

NORWICH DEVELOPMENT REVIEW BOARD

MINUTES

May 30, 2013

Tracy Hall Meeting Room

Members present: John Lawe, Stanley Teeter, Ernie Ciccotelli, George Loveland, Nancy Dean, Folger Tuggle

Members not present: Arline Rotman

Alternates present: Don McCabe, John Carroll **Alternates not present:**

Clerk: Phil Dechert **Others:** Ann Kynor, David Bartlett (via phone), Nelson Kasfir, Liz Blum, Maria Cabri, Deborah Boettiger, Susan Haedrich, Heather Cantlin, Nancy Gardner, Ann Marie Smith and Donna Turner

1. The meeting was called to order by the Chair, John Lawe, at 7:07 PM

2. **Minutes** – November 1, 2012 and December 6, 2012 minutes were approved without changes.

3. Administrative Issues:

- Future Schedule & Agendas
 - June 6 – No Hearings Scheduled
 - June 20 – No Hearings Scheduled
- Election of Officers - John Lawe as Chair and Nancy Dean as Vice-Chair were elected unanimously.

4. Public Hearing:

#6BSUB11 – Final Plan Review of a Minor Subdivision Application by David Bartlett and Jennifer L. Moyer, Applicants and Landowners to divide Lot 20-183.000 into 2 lots of 2.0 acres and 3.06 acres at 59 Carpenter Street.

Members Participating: Lawe, Teeter, Ciccotelli, Loveland, Dean, Tuggle, McCabe

Alternate: Carroll

Applicant/Landowner: David Bartlett (via phone), Applicant and Landowner, and Ann Kynor, P.E. - Pathways Consulting, LLC

Interested Persons: Nelson Kasfir, Liz Blum, Maria Cabri, Deborah Boettiger, Susan Haedrich, Heather Cantlin, Nancy Gardner, Ann Marie Smith and Donna Turner

The Chair opened the hearing at 7:35 PM.

The record in this case includes the following documents:

Submitted by Applicants

A-1 Application #6BSUB11, submitted by Applicant, dated 3/21/11.

A-2 Project Description, submitted by Applicant, dated 3/18/11.

A-3 Site Plan for David V. Bartlett and Jennifer L. Moyer (Sheet 1), prepared by Pathways Consulting, LLC, dated 3/17/11.

A-4 Subdivision Plan for Bartlett Property, prepared by Pathways Consulting, LLC, dated 3/18/11.

- A-5 Request for Continuance of Hearing to June 2, 2011, submitted by Applicant, dated 4/26/11.
- A-6 Correspondence re: supplemental information, from Pathways Consulting, LLC, dated 5/25/11.
- A-7 Revised Wetland Delineation Plan, prepared by Pathways Consulting, LLC, dated 5/23/11.
- A-8 Revised Site Plan for Bartlett Property, prepared by Pathways Consulting, LLC, dated 5/25/11.
- A-9 E-mail correspondence to Rebecca Chalmers, District Wetland Ecologist re: wetland determination, from Tim McCormick, Pathways Consulting, LLC, dated 5/24/11.
- A-10 E-mail response from Rebecca Chalmers, District Wetland Ecologist to Tim McCormick of Pathways Consulting, LLC's e-mail re: wetland determination, dated 5/31/11.
- A-11 E-mail correspondence from Ann Kynor, Pathways Consulting, LLC, dated 6/2/11.
- A-12 Revised Site Plan for Bartlett Property, prepared by Pathways Consulting, LLC, dated 7/1/11.
- A-13 Driveway Profile and Sections, prepared by Pathways Consulting, LLC, dated 7/1/11.
- A-14 Request for Continuance of Hearing to September 15, 2011, submitted by Applicant, dated 7/5/11.
- A-15 E-mails between Tim McCormick of Pathways Consulting, LLC and Martha Abair, US Army of Engineers, submitted on 9/15/11.
- A-16 Driveway Profile and Sections, prepared by Pathways Consulting, LLC (A-13), with written notations from Ann Kynor, submitted on 9/15/11.
- A-17 E-mail Request for 6-Month Extension for a Final Hearing (Decision Date 11/12/11), by Pathways Consulting, LLC, dated 10/8/12.
- A-18 Response to DRB Notice of Decision Recommendations for Proposed Changes and Requests for Additional Information, by Pathways Consulting, LLC, dated 4/26/13.
- A-19 Plans, submitted by Pathways Consulting, LLC, dated 4/10/13
 - a. Site Plan Sheet 1 of 3
 - b. Driveway Profile and Bioretention Facility Details, Sheet 2 of 3
 - c. Drainage and Erosion Control, Sheet 3 of 3
- A-20 Final Subdivision Plans, by Pathways Consulting, LLC, dated 4/25/13.

Submitted by Zoning Administrator

- ZA-1 Documents and Interested Parties list, dated 5/15/13.
- ZA-2 Ortho Base (2009) Photo of Site Plan, submitted by ZA, dated 3/11.
- ZA-3 Zoning Administrator Report, submitted by ZA, dated 4/4/11.
- ZA-4 Norwich Fire Department Report, dated 4/5/11.
- ZA-5 Revised Ortho Base (2009) Photo of Site Plan, submitted by ZA, dated 5/26/11.
- ZA-6 DRB Preliminary Decision, dated 11/12/11.
- ZA-7 Preliminary Peer Review and Recommendations Report, by CLD Consulting Engineers, Inc., dated 1/15/13.
- ZA-8 Final Peer Review Report, by CLD Consulting Engineers, Inc., dated 4/29/13.

Submitted by Interested Parties

- IP-1 Memorandum, submitted by Nelson Kasfir and Elizabeth Blum, abutters at 48 Cliff Street, dated 4/6/11.

