

THE INLAND WETLANDS COMMISSION OF THE TOWN OF AVON HELD A
REGULAR MEETING ON TUESDAY, OCTOBER 7, 2014 AT THE AVON TOWN
HALL.

Present were Michael Beauchamp, Vice Chairman, Bryan Short, Bob Breckinridge, Martha Dean, Jed Usich and John E. McCahill, Planning & Community Development Specialist.

Cliff Thier and Dean Applefield were absent.

Vice Chairman Beauchamp called the meeting to order at 7:07 p.m.

NEW APPLICATIONS:

APPL. # 740 – Francesco & Barbara E. Lupis, owners; Carolyn Pools Inc., applicant:
Requests within the 100' upland review area: 1) Installation of an in-ground pool and patio with related grading; 2) Installation of a retaining wall with related fill. Location:
9 Westbury, Parcel 4860009.

Present was Richard Martel, Northstar Surveying & Engineering LLC, John Zaczyk and Abi Mejia, Carolyn Pools, and Barbara Lupis.

Mr. Martel stated that the owners/applicant are requesting approval for the installation of an in-ground pool and a retaining wall in the rear of the property within the 100' upland review area. He continued by stating that the proposed pool and retaining wall are both outside of the existing conservation easement and wetlands area, as shown on the plans revised September 23, 2014. Little, or no, grading will be necessary as a result for the proposed pool as it will be located in a relatively flat area. Mr. Martel stated that the installation of the retaining wall will require minimal disturbance relative to both the conservation easement and the wetlands. The grading for the proposed retaining wall will be approximately a 4:1 or 5:1 slope, which will minimize any surface flow towards the wetlands or conservation easement. The grading for the proposed pool is minimal and will be approximately a 10:1 slope. During construction, a silt fence will be installed around the entire construction area. The proposed temporary stockpile, and the pump and filtration system, will be located outside of the 100' upland review area. Mr. Martel stated that all access during construction shall be from the easterly portion of the property, which is the farthest point away from the wetlands and the conservation easement. There will be no disturbance in the conservation easement.

Mr. Usich inquired if there will be any construction within twenty five feet (25') of the wetlands.

Mr. McCahill responded, and Mr. Martel confirmed, that there will be no construction closer than approximately forty feet (40') to forty five feet (45') from the wetland boundary.

Mr. Martel added that there will not be any construction closer than approximately twenty feet (20') to twenty five feet (25') from the conservation easement.

Mr. Usich inquired if there are concerns with the potential for impact to the wetlands with

regard to chemicals that are drained from the proposed pool.

Mr. Zaczyk responded by stating that the pump and filtration system are located in the rear of the house and outside of the 100' upland review area. He continued by stating that the proposed pool will be a "salt system". Mr. Martel stated that the water discharged will have less than 1% chlorine and it will be directed into the back yard. During a typical backwash of the filter, approximately fifty (50) gallons of water will be discharged.

Mr. Short had no additional questions at this time.

Ms. Dean inquired what the "normal" percentage of chlorine is in a pool.

Mr. Zaczyk responded by stating 1.5%.

Ms. Dean inquired how the chlorine level will be affected in the event of a heavy rain.

Mr. Zaczyk responded by stating that in the event of a heavy rain chlorine levels would be lowered.

Ms. Dean inquired if there is any data for testing overflow as a result of a heavy rain event.

Mr. Zaczyk responded by stating that there would be no overflow unless there is an intentional discharge to lower the level of the water in the pool.

Mr. McCahill stated that he has had a pool for over fifteen (15) years and has never had overflow from his pool. He continued by stating that in the event that a pool does overflow, it would be the "freshest" water at the surface that would overflow. He continued by stating that chlorine is slightly denser and would be found deeper in the pool.

Ms. Dean inquired when the conservation easement was established and what were the conditions of the conservation easement.

