

**Marlborough Conservation Commission
Special Meeting
Marlborough Town Hall
March 1, 2004
7:00 p.m.**

1. CALL TO ORDER

Mr. Don Hautman called the meeting to at 7:05 p.m. in the meeting room of the Marlborough Town Hall, Marlborough, CT.

2. ROLL CALL

The following Commission members were seated and voting:

Don Hautman
Gordon Isleib
Jack Bray
Jim Montstream
Gale Busemeyer
Christine Miller (alternate; not seated)

Also in attendance:

Peter Hughes, Marlborough Town Planner
Atty. Paul J. Aparo, O'Connell, Flaherty & Attmore, L.L.C.
Dennis Goderre, BL Companies
Bruce Hoben, Planimetrics
James Cowen, Environmental Planning Services
Marshall Victor, the Roger Rulewich Group
Dave Fleury
Roger Rulewich
Terry Gallagher, BL Companies
Bill Black, 20 Williamsburg Rd.
Erich Aust, 203 South Rd.
Dave Doherty, 78 Millstone Dr.
Tom McNamara, 102 N. Main St.
Bill Lardi, 15 Washington
George Hills, 424 Jones Hollow
Bruce Olmstead, 57 Hall Rd., Hebron
Ray Bole

**3. PUBLIC HEARING – MARLBOROUGH PARTNERS, LLC APPLICATION
#03-13 OSCAR SUBDIVISION, #03-14 TOWNHOUSE DEVELOPMENT AND
APPLICATOIN #03-15 GOLF COURSE/CLUB HOUSE**

Atty. Paul Aparo stated that, with the 45-day extensions that were approved for the public hearings, the new expiry dates are April 8th for the OSCAR and DMR applications and April 13th

for the golf course application. Atty. Aparo stated that the final plans, including all revisions, will be submitted to the town on Monday, March 8th.

Atty. Aparo stated that the evening's meeting would cover the following items: review of the construction sequence for both the housing and the golf course, review of the open space issue and review of wetland crossings.

Dennis Goderre began with an overview of the housing construction sequence. He explained that the phasing for the housing will be done in six phases. Phase I begins with putting in the main road from South Rd. to Ogden Lord Rd., opening up development for 13 single-family homes and opening up development for either one portion or both portions of the town homes. There will be a temporary cul-de-sac on both ends of the road. The community septic system will be built during Phase I as well. The balancing of earthwork for all the phases was done holistically so there will be a balance of earthwork, minimizing transfer of material on and off the site. Phase I will have an excess of material of 55,000 yards because of the cut to the hillside to maintain an 8% grade. The excess material will be placed in the leech area of the septic system and will be used at a later time during the construction of the golf course.

Phase II will have an excess of 400 yards that will be very easily used as base material. Phase II will provide access to eight lots with a temporary cul-de-sac.

Phase III will cover the second portion of the loop road, Road B, providing a temporary cul-de-sac and the final development of Road E. Phase III has an excess of 60-70 yards, including the development of the individual lots.

Phases IV and V will be done together. Phase IV has a need of 11,000 yards of material and Phase V has an excess of 12,000 yards of material.

Phase VI has a cul-de-sac with a bridge crossing and an import of 16,000 yards. This is the only import that has to be brought on the site for the development.

Terry Gallagher spoke more in depth about the storm water management on each phase and erosion control. Phase I will start at Ogden Lord Rd. and South Rd. There is storm water at the outer end of the project that are independent of each other. There are five different detention facilities within Phase I stretch. Two will be completed early on. Terry explained the process of creating the detention basin. Temporary sedimentation basins will be placed in low points with water bars or temporary diversion ditches feeding into it. Sediment basin 1 is the primary erosion control and permanent storm water control for the western section of Phase I. This will be going in first, before any work is done on the road. On the eastern section near South Rd., detention basin 10 will go in as a permanent detention basin but will be equipped with temporary sediment control works. The outlet for detention basin 10 will discharge on the south side of the entrance road instead of out onto South Rd. to help with icing on South Rd. There will be two sediment outfalls in that area. As the road is constructed up the hill, the storm drainage begins at the bottom and works its way up the hill. All the catch basins are above the road surface. There are water bars and temporary diversion ditches as they work uphill. Retaining walls will be constructed on the side of the road. In the meadows, detention basin 6 will be roughed in as a temporary sediment basin but will ultimately be designed as an irrigation supply in the landscaping feature by the clubhouse. It will have temporary sediment outfalls leading down to