- IP-2 Letter from Daniel Haedrich, delegating Susan and Richard Haedrich to attend the public hearing on his behalf as an abutter at 49 Cliff Street, dated 4/7/11.
- IP-3 Letter from Deborah Boettiger, abutter at 31 Cliff Street, dated 4/29/11.
- IP-4 Letter from Richard Haedrich, 47 Cliff Street, received 5/4/11, dated 4/24/11.
- IP-5 Letter from Maria Cabri, abutter at 38 Cliff Street, received via fax 5/27/11.
- IP-6 Letter from Richard Haedrich, abutter at 47 Cliff Street, dated 5/30/11.
- IP-7 Memo from Nancy Gardner, abutter at 24 Cliff Street, dated 5/31/11.
- IP-8 Memo from Nelson Kasfir and Elizabeth Blum, abutters at 48 Cliff Street, dated 5/31/11.
- IP-9 E-mail from Johnson/Cantlin Family, abutters at 32 Cliff Street, dated 6/1/11.
- IP-10 E-mail from Martha Graber, abutter at 39 Carpenter Street, dated 6/1/11.
- IP-11 E-mail from Ann Marie Smith, abutter at 25 Carpenter Street, dated 6/14/11.
- IP-12 Memorandum to DRB from Nelson Kasfir and Elizabeth Blum, with attached letter from P. Scott McGee, Esq. and part of Applicants' revised site plan (7/1/11) enlarging area of proposed driveway, abutters at 48 Cliff Street, dated 7/4/11 and 7/5/11 respectively.
- IP-13 Memorandum to DRB from Richard L. Haedrich, abutter at 47 Cliff Street, dated 9/12/11.
- IP-14
 - a. E-mail from Heather Cantlin, abutter at 32 Cliff Street, dated 9/15/11.
 - b. Photos of Cantlin property lines with vegetation, submitted by Heather Cantlin on 9/15/11.
- IP-15 Letter from P. Scott McGee, Esq., submitted for Nelson Kasfir and Elizabeth Blum, abutters at 48 Cliff Street, dated 9/23/11.
- IP-16 Memorandum with photos from Chip Hedler, submitted for Maria Cabri, abutter at 38 Cliff Street, on 9/29/11.

John Lawe noted that the preliminary review had established findings for most criteria except for surface/storm water drainage and wetlands. Recommendations in the Preliminary Plan Review include retaining at the Applicants' expense an independent qualified consultant experienced in hydrology related to wetlands and storm waters to review the final version of the proposed plans and evaluate the impacts of the proposed development on storm waters entering and exiting the property. At the recommendation of Pathways Consulting, LLC ("Pathways") and the concurrence of Dechert as agent for the Board, the Applicant retained the services of CLD Consulting Engineers, Inc. ("CLD"), for this review and evaluation. A Preliminary Peer Review and Recommendations Report by CLD, dated 1/15/13 (ZA-7) included some recommendations and questions which were addressed in revised plans (A-19) and a memo from Pathways (A-18). A Final Peer Review Report, by CLD, dated 4/29/13 (ZA-8) indicated their concerns were addressed in the new plans.

Much of the subsequent discussion related to the CLD reports and the revised plans. As was stated several times, the purpose of the review was not to create a new plan, but to address the methodology and validity of Pathway's plan.

Wetland Driveway Crossing - The plans show two 12-inch round pipes. CLD suggested a single larger pipe may be preferred for aquatic life crossing. Kynor responded that multiple smaller pipes allowed for more material over the pipes, but they would defer to the requirements of the State Wetlands Ecologist.

Increase of stormwater from site post-development - Kynor testified there would be no increase of peak flows from the site as a result of the proposed development. The bio-retention ponds (rain gardens) are designed to absorb excess surface water from new impermeable surfaces such as roofs. A condition was suggested that roof gutters and downspouts direct water

to the rain gardens. Stormwater from the driveway will go to a rain garden or an existing wetland. An additional bio-retention pond considered for some driveway run-off is not included due to concern by a state wetlands ecologist of possible disturbance to a wetlands buffer area. Additional description of the rain gardens by Kynor included design details and minimal maintenance required if correct materials are used.

Many of the abutters from both Cliff Street and Carpenter Street described significant issues with excess water running onto and through their properties. Some houses have sump pumps running in the basement and failing wastewater systems. The "Carpenter Street Swale" created in the early 80's (?) to help drain the area is no longer functioning as intended. The abutters are concerned that the proposed development will add additional surface water to the area or redirect water. There was a question if the new house foundation would create a dam effect preventing drainage around the adjacent houses.

Lawe acknowledged the existing water issues and suggested the bottom line is whether the proposed development will make existing water issues worse.

Dean moved to continue the hearing to July 18, 2013 at 7:30. McCabe seconded the motion and the motion passed 7-0. The hearing was closed at 9:45 PM.

5. Boundary Line Adjustment:

12BLA13 – Stagecoach Road, Lots: #03-054.100 and #03-054.100a – Maureen Sullivan, Landowner, Linda White, Applicant, Lot Line Adjustment between 03-054.100 (8 Stagecoach Road) and 03-054.100a (open lot), exchanging two .3 acre portions.

The Zoning Administrator presented the proposed BLA along with a chart showing changes and an Orthophoto map. The proposal will exchange two .3 acre +/- portions between 05-054.100 and 03-054.100a to allow for the relocation of the Stagecoach Road right-of-way.

Ciccotelli moved that the proposed Boundary Line Adjustment conforms to the criteria in Section 2.1(E)(1) NSR and therefore the Zoning Administrator is authorized to issue an administrative permit for the Boundary Line Adjustment. The motion was seconded by Loveland and was approved 7-0.

The meeting was adjourned at 10:00 PM.

Phil Dechert, Clerk

APPROVED 8/1/13