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**Minutes**  
**Inland Wetlands and Water Courses Commission**

Zoom Meeting:  
Tuesday, June 9, 2020  
7:30PM

**Commission Members Present**

Chairman Mangione called the meeting to order at 7:32 p.m. In attendance were, Commissioner Straube, Commissioner Ruotolo, Secretary Giovanelli, Commissioner Ewen, Commissioner Perfetto, Wetland Official Assistant Jack Demirjian, and Recording Secretary Lynn Collucci. Absent was Commissioner Hudson.

**Enforcement Officer's Report-** Jack Demirjian Wetland Official, requested a change of time for future Inland Wetland Meeting's, moving the meeting from the usual 7:30pm time to 7:00pm. The Commission members agreed to the change.

**New Applications:** None

**For Receipt:** None

**For Discussion: Property Know as 329 Smith Farm Road**

Tim Hollister Esq., of Shipman & Goodwin LLP representing Gyroscope Development Group came before the Commission requesting a regulated activity permit for 5 parcels located on Smith Farm Road also including an abutting portion of Neenan Road, a total of approximately 4.74 acres.

Mr. Hollister explained that the proposed project would consist of seven buildings, six small residential buildings containing 46 apartments, and one Community Building. Mr. Hollister also noted that there would be no direct impact to a wetland or watercourse as a result of this proposed project, proposing only temporary activity in this area. Mr. Hollister explained that the proposed site on Smith Farm Road, is improved with a house, and is relatively flat with a high central point that slopes gently downhill from the center of the property. The abutting piece on Neenan Road is mostly unimproved consisting of mostly wooded area.

Mr. Hollister also noted that Mr. Brian J. Baker, P.E. for the Gyroscope Development Group responded in a letter dated 6-1-2020 to Robert H. Brinton Jr. P.E, (The Town of Orange), comments dated 5-26-2020. The

Gyroscope Development Group also provided a supplement letter that addressed four extra Wetland Flags that were added where the Neenan Road parcel came in.

Mr. Brian Baker P.E., Civil Engineer for Gyroscope gave an overview of the proposed site, he explained that the upland soils consisted of mostly well drained sandy loams that are suitable for storm water management. Mr. Baker noted that there would be no activity proposed in the flood plain area. Mr. Baker explained that the proposed project would have six residential buildings containing 46 apartments with 96 parking spaces which could be accessed thru an existing, private driveway. A driveway north of building D would consist of re-enforced turf which could be mowed, to be used in case of an emergency. Mr. Baker explained for grading, drainage & erosion, during constructions, that they would use silt- fence, backed up with hay bales along the wetland area, and stock- piles of materials would be surrounded with silt fence. Mr. Baker also noted that because of the well draining soils, and the flat slope of the site, that he didn't expect any problems. Mr. Baker explained that for drainage on the site they proposed using a combination of roof leaders, rain gardens, pervious pavement, catch basins with perforated pipe, and 18" deep storm water reservoir for both pre-development and post- development for the proposed project. Mr. Baker noted that because the wetland upland review area fell within 50 feet to part of the proposed project, he proposed a soil erosion and sediment control plan. Mr. Baker explained to the Commission that a small portion of sidewalk for building B & C touches in on the 100 foot upland review area, and that also that a small portion of building A & B touches in on the 100 foot upland review area. As a result, there would be a temporary disturbance in the process of extending for the additional 50 feet of water main. Mr. Baker noted that this would cause no negative impact to the wetlands.