the meadow, but it will get more work later in the project during the golf course phases. In the intermediate section, earthwork will be removed from side to side and material will be stockpiled. As the road is getting cut, other detention basins will be put in. The Phase I system at Ogden Lord Rd. is approx. 4.5 acres of disturbance. The DEP requires that you provide 134 cubic yards of storage per disturbed acre in sediment traps. This calculates to approx. 600 cubic yards that's required. Detention basin 1 has capacity of approx. 2,500 cubic yards. It is oversized for sediment basin criteria because it is being designed as a permanent storm water facility. Detention basin 10 near South Rd. is approx. a 3.5 acre disturbance with approx. 450 cubic yards required. That basin has a capacity of approx. 2,600 yards. The goal is to put in temporary cul-de-sacs in either end of Phases 1A and B and then stone the sub-grade and the road with the catch basins raised above the sub-grade level so it is stable. All the shoulders and topsoils will be seeded and the road will be used as a haul road going back and forth. It will be a stable, crushed stone sub-grade. All the storm drainage goes in permanent in Phase I for the 5 sediment basins, there are two smaller sediment traps and all the outlet works for the detention basins are going to have perforated pipes, crushed stone and filter fabric to keep mud contained. In addition, there are the other interim erosion controls such as hydro seeding, temporary mulching and erosion control blankets.

Phase II will be coming down Road B and setting a temporary cul-de-sac. There will be more temporary sediment control to take interim road drainage, diversion ditches. Detention basin 3 is going in and will be modified for permanent landscaping. The main feature in Phase II is the road getting finished, the paving is going in and some of the other utilities are going in the road.

Phase III includes the center lower east section of road B, a portion of Road E and a temporary sediment trap at the cul-de-sac of Road E and another temporary sediment trap at a temporary cul-de-sac. Sections IV and V are being done together. During these phases the loop on Road B will be completed. Detention basins 4 and 5 go in. Each of those have temporary sediment controls on them, but they're all being constructed fully. Detention basin 2 goes in at the end of Road D. That too has temporary sediment outlets on it. The cul-de-sac in Road D is being used as a stockpile area. Some house lots will be used as stockpile areas. Phase VI has detention basin 11, which is being shifted from the wooded slope (open space) into the area that had been logged. The location of detention basin 11 was redesigned to allow major trees in the area to remain. In most of the phases, the capacity that's required for permanent storm water control greatly exceeds the capacities required as sediment basins. The applicant is trying to keep all the areas fairly small, at 4,5 and 6 acres in size. Each of the on-site houses will also have their own on-site sediment erosion control.

Dennis Goderre distributed a map of the site showing the open space items: non-active open space, active open space, development area and town dedicated open space. 47.62 acres will be open space deeded to the town. This area includes a section in the middle of the site including a 3,4 or 5-ft. pathway trail that runs across the site from Ogden Lord Rd. to South Rd. The non-active open space will be held by the homeowner's association.

Dennis Goderre talked about the commission's request for the applicant to look at an alternate roadway crossing along the wetlands corridor and the bridge crossing at the stream corridor coming in off Ogden Lord Rd. Dennis showed drawings that show the amount of fill and disturbance that would be required in the buffer and the wetlands under the alternate scenario. There would be a total disturbance of 26,000 square feet within the buffer and 12,000 square feet

in the wetland fill area. This contrasts with the proposed bridge crossing within the regulated area that would have 15,000 square feet of direct disturbance from the roadway and no direct disturbance of the wetlands because it would be spanned by the bridge.

Jim Cowen spoke about the wetland crossings and bridge crossings. Mr. Cowen stated that the Ogden Lord Rd. wetland system is more natural than some of the other wetlands on the site, i.e. it has native vegetation. In the area of the proposed bridge crossing there are no invasive species. From an ecological point of view, this area has a high degree of ecological integrity. 12,000 square feet of fill would be a significant disturbance to both the wetland vegetation and the wildlife habitat. The intact vegetation provides a significant amount of filtration. A fill crossing at that point would likely result in some impacts, as opposed to the proposed bridge crossing where there is no direct impact on the wetlands.

Dennis Goderre stated that the applicant is planning on submitting all their revised plans on Monday, March 8, incorporating comments from the town and the various commissions. He stated that, with respect to the commission's request to maintain a consistent buffer, there is a 25-foot buffer maintained throughout the site, with a few exceptions (bridge crossings). Also, a majority of the homes have been revised to be outside the 150-foot regulated area. At a later date the applicant will provide graphics to show the initial plan and the new plan with all the changes. There are 350 linear feet of disturbance up to a 25-foot area. There are 49,900 linear feet of wetland edge on the property, resulting in a small fraction of disturbance. The roadway for Road A has been pushed away from the wetland area, the homes have been pulled away from the wetland edge and most of them (with a few exceptions) are outside the 150-foot area. Overall, the applicant has tried to make changes to minimize disturbance.

