

CONSERVATION COMMISSION

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TOWN HALL

238 Danbury Road

Wilton, Connecticut 06897

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WILTON CONSERVATION COMMISSION

WEDNESDAY September 6, 2017 – 7:30 P.M.

TOWN HALL ANNEX - MEETING ROOM "A"

MINUTES

- I. PRESENT: Susan DiLoreto (Chair), Frank Simone, Jeff Lapnow, Jackie Algon, Brice Chaney, Colleen O'Brien
- II. ALSO PRESENT: Mike Conklin, Director of Environmental Affairs; Liz Larkin, Recording Secretary; Chris Russo, Q&R, LLC; Victoria Mavis, Resident; Patricia Frisch, Resident
- III. CALL TO ORDER – Ms. DiLoreto called the meeting to order at 7:37 pm. Ms DiLoreto explained this is a public meeting and everyone is welcome to observe the meeting however it is not a Public Hearing and the time to be heard about an Inland Wetland Commission or Planning and Zoning Commission matter is during their public hearings.
- IV. INLAND WETLAND REFERRALS

- A. **WET#2465(S) LTWJ, LLC – Cannon Road (Map#21 Lot#13)** – subdivide approximately 55 acres of land into 8 conservation subdivision lots with approximately 43 acres of land set aside for conservation

Mr. Conklin explained that this application has been before the commission under previous submissions. He noted the multiple applications have been submitted due to statutory time frames running out on previous proposals. He confirmed the commissioners held a site walk with the first submission and the land has not changed.

Mr. Conklin confirmed the comments provided to Inland Wetlands from the last application include a request to preserve trees and reuse stones from stone walls whenever possible. He stated the biggest change from the last submission is a common drive that will be a public tertiary road which will replace the two common driveways on the original application. This change results in less impervious area in the regulated area.

Mr. Conklin described the stormwater management systems proposed and the commissioners located these facilities on the plans. The commissioners reviewed the planting plans. Ms. Algon suggested asking the applicant and the town to utilize pervious pavement for the common drive. Mr. Simone countered this idea that it would set a precedent and all town road residents will request this application which is not feasible.

Ms. DiLoreto MOVED to REPEAT the letter submitted with the last application with a strong recommendation to use pervious asphalt due to the size and importance of the existing wetland, SECONDED by Ms. Algon and CARRIED 6-0-0.

**B. WET#2469(S) WILTON 40, LLC – 40 Danbury Road – expansion of existing parking garage &**

**C. WET#2470(S) DIV 50, LLC – 50-60 Danbury Road – expansion of existing parking garage**

Mr. Conklin suggested looking at the two Danbury Road garage applications at the same time as they are adjacent to one another in the corporate complex. The commissioners agreed to look at both plans together.

Mr. Conklin displayed the plan for 40 Danbury Road and noted where trees are being removed. He confirmed there are new trees proposed and a no-mow area which is an overall improvement to the area. He also noted the pedestrian walkway will be relocated.

Mr. Conklin displayed the 50-60 Danbury Road plans and noted where tree removal will take place as well as some minor grading. The commissioners noted that a Grey Dogwood is proposed for the mitigation plan.

The commissioners agreed that there are no comments or recommendations for either of these applications.

**D. WET#2473(S) DEY – 71 Chicken Street – “corrective action” to restore a wetland and re-grade the front and rear yards**

Mr. Conklin advised that a call was received from a neighbor who reported work being done in a wetland. He confirmed he visited the property right away, found that work was being done in a wetland, and issued a Cease & Desist for the property.

Mr. Conklin stated the Cease & Desist Order was upheld at a subsequent hearing and the Inland Wetland Commissioners provide the owners with specific direction on how to correct the violation. He confirmed the Wetlands Commission will require a certain number of plants and species to install for mitigation purposes. Ms. DiLoreto suggested these be of good size. Mr. Conklin noted the typical size required by the commission is 2.5 inch caliper trees and 3-4 ft. shrubs. Mr. Conklin added that the commission allowed the owners to re-grade and level out their front and back yards that were bumpy from tree stump removals in the past.

The Conservation Commissioners agreed no comments were necessary for this application.

