



MEETING MINUTES
HYBRID MEETING
July 22, 2021

PRESENT: Nick Lee (Chair), Scott Fischer, Penelope Koechl, Rick Stow, Claudia Avallone, Theodora Pinou

ALSO PRESENT: Mike Conklin, Director of Environmental Affairs; Janet Johnson, 82 Kellogg Drive; Larry Moskowitz, 131 Danbury Road; Lisa Feinberg, Carmody Law; Erik Lindquist, Tighe & Bond; Kate Throckmorton, Environmental Land Solutions; Samuel Fuller, Property Owner; Brian Carey, LandTech

I. CALL TO ORDER

Mr. Lee called the meeting to order at 7:31 pm.

II. PUBLIC HEARINGS

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

Ms. Feinberg introduced the project and reviewed the alternatives considered. Mr. Lindquist noted pervious pavement is being proposed in key areas and confirmed there is no current stormwater management existing on the site. He stated their proposal will provide a significant improvement in water quality adjacent to the Norwalk River. Compensatory storage was discussed due to the flood zone. Ms. Throckmorton reviewed the wetland functions on site and proposed planting plan including invasives removal.

Mr. Conklin asked for a cut fill report due to the flood plain. Commissioners discussed hiring a third-party Consultant for an engineering review.

Mr. Fischer MOVED to ENGAGE a third-party consultant to review the Application for Engineering, SECONDED by Ms. Avallone and CARRIED 6-0-0 with all in favor.

Dr. Pinou questioned a cement well found on the site. Mr. Fuller stated he thinks it was for irrigation which receives rain water from roof leaders and will be abandoned. Mr. Conklin asked if a Phase II study was completed for the site. Mr. Fuller confirmed there used to be a machine shop at this location which required this study for the Transfer Act. Mr. Conklin asked for a copy of the Phase II to determine where the groundwater level sits. He also questioned the

invasive removals taking place “if finances allow”. This verbiage will be updated on the maintenance plan.

With no further questions the Public Hearing was continued.

IV. APPLICATIONS READY TO BE REVIEWED - None

V. APPLICATIONS READY TO BE ACCEPTED

- A. WET#2723(S) ROSENBERG – 29 Crofoot Road** – proposed addition and B100a in an upland review area
- B. WET#2724(S) CT HUMANE SOCIETY – 863-875 Danbury Road** – redevelopment of premises to include demo of existing on-site structures and construction of new single-story commercial building, parking, driveways, walkways, and associated improvements
- C. WET#2725(S) KIM – 27 Arrowhead Road** – “emergency” septic replacement within a regulated area
- D. WET#2726(I) MCSPORRAN/SYRSTAD – 132 Range Road** – proposed construction of a barn and associated site improvements

Mr. Stow MOVED to ACCEPT WET#2723, WET#2724, WET#2725, and WET#2726, SECONDED by Ms. Avallone and CARRIED 6-0-0 with all in favor.

VI. APPROVED MINOR ACTIVITIES

- A. WET#2716(M) RIVERBROOK REGIONAL YMCA – 404 Danbury Road** – proposed removal of ten unsafe trees within a regulated area
- B. WET#2715(M) HANNAH – 11 Shagbark Place** – proposed removal of eight dead ash trees and two willow trees within a regulated area
- C. WET#2717(M) RING’S END – 53 Danbury Road** – proposed installation of propane tank and AC units within a regulated area
- D. WET#2721(M) BENEDEK – 1 West Wind Lane** – proposed new multi-level open porch and stairs and new stone terrace 62 ft. from a wetland
- E. WET#2720(M) CHEN – 648 Nod Hill Road** – proposed addition and creation of recreational trail including two wooden bridges across two streams
- F. WET#2719(M) CLARK – 64 Branch Brook Road** – proposed generator within a regulated area

Mr. Conklin provided a brief review of the Minor Applications approved by Staff.

VII. CORRESPONDENCE

A. WET#2671(S) O'NEILL – 48 Sharp Hill Road – request to extend deadlines for Special Conditions

Mr. Conklin stated the owner was having issues finding some of the approved mitigation plantings and requests an extension of the deadline. The Commission agreed plants can be swapped out for other natives as a field change to be approved by Staff. Mr. Lee suggested hard date of September 1st for plantings to be installed, or the owner will be subject to a Municipal Citation.

Ms. Avallone MOVED to AMEND Planting Deadline to September 1, 2021 and for Staff to include a note that the Applicant may be subject to fines if plantings are not installed by this deadline, SECONDED by Mr. Fischer and CARRIED 6-0-0 with all in favor.

VII. NEW BUSINESS - None

VIII. VIOLATIONS

A. PHILLIPS – 326 Thayer Pond Road – unpermitted clearing, filling, and grading being conducted within a regulated area (Cease & Desist Modified May 27, 2021 – Corrective Action Application Due June 23, 2021 – extension granted for new Due Date August 12, 2021)

Mr. Conklin noted the owner is requesting permission to complete grading activities outside of the regulated area as a modification of the Cease & Desist.

Mr. Carey confirmed the owners are asking to stabilize the non-regulated area while they are preparing the Corrective Action Application.

Mr. Fischer MOVED to MODIFY the Cease & Desist to allow stabilization of soil outside of the upland review area, SECONDED by Mr. Stow, and CARRIED 6-0-0 with all in favor.

IX. APPROVAL OF MINUTES

A. Special Meeting Minutes July 15, 2021

Mr. Stow MOVED to APPROVE the Special Meeting Minutes of July 15, 2021, SECONDED by Ms. Avallone and CARRIED 6-0-0 with all in favor.

X. PUBLIC COMMENT - None

XI. ADJOURN

Ms. Koechl MOVED to ADJOURN at 9:11pm, SECONDED by Mr. Stow and CARRIED 6-0-0 with all in favor.

Respectfully Submitted,
Liz Larkin
Recording Secretary, Environmental Affairs