



MEETING MINUTES
HYBRID MEETING
October 14, 2021

PRESENT: Nick Lee (Chair), Penelope Koechl, Theodora Pinou, Rick Stow

ALSO PRESENT: Mike Conklin, Director of Environmental Affairs; Lisa Feinberg, Carmody Law; Erik Lindquist, Tighe & Bond; Kate Throckmorton, Environmental Land Solutions; Alan Pilch, ALP Engineering; Jim Murphy, Gregory & Adams, P.C.; James Bias, CT Humane Society; Craig Flaherty, Redniss & Mead; Kate Throckmorton, Environmental Land Solutions; Matt Popp, Environmental Land Solutions; Heather Lewis, Animal Arts Architecture; Ross Nazzaro, Nazzaro, Inc.; Tom Nelson, McChord Engineers; Tom Ryder, LandTech; Sean & Sara Roy, Property Owners; Karin Holmdin, Property Owner

I. CALL TO ORDER

Mr. Lee called the meeting to order at 7:30 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 (cont.)

Ms. Feinberg noted the Engineers met since the last meeting to work through the remaining comments. Mr. Lindquist reviewed those items for the benefit of the Commission and the public.

Mr. Pilch asked for more current reporting on the water quality functionality. He would also like to know how maintenance would be performed in the field due to the proximity of a manhole in one location.

Ms. Feinberg confirmed snow storage areas are accommodated and noted Dr. Pinou's questions were addressed explaining they are improving the site as noted by the Conservation Commission comments.

Mr. Stow MOVED to CONTINUE the Public Hearing and direct Staff to PRODUCE a draft resolution of approval for the next meeting, SECONDED by Ms. Koechl and CARRIED 3-1-0 with Dr. Pinou opposed.

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

Mr. Murphy confirmed the team has prepared responses based on questions from the last hearing.

Mr. Bias reviewed the processes while animals are in their care, including waste solid removals.

Ms. Lewis explained their role in the architecture and programming process. She confirmed their biological risk management states that hoses are not used for cleaning animal areas and the septic tank will be cleaned once per month.

Mr. Flaherty addressed comments relating to sleeving the septic pump, and leaching field questions which are more than 100 ft. from any wetlands. He confirmed fill has been added historically which will be removed and brought back to natural grade to avoid erosion.

Mr. Popp confirmed he walked the site and he did not locate any vernal pools. Mr. Conklin asked if there were any species of concern within the development.

Ms. Throckmorton answered questions about trees on the site. She confirmed invasive species will be removed. Mr. Lee noted Beech trees were showing decline on this site.

Mr. Flaherty explained the porous asphalt surface and reviewed the benefits. He also confirmed test pits were performed, which showed a high water table, and is why they did not design rain gardens.

Ms. Throckmorton stated the current proposal is improving the site from the existing conditions with the removal of debris, creation of stormwater management, and invasive removal.

Mr. Murphy responded to Mr. Kehoe's question, of 34 New Street, noting that anything found under the soil will be removed safely and properly.

Dr. Pinou asked the Applicant to check the Natural History Database for wildlife purposes. Mr. Murphy confirmed they did research the site where the development is taking place.

Ms. Peterkin stated she sent photos of a vernal pool directly opposite to New Street. Mr. Popp stated he did not see the photos but confirmed there was no indication of a vernal pool as there was lawn present.

Mr. Stow MOVED to CONTINUE the Public Hearing and direct Staff to produce a draft resolution of approval for the next meeting, SECONDED by Ms. Koechl and CARRIED 3-1-0 with Dr. Pinou opposed.

C. WET#2727(S) JANSEN – 70 Middlebrook Farm Road – proposed 20 ft. x 40 ft. in-ground swimming pool and associated B100a

Ms. Throckmorton noted the Public Hearing was held open to address comments from the

Commission and SNEW.

She confirmed the pool size has been decreased by 4 ft. and an engineered infiltration system with dry wells has been added to the proposal. She noted the wood chip piles pointed out by SNEW will be removed and seeded to naturalize the area.

Mr. Stow MOVED to CLOSE the Public Hearing, SECONDED by Ms. Koechl and CARRIED 4-0-0.

Mr. Stow MOVED to APPROVE WET#2727 with the normal Special Conditions, SECONDED by Ms. Koechl and CARRIED 4-0-0.

D. WET#2729(S) JONAN/KALLCIU – 21 Grumman Hill Road – proposed pond dredging

Mr. Nazzaro described the proposed pond dredging in order to bring it back to original depth and size. He confirmed the spoils will be removed from the site and boulders will be added to the banks to assist with erosion and further sedimentation. Mr. Conklin noted the dam permit is to be given by State or Federal means and is not our purview.

Mr. Stow MOVED to CLOSE the Public Hearing, SECONDED by Ms. Koechl and CARRIED 4-0-0 with all in favor.