## **V. PLANNING AND ZONING REFERRALS**

- a. REG#17365, 183 Ridgefield Road, LLC, for Age Restricted District (Overlay) (“AROD”)** regulations for property within a Residential “R-1A” or “R-2A” district where property fronts on and provides vehicular access to either Danbury Road, Westport Road, Ridgefield Road from Danbury Road up to the intersection of Ridgefield Road with Drum Hill Road, or located no further than 750 feet from Danbury Road, provided the lot fronts on an arterial public road that directly connects to Danbury Road; and modifications to the Design Residence “DRD”, Townhouse Residence “THRD” and Center Residence Apartment “CRA-10” multifamily housing districts to establish provisions for age-restricted housing

Attorney Russo passed out documents to the commissioners relating to this proposal.

The commissioners discussed recusal of anyone that may be a board member of an entity that has submitted comments on this application.

Ms. Algon recused herself and left the meeting room.

Ms. DiLoreto read aloud her notes from the application and the issues she has with the proposal including the disregard for the current Plan of Conservation and Development (POCD), the potential change of the rural character of the town, and of the scenic road.

Mr. Simone took issue with the opposing attorney handing out information to sway the commission and made a MOTION to NOT ACCEPT the documents from Attorney Russo, SECONDED by Mr. Lapnow and CARRIED 5-0-0. All handouts were returned.

Ms. DiLoreto asked the commission if they want to include recommendations for sewer and water in the letter she is drafting. Ms. O'Brien stated that she thinks the argument is stronger if it pertains only to conservation issues. Mr. Simone stated Westport Road and Danbury Road should be included in the letter after Ms. DiLoreto noted she only has issue with the Ridgefield Road section of AROD. Ms. DiLoreto stated Danbury Road and Westport Road already have water, sewer, and density. Mr. Simone stated he thinks she would think differently if she lived in one of those neighborhoods. Ms. DiLoreto countered that she wants to make the best long-term decisions for the town and there is no push for cluster homes on Ridgefield Road.

Mr. Chaney stated he is concerned about allowing the sewer to be extended up Ridgefield Road as this will set a precedent for more cluster housing in the area, on a designated scenic road. Ms. DiLoreto stated this type of housing is wrong in an R-2A zone. Mr. Simone asked that the letter reiterate previous communications and specifically emphasize Ridgefield Road but include the others.

Mr. Simone MOVED for Ms. DiLoreto to DRAFT a letter from the Conservation Commission relating to this application, SECONDED by Mr. Chaney and CARRIED 5-0-0.

**b. SP#432, Wilton 40, LLC, 40 Danbury Road, to expand existing parking garage**

The commission discussed this item previously in the meeting. Please see Inland Wetland section above.

**c. SP#433, DIV 50, LLC, 50-60 Danbury Road, to expand existing parking garage**

The commission discussed this item previously in the meeting. Please see Inland Wetland section above.

**VI. ONGOING BUSINESS**

Ms. Algon was reseated.

**A. Parks Reports** – Ms. O'Brien stated she walked Bradley and really enjoyed it but the kiosk map is faded and may need to be replaced.

**B. Conservation Activity Log Updates**

**Horseshoe Pond Long-Term Management Plan** – Ms. DiLoreto reported that she is drafting a letter for the person donating the tree being planted by Horseshoe Pond.

**Park Walks & Talks** – Ms. Algon stated there is a birding walk scheduled on October 7<sup>th</sup> at 8:30am with Joe Bear at Allen's Meadows. There is also a walk being scheduled for November 19<sup>th</sup> with Greg Waters from the National Park Service to observe stone walls. The location suggested is Vista Road but Ms. Algon will check to see if there is hunting scheduled on the property at that time.

**Kent Pond Management** – Mr. Conklin stated the grass carp permit was approved and 168 carp will be installed at a cost of \$3,000 which should be raised by the neighbors within the 6 week permit timeframe. Mr. Conklin confirmed he and Jenn Fanzutti spent 4 days and \$600 erecting the fence required by the DEEP at the outlet. Ms. Algon confirmed she is holding a meeting at her house next week to raise the funds.

