sediment only, not other pollutants, and reiterated how water would be handled should a breach occur.

Mr. Hallene stated that he believes additional catch basins should be installed to reduce the possibility of upland roads being washed into the pond. Mr. Christian stated that he believes the site will be better once the pond is in place.

Mr. Sanford said they are willing to look at a swale and berm system but are not prepared to plan for a one-hundred-year storm on these items. He stated that if the Commission is comfortable approving the plan Prides Corner Farm would work out details about stormwater outside the regulated review area under discussion.

Ms. Trani questioned what pesticides are used by Prides Corner Farm. Mr. Sanford explained that pesticides are used sparingly and safely.

MOTION was made by James Hallene to approve IW-20-8729 as submitted. The motion was seconded by John Drum and unanimously approved.

- c. IW-20-8731: Graywall Farms (Lincoln/Robin Chesmer), Chappell Road. Farm pond and well. Discuss and act.

Mr. Chester stated that he spoke with Lincoln Chesmer regarding this item and IW-20-8730 and was told that Mr. Chesmer had not had time to address the concerns stated by the Commission at their August meeting. Mr. Chester recommended that the applications remain open.

- d. IW-20-8730: Graywall Farms (Lincoln/Robin Chesmer), Chappell Road at Susquetonscut Brook. Farm road and ford of brook. Discuss and act. No discussion.

See III.c. above.

- e. IW-20-8727: Arlene Fazzino, 486 Deepwood Drive, Assessors Map 105, Lot 184. Clearing of debris and underbrush in wetlands. Discuss and act. A site walk was done on this property.

MOTION was made by James Hallene to approve IW-20-8727. The motion was seconded by Michelle Trani. Motion carried with D. Latchum abstaining.

IV. NEW BUSINESS

- a. IW-AR-20-8892: David Postemski, 5 Hoxie Road. Drainage improvements to farmland on Hoxie Road, Assessors Map 262, Lot 5. Discuss and act.

Mr. Postemski stated that he has been working with USDA-National Resource Conservation Services to improve drainage on his farm and that they had prepared the plans. Mr. Chester noted that the Department of Agriculture has approved the drainage project on the preserved farmland.

MOTION was made by James Bender to approve IW-AR-20-8892 as an As of Right application. The Motion was seconded by John Drum and unanimously approved.

- b. IW-AR-20-8907: Theresa and Craig Smith, 143 Mack Road, Assessors Map 236, Lot 28. Muck-out pond. Discuss and act. Theresa and Craig Smith were presented.

Mrs. Smith stated that the pond has been in place since approved by the Commission 29 years ago and needs silt removed from the catchment area. Ms. Smith believes 7.5 cubic yards of silt will be removed and used to fill in low areas in the yard. She also has a tree that recently fell into the pond near the outlet that she would like to remove.

MOTION motion was made by James Hallene to approve IW-AR-8907 as an As of Right application. The Motion was seconded by John Drum and unanimously approved.

- c. IW-20-8894: Trevor Foster, 220 Norwich Avenue, Assessors Map 275, Lot 39. Complete pond construction. Lisa Foster was in attendance.

Mr. Chester noted that the 2012 permit for the pond had expired and that he was notified by DEEP and that the applicant wishes to complete the pond according to the conditions approved in 2012. Discussion on this application will be continued at the October 5, 2020 Commission meeting.

V. APPROVAL OF MINUTES

- a. August 10, 2020

MOTION was made by James Bender to accept the August 10, 2020 minutes and Michelle Trani seconded. It was noted that Robert Slate was not in attendance at that meeting and James Hallene's name was misspelled in at least one area. The Motion carried with the changes noted.

VI. TOWN PLANNER REPORT

Mr. Chester discussed a 9/14/20 email received Frank Hoisi, President of Amston Lake Association asking that they be allowed to reclaim sand along Lollipop Beach that has gotten into the lake, once the lake is lowered. The Commission stated that if it is dug out by hand no permit is required, but that if machinery is to used it requires a permit.

VII. CORRESPONDENCE

Nothing to report

VIII. ADJOURNMENT

MOTION was made to adjourn by James Bender, seconded by John Drum, at 9:28 p.m. Motion carried.

Respectfully Submitted,
Catherine McCall