William L. Kenny, PNS, PLA, soil scientist and wetland consultant for Gyroscope Development Group informed the Commission that he had assisted with identifying the wetlands on the proposed property, and with the design of the proposed project. Mr. Kenny noted, that he also put together a planting plan for the proposed project. Mr. Kenny explained that the proposed site is relatively level with very good soils, gently sloping to the northeastern side of the property wetlands. Mr. Kenny explained that Trout brook flows over to Silver brook where the flood plain comes into play. Mr. Kenny noted that there is less than 1000 feet of wetlands. Mr. Kenny went on to say that Scott Steven originally flagged the proposed property in January of 2020, he returned to the site in May of 2020, along with myself to flag the additionally acquired Neenan Road piece. Mr. Kenny explained that they located a small site of pesticides, that was found to be not significant. Mr. Kenny explained that there are no activities proposed, within any wetland areas, during or after construction. Mr. Kenny apprized the Commission that they focused on the wetlands for indirect impact. Mr. Kenny noted that the potential for erosion on this site is very low and that activities that happen outside the wetlands, would not have an impact on the wetlands, before or after construction. Mr. Kenny explained the plan for storm water management would include the use of rain gardens, sub surface chambers collecting run off from the roofs, split rail fence will be used to protect from mowing in the wetland area, also adding privacy fencing. This development will require vegetation clearing and grading on site to accommodate for the buildings, an area of approximately 30,435 sq. ft. Mr. Kenny went on to say, to minimize this disturbance, that the plan will include a planting plan. Mr. Kenny explained the plan is to re-vegetate the disturbed areas and create a buffer between permanent improvement and the wetlands, also using split rail fencing to mark the limit of lawn. They are proposing all native plants except where screening, they will be using pines.

Commissioner Mangione asked if sand and salt would cause the pervious drive to clog up. Mr. Baker responded that for maintenance, the pervious drive would be swept and vacuumed twice yearly, and liquid deicer could

also be used. Commissioner Mangione asked if the units would have basement. Mr. Baker responded that they were all slab on grade. Commissioner Ewen asked what the cut-out area in the middle of the site plan was, and about a Civil road that was on the property. Mr. Baker responded that the cut-out area, was property they could not acquire, and that there was an old road, a right of way that was abandoned years ago. Commissioner Giovanelli asked about the native planting and who would be responsible for the planting schedule and maintenance plan. Mr. Baker replied that the developer would be maintaining, but, as of now, we have not put together a maintenance plan. Commissioner Giovanelli asked him to put together a planting schedule & maintenance plan to provide to the Commission. Commissioner Mangione asked what happens with possible oil spillage from vehicles. Mr. Baker replied that the oil would go into the pervious asphalt and then to the stone choker to a sand filter. Commissioner Giovanelli pointed out that, for snow plowing that the area looked tight, where will you pile the snow? Mr. Baker said that there was an area at the center of the site that would be used for snow storage. Commissioner Mangione mentioned that it looked like the units that were at the corner of building B which is 50' to the wetland were staggered, and asked if they were to stagger them differently, would they be able to keep activity closer to the 50' mark. Commissioner Mangione mentioned that he believed some people have concerns about adding more surface water to Indian River, when flooding already sometimes occurs. Mr. Baker responded that with the way this project is proposed that there would, actually be a 14% decrease, in run off in a 100- year storm. Commissioner Mangione then asked Jack Demirjian, Wetland Officer, if he had received any complaints about the proposed project. Mr. Demirjian said that he had a call from one homeowner that was concerned about his well. Commissioner Mangione asked, if they would be using curb stops for the extension of the water and sewer to each house. Mr. Baker replied that they would talk to the Regional Water Authority about using 2 curb stops. Commissioner Mangione then asked Mr. Baker to forward a planting schedule and maintenance plan, and the plan that they work out with the Regional Water Authority, to Mr. Demirjian. Commissioner Mangione apprized the applicant that they would not vote until they see those 2 plans.

With no more business to discuss Commissioner Ruotolo made a motion to adjourn the meeting, seconded by Commissioner Giovanelli, all were in favor, except for Commissioner Straube who retired from the meeting a little early.

The meeting adjourned at 8:40 p.m.

Respectfully Submitted,



Lynn Collucci  
Recording Secretary

**Next Regular Meeting is on July 14, 2020**