#### **C. Work with other Commissions/Committees**

- A. Tree Committee – Nothing to report.
- B. Deer Committee – Mr. Conklin reported the Hunter Kick-Off Meeting took place and the bow hunting season starts on September 15<sup>th</sup>.
- C. POCD Liaison – Ms. DiLoreto MOVED to CHANGE the agenda item to read “Planning and Zoning Liaison”, SECONDED by Mr. Chaney and CARRIED 6-0-0. The commissioners decided to reinstitute the Planning and Zoning Liaison Role where commissioners are assigned months to attend P&Z Meetings and report back to the commission. The months were assigned as follows: September = Mr. Simone, October = Mr. Chaney, November = Ms. DiLoreto, December = Mr. Lapnow, January = Ms. Algon, February = Ms. O'Brien.

#### **D. ONGOING BUSINESS**

**Park Walks & Talks** – Ms. Algon stated that there is a Talk scheduled for September 19, 2017 at 7:30pm in the Library with Dr. Clara Rutledge who is an Emerald Ash Borer Expert. The commissioners expressed their frustration relating to having the mandatory FOIA Meeting that night and asked if Mr. Conklin can reschedule that meeting with Town Counsel.

### **VII. NEW BUSINESS**

- A. **Trout Unlimited Invasive Species Control Project at Schenck's Island** – Mr. Conklin confirmed Trout Unlimited is working at Schenck's Island later this week to remove vines and invasive species in a small area of the park. He wanted the commissioners to be aware of the work if any residents question what is taking place. He confirmed Avalon Bay Employees will be removing invasive plants and Trout Unlimited will be replanting the area with natives that will enhance the riparian area. Trout Unlimited is purchasing \$12,000 worth of plantings for this project.

Ms. Algon asked if the mowing of the park is being postponed. Mr. Conklin

responded that the Land Trust may not mow until March with the exception of a few key areas. Mr. Conklin noted that the meadow is currently 8 ft. tall. Mr. Conklin stated Sackett preserve is similar in that we mow either side of the driveway. He added that there is a person being hired to spot spray for invasive vines. The contractor is an organic meadow expert but he has suggested spot spraying the mowing until the area is under control.

- B. SIMM Meeting Update** – Ms. DiLoreto stated she and Ms. Hobson provided a proposal to Lynne Vanderslice and they are waiting on her feedback.
- C. Discussion of Conservation Commission Roles & Responsibilities Part I** – Ms. DiLoreto stated the Commission's Charter has four points that Commissioners should be focusing on.
- D. Fall 2017 Newsletter Articles** – Mr. Conklin reminded the Commission that articles are needed. Mr. Conklin offered to write an article on bears and confirmed Jenn Fanzutti will write an article about Kent Pond. Ms. Algon stated she would do a buffer article for Kent Pond. Ms. DiLoreto offered to write a blurb about the new Carry In/Carry Out policy. The commission discussed the current issue of dog walkers leaving their bags on the ground and thought this would be a good topic. Mr. Conklin stated he would speak to Animal Control. Ms. DiLoreto suggested this be a topic for a Letter to the Editor.

#### **XI. APPROVAL OF MINUTES –**

- a. 7/5/17 Meeting Minutes – Ms. Larkin noted Ms. DiLoreto sent some minor revisions to the meeting minutes.
  - i. Section VII. B. Horseshoe Pond Long-Term Management Plan: Ms. DiLoreto questioned the need to water the plants *as plants were hardy and established well (it has been so wet recently)*
  - ii. Section VII. B. Park Walks & Talks: Mr. Conklin advised there *would* be a mandatory meeting of the land use boards with the town attorney to ensure compliance in the *fall* of 2017.
  - iii. Section VIII. A. POCD Discussion: Mr. Conklin suggested having a liaison assigned to attend the POCD Meetings and report back to the commission. *Commissioners supported this suggestion.* The commission will decide *who the liaison will be* once the schedule has been set.
  - iv. Section VIII. B. Pollinator Pathways Update: Mr. Conklin stated all planting done on town owned land, including pollinator installations, must come through his office for approval with a site plan, *management plan through plant establishment* and future management details.

Mr. Simone MOVED to approve the minutes as amended, SECONDED by Mr. Lapnow and CARRIED 6-0-0.

- XII. ADJOURN** – Ms. O'Brien MOVED to ADJOURN at 10:21 pm, SECONDED by Mr. Simone and CARRIED 6-0-0.

Next meeting will be October 4, 2017.

Respectfully submitted,  
Liz Larkin, Secretary, Environmental Affairs