Don Hautman stated that there is already a driveway crossing that goes through the wetlands. He asked that, since that road is there already, do they still think the impact of a road crossing would be that significant. Jim Cowen stated that it is always better not to fill a wetland if there are alternatives. He said it would be filling a wetland instead of bridging a watercourse and the function of a watercourse is different from a wetland function. Wetlands provide much more habitat than watercourses. In his opinion, the wetland crossing is not a prudent and feasible alternative. Don Hautman stated that he wants the town's experts to agree to this in writing and then the commission can close out this item.

Dennis Goderre showed a picture of the bridge crossing and explained its dimensions. It will be a complete span of the watercourse. The foundations will be on concrete footings. This disturbance does not extend beyond where the wall is. There are no wing walls that come out. The bridge crossing will be 370 feet long, 45 feet wide and 14.5 feet above the stream surface. Stream animals can still use the stream and small animals (deer, possums, raccoons) can still access the area. There is no physical limitation that will exclude animals.

Don Hautman asked whether all the storm water will go into traps and basins. Terry Gallagher stated that there will be a few areas that use Glastonbury catch basins to pick up small areas of drainage, approx. 100 feet of road. Terry stated that during construction there will be water bars that dish off into the meadows or temporary sediment pits. Once the storm drainage goes in, all drainage gets into the sediment basin or diversion ditches and then down to a sediment basin. Terry stated that all water goes into a sediment trap or sediment basin at some point before it is discharged. Post-construction, when all the roads are in and everything is stabilized, all the water

is going into the sedimentation basins and some Glastonbury catch basins. There are a few curb-less areas on the site. For the two bridge crossings, water goes into an energy dissipater that is adjacent to the wetlands near the brook, a stone bio-filter basin.

Peter Hughes stated that the applicant needs to look at how it will separate the clean water from the dirty water as part of Phase I. In terms of all the housing, there are a total of 12-18 activities within the 150-foot buffer for the OSCAR and approximately 5 for the DMR. This will all be reviewed prior to the end of the public hearing. The applicant will present the original incursions and the plan after all the revisions have been made. Don Hautman asked how the town makes sure that the measures the applicant is proposing actually happen. Peter Hughes stated that the applicant will post a bond for every unit. Atty. Aparo stated that the certificate of occupancy will be the ultimate enforcement weapon.

Don Hautman wants to see a utility plan.

Dennis Goderre distributed an "Overview of Golf Course design and Buffer Area Summary" to the commission members prepared by BL Companies. The handout includes a chart of wetland buffers, wetland clearing as well as temporary and permanent erosion control measures on a hole-by-hole basis. Out of the 49,090 linear feet of wetland edge, all but in 1,400 linear feet the applicant is retaining a 25-foot buffer. For the 1,400 linear feet where the applicant does not maintain a 25-foot buffer, there is a 10-foot buffer. Dennis Goderre stated there is no filling in the northern wetland area.

Terry Gallagher went through the erosion control measures for the golf course. He used hole 5 as an example given that there is a lot of activity in hole 5, including wetlands on two sides. Terry explained that the clearing will be done in two phases. The initial clearing will be down the center portion of the golf hole to clear trees. The second phase will clear out more material in the hole area. A silt fence will be built around the perimeter of the hole with wood chips on the uphill side of the silt fence. This will act as a double barrier for sediment control during construction. There will be a leaky stone berm or stone wall and miniature temporary sediment traps. He explained how clean water will be kept from washing through the disturbed area. When Peter Hughes asked Mr. Gallagher how he was going to size berms, Mr. Gallagher stated that the berms will be relatively small, with less than five acres going to any one feature.

Marshall Victor walked through the 3-page chart of wetland buffers, wetland clearing as well as temporary and permanent erosion control measures. All holes, with the exception of four holes, maintain a buffer of 25 feet. Holes 11, 12, 13 and 14 do not maintain a 25-foot buffer. There are approx. 22,000 linear feet of wetland perimeter adjacent to golf holes and the applicant is proposing to encroach within 10 feet on 1,400 linear feet, or 6.3%.

The commission members asked several questions. There was a brief discussion on the open space issue. The commission members noticed that there are some activities within the open space area (holes, cart crossings, paths). Peter Hughes and the commission members agreed that there should be nothing in the non-active open space areas. The applicant will need to make some changes to the map. This will be revisited at the next meeting.