Mr. Stow MOVED to APPROVE WET#2729, with normal Special Conditions, SECONDED by Ms. Koechl and CARRIED 4-0-0 with all in favor.

E. WET#2736(S) ROY – 55 Hickory Hill Road – proposed single-family residence and associated site improvements

Mr. Lee noted the Application is deficient as it does not include mitigation plantings or alternatives, as well as a question about the location of the wetland flagged lines. Mr. Conklin stated he is a Qualified Soil Science and he found two questionable locations he believes are wetlands that are not included on the plan. He recommended the Commission hire a Third-Party Soil Scientist for this Application.

Mr. Nelson apologized for the flagging inconsistencies. He reviewed the existing and proposed conditions including the stormwater management system he designed to capture runoff. He noted boulder demarcation is proposed to preserve the buffer.

Mr. Ryder confirmed this is a wooded site with moderate understory. He reviewed each currently flagged wetland and their function. He stated they did not find any vernal pools and they recommend control of invasives on the site.

Mr. Conklin asked the Applicant to re-evaluate the area they are clearing and add mitigation plantings to the proposal. A formal site walk will be scheduled prior to the next hearing.

Mr. Stow MOVED to HIRE Third Party Review for Soil Scientist to review the existing wetland areas, SECONDED by Ms. Koechl and CARRIED 4-0-0 with all in favor.

IV. APPLICATIONS READY TO BE REVIEWED

- A. WET#2738(I) HOLMDIN/BAYONNE – 17 Greenbriar Lane** – proposed addition within 62 ft. of a wetland

Ms. Holmdin explained the addition and noted there were no alternatives. Mr. Lee suggested placing the new electric wires underground. Mr. Conklin noted this would be considered a field change if they decide to bury them after this approval is granted and asked that the debris pile is removed from the recent septic replacement.

Mr. Stow MOVED to APPROVE WET#2738, with normal Special Conditions, and the additional Special Condition that the woody debris pile is removed prior to commencing work, SECONDED by Ms. Koechl and CARRIED 4-0-0 with all in favor.

V. APPLICATIONS READY TO BE ACCEPTED

- B. WET#2732(I) MARLEY – 81 Glen Hill Road** – “emergency” septic replacement

Mr. Stow MOVED to ACCEPT WET#2732, SECONDED by Ms. Koechl and CARRIED 4-0-0 with all in favor.

VI. APPROVED MINOR ACTIVITIES

- A. WET#2734(M) CARSTENS – 121 Pine Ridge Road** – proposed A/C condenser 17 ft. from wetlands

- B. WET#2737(M) DAVATZES – 445 Thayer Pond Road** – proposed removal of existing wood deck and construct new elevated screened porch and wood deck within a regulated area

- C. WET#2739(M) CROSBY – 342 Westport Road** – proposed generator 42 ft. from a wetland

VII. CORRESPONDENCE

- A. WET#2679(I) GRIFFIN – 67 Borglum Road** – request to extend “Corrective Action” planting deadline

Mr. Conklin noted that Ms. Griffin is having issues purchasing materials for her planting plan and requests an extension until 2022.

Mr. Stow MOVED to EXTEND Planting Deadline to May 1, 2022, SECONDED by Ms. Koechl and CARRIED 4-0-0 with all in favor.

VII. NEW BUSINESS - None

VIII. VIOLATIONS

- A. MITRIONE – 49 Rivergate Drive** – removal of trees and understory and dumping of debris (Cease & Desist Modified 9/9/21 – Application due date October 12, 2021)
- B. BENE – 85 Old Driftway** – removal of ten trees and deposit of woodchips (Cease & Desist Modified 9/23/21 – Application due date 10/27/21)
- C. FALTA – 20 Cheese Spring Road** – removal of eight trees and understory (Cease & Desist Issued 9/29/21 – Owner Waived Show Cause Hearing – Corrective Action Application due 11/9/21)

Mr. Lee stated the only violation of note for this meeting is for 49 Rivergate Drive. The Applicant has missed the deadline.

IX. APPROVAL OF MINUTES

A. Regular Meeting Minutes September 23, 2021

Mr. Stow MOVED to APPROVE the Meeting Minutes of September 23, 2021, SECONDED by Ms. Koechl and CARRIED 4-0-0 with all in favor.

B. Special Site Walk Meeting Minutes September 30, 2021

Dr. Pinou MOVED to APPROVE the Special Meeting Minutes of September 30, 2021, SECONDED by Mr. Lee and CARRIED 2-0-2 with Mr. Stow and Ms. Koechl abstained as they were not present.

X. PUBLIC COMMENT - None

XI. ADJOURN

Mr. Stow MOVED to ADJOURN at 10:54 pm, SECONDED by Ms. Koechl and CARRIED 4-0-0 with all in favor.

Respectfully Submitted,
Liz Larkin
Recording Secretary, Environmental Affairs