Mr. McCahill responded by stating that the conservation easement was established in 2002 in relation to the construction of the house at 9 Westbury. He continued by stating, at that time, the upland review area was forty feet (40') from the wetlands and this is the reason that they have a generous back yard and lawn. The conservation easement included the standard language which generally states that the woods and trees were to be left in their natural state. He continued by stating that this conservation easement has been well maintained, as evidenced by the dense trees and forest abutting the wetlands.

Mr. McCahill stated, in response to Mr. Breckinridge, that he has not witnessed any previous incidents when there has been overflow from a pool into a wetland from a property in Avon. He continued by stating that, in his opinion, if the proposed pool were to experience a pool failure and discharged twenty thousand (20,000) gallons of water into the sizeable wetlands, the wetlands would be forgiving. It would consist of a moderate 1.5% chlorine level which is not much stronger than the water we drink.

Mr. Breckinridge questioned if there is adequate room for construction equipment to enter and exit the property, as noted on the plans, without impacting the tree line. There appears to be less than ten feet (10') clearly available.

Mr. Zaczyk responded by stating that he needs a maximum of eight feet (8') for his equipment which consists of an excavator and a dump truck.

Mr. Zaczyk confirmed, in response to Mr. Breckinridge, that there will be no need to enter the property from the westerly side of the house with construction equipment. He reiterated that silt fence will be surrounding the entire construction area to prevent any disturbance to the conservation easement or wetlands.

Mr. McCahill reviewed his comments stated in his memo dated September 19, 2014. He stated that comments #1, 2, 3 and 4 were informational, noting that this house was built in 2002 when the upland review area was forty feet (40').

Addressing comment #5 which states "Any excess material from the pool excavation that will not be used as backfill for the retaining wall shall be removed from the site", Mr. McCahill stated that this has been noted in #6 of the "Sequence of Construction".

Addressing comment #6 which states "A construction fence shall be installed (in addition to the proposed silt fence) along the westerly side of the property to prevent any potential encroachment into the conservation easement", Mr. McCahill stated that this has been noted in #3 of the "Sequence of Construction".

Addressing comment #7 which states "All access for construction should be from the easterly side of the house (given the close proximity of the existing conservation restriction on the westerly side), Mr. McCahill stated that this has been noted in #2 of the "Sequence of Construction".

Addressing comment #8 which states "If the excavation for the proposed pool requires dewatering, the dewatering pump discharges shall be directed to a hay bale and filter fabric siltation control structure prior to being discharged towards the wetlands. The directing of dewatering discharge shall be reviewed and approved by Town Staff", Mr. McCahill stated that this has been noted in #11 of the "Sequence of Construction".

Mr. McCahill stated that all his comments have been addressed in the revised plans dated September 23, 2014.

Ms. Dean made the motion to approve application #740 subject to the standard conditions.

Mr. Usich seconded the motion.

Mr. Usich, Mr. Short, Ms. Dean, Mr. Beauchamp and Mr. Breckinridge voted unanimously to approve the application.

OUTSTANDING APPLICATIONS:

There were no outstanding applications at this time.

COMMUNICATIONS FROM THE PUBLIC:

There were no communications from the public at this time.

OTHER BUSINESS:

The regularly scheduled meeting on Tuesday, November 4, 2014 will be re-scheduled to a Special Meeting to be held on Wednesday, November 5, 2014 due to elections.

STAFF COMMENTS:

There were no staff comments at this time.

Authorized Agent Approvals:

There were no authorized agent approvals at this time.

APPROVAL OF MINUTES: July 1, 2014 and July 15, 2014

Vice Chairman Beauchamp asked if there were any corrections to the minutes. There being no corrections to the minutes, Mr. Usich made the motion to approve the July 1, 2014 and July 15, 2014 minutes. The motion was seconded by Ms. Dean. The minutes were approved by Mr. Short, Ms. Dean, Mr. Usich, Mr. Breckinridge and Mr. Beauchamp.

NEXT MEETING: November 5, 2014

There being no further business, the meeting was adjourned at 7:20 p.m..

Respectfully submitted,

Judy Schwartz, Clerk
Inland Wetlands Commission