There was a brief discussion about water runoff from the green on hole 5. Terry Gallagher and Marshall Victor stated that the surface drainage goes off into many directions. There will be

under-drains under the greens and bunkers that should only have discharge after rain events. Don Hautman stated that he wants the applicant to go over the drainage hole by hole at a future meeting.

Marshall Victor talked about the two wetland crossings on hole 5 and the crossing between hole 3 and 4. Mr. Victor stated that there is no other way to get to hole 5. Don Hautman wants the town's experts to confirm this. He wants confirmation that there is no detrimental effect on the water quality.

There was a brief discussion about the pesticides and chemical storage area. The applicant stated that there will be an underground vaulted tank to store the materials. There will be an on-site mixing area as well. The town's consultants will look at the chemical storage area and confirm to the commission that they are okay with it.

Marshall Victor stated that the width of the golf cart paths is 8 feet or 10 feet. On hole 5, the workers will clear a 12-15 foot area to construct the bridges. The bridge itself will be 10 feet wide. The bridges are made of pressure treated Southern pine timber piers. The bridges can span up to 15 feet wide. For hole 5 there are no piers in the wetlands themselves. Don Hautman wants to know if there will be any piers in the water at holes 3 and 4.

4. PUBLIC COMMENTS

There were no public comments.

There is a new letter from Mr. Doherty that was added to the file. Peter Hughes will make sure the letter is mailed to all commission members.

Motion by Gordon Isleib to continue the public hearing for applications #03-13 – Marlborough Partners, LLC, OSCAR subdivision and #03-14 – Marlborough Partners, LLC Townhouse development until March 25, 2004 at 7:00 p.m. and to continue the public hearing for application #03-15 – Marlborough Partners, LLC, Golf Course until March 25, 2004 at 8:00 p.m. The motion was seconded by Jim Montstream and it was carried by a unanimous vote.

Motion by Gale Busemeyer to table application #03-13 – Marlborough Partners, LLC, OSCAR subdivision, application #03-14 – Marlborough Partners, LLC Townhouse development and application #03-15 – Marlborough Partners, LLC, Golf Course until March 25, 2004. The motion was seconded by Gordon Isleib and it was carried by a unanimous vote.

5. NEW BUSINESS

There was no new business.

6. OTHER BUSINESS – ROAD DRAINAGE PROBLEMS, OAK DRIVE

There was nothing to report.

7. APPROVAL OF MINUTES

Motion by Gordon Isleib to approve the minutes of the January 12, 2004 meeting with the following change: omit one page 23 as page 23 was duplicated. The motion was seconded by Jack Bray and it was carried by a unanimous vote.

Motion by Jack Bray to approve the minutes of the January 14, 2004 meeting with the following change: on page 29, ENS should be changed to E&S. The motion was seconded by Gordon Isleib and it was carried by a unanimous vote.

Motion by Jack Bray to add agenda item “pre-application for subdivision on 424 Jones Hollow Rd.” after item 7 – Approval of Minutes. The motion was seconded by Gale Busemeyer and it was carried by a unanimous vote.

8. 424 JONES HOLLOW ROAD – PRE-APPLICATION

Mr. Bruce Olmstead of BK Engineering spoke on behalf of the applicant. Mr. Olmstead showed the members a map of the site, which is at the northern end of Jones Hollow Rd. The applicant is looking to build a 3-home subdivision at 424 Jones Hollow Rd. This is a 10-acre piece of property. The applicant wants to divide the lot into three pieces, one that will be 2.3 acres, another for 3.8 acres and a third for 4.2 acres. The lots will share a common drive. Mr. Olmstead stated that there are very few trees on the site. There are wetlands on the majority of the site. Mr. Olmstead explained how the utilities will be put in.

Motion by Gale Busemeyer to have a site walk for the proposed subdivision on 424 Jones Hollow Road on March 20, 2004 at 8:00 a.m. The motion was seconded by Gordon Isleib and it was carried by a unanimous vote.

9. CORRESPONDENCE

Peter Hughes said that the town can send one person from the commission to attend the wetland enforcement officer training course for free. Don Hautman suggested that Christine Miller attend given that she is new to the commission.

10. WETLAND ENFORCEMENT OFFICIAL’S REPORT

Peter Hughes said that the Blackledge development is pretty stable.

11. ADJOURNMENT

Motion by Gale Busemeyer to adjourn the meeting at 10:21 p.m. The motion was seconded by Gordon Isleib and it was carried by a unanimous vote.

Respectfully submitted,

Mary Sciano