

CONSERVATION COMMISSION  
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TOWN HALL  
238 Danbury Road  
Wilton, Connecticut 06897

## MEMORANDUM

TO: Inland Wetlands Commission

FROM: Conservation Commission

DATE: July 8, 2021

**WET#2714(S) FDSPIN 141 DR, LLC – 141 Danbury Road – proposed  
apartment complex with 173 units within a regulated area**

In response to your referral, the Conservation Commission has received the above referenced application. The Commission offers the following comments:

- With respect to the conservation measures built into this project, the Conservation Commission offers kudos to Tighe & Bond/Environmental Land Solutions and the developer for the strong proposal of conservation-related recommendations - namely, the pervious pavers in the parking areas, the stormwater system to address runoff under the building, the use of pollinator-friendly native plantings throughout the landscaped areas, the downward-pointing lighting fixtures, the structuring of the riprap to enable habitat development with native plantings growing into that area. We are hopeful that this plan will become a model for conservation measures as properties are developed going forward.
- While we do recognize the need for height to accommodate the development goals of this project, we are concerned about the impact of such a tall structure in casting shadows that could affect the successful growth and resilience of the plantings proposed.
- Another consideration of the Commission pertains to clarifying or changing the wording on LP-1 Nonnative Invasive Species Control Notes, "Scope of work may vary year to year based on financial limitations." The vagueness of this caveat could lead to a lack of ongoing responsibility in regular attention to invasive species eradication which would ultimately (and rapidly) lead to degeneration of the conservation planting areas. To ensure this does not happen, in addition to the two-year bond, we recommend a method of ensuring the plantings and eradications are conducted appropriately by including periodic oversight/consultation from an expert (such as ELS). Because the invasive species on this property are known to require extensive and long-term attention, two

years will not be sufficient to maintain their eradication.

- Last, while the mechanism for eradication is specified with care, the location of the invasive species adjacent to the Norwalk River makes use of herbicides especially controversial and concerning. The Conservation Commission strongly recommends that all procedures follow and meet the requirements of Local, State and Federal laws respecting protection of water quality and wildlife conditions of the Norwalk River and its downstream neighbors (*e.g.*, Long Island Sound.)

Thank you for the opportunity to review and comment on this matter.