



MEETING MINUTES
HYBRID MEETING
November 11, 2021

PRESENT: Rick Stow, Vice Chair, Penelope Koechl, Theodora Pinou, Jeremi Bigosinski

ALSO PRESENT: Mike Conklin, Director of Environmental Affairs; Bret Holzwarth, Redniss & Mead; Will Leddy; Kathleen Royle, Gregory & Adams

I. CALL TO ORDER

Mr. Stow called the meeting to order at 7:33 pm and welcomed new Commissioner, Mr. Bigosinski.

II. ELECTION OF OFFICERS

Mr. Stow confirmed the Commission expects new members starting in December. Elections were postponed until a full board is present.

III. PUBLIC HEARING

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

Mr. Stow noted the Applicant requested a continuation of this hearing to the next meeting being held on December 9, 2021.

IV. APPLICATIONS READY TO BE REVIEWED

- A. WET#2744(I) DIES – 200 Mill Road, New Canaan** – proposed garage addition and covered walk including demo of existing garage

Mr. Conklin noted this Application was downgraded from a Significant Level to an Intermediate Level as the septic tank was removed from the regulated area.

Mr. Holzwarth reviewed the project and the wetlands on this site. He confirmed they are reducing runoff on the site with installation of three infiltration system chambers capturing runoff from the new roof.

Ms. Koechl MOVED to APPROVE WET#2744, with normal Special Conditions, SECONDED by Mr. Bigosinski and CARRIED 4-0-0 with all in favor.

- B. WET#2749(I) BENE – 85 Old Driftway** – “corrective action” to address unauthorized removal of ten trees and placement of wood chips in a regulated area

Mr. Conklin stated the concept of the plan makes sense but some details are not clear with plant types and sizes which this Commission typically requests with a “corrective action”.

Mr. Leddy confirmed he removed the woodchips as instructed under the Modified Cease & Desist order. He is proposing some mitigation plantings to be placed in the regulated area. Mr. Conklin confirmed the required sizes for clarification: 5 native overstory shade trees should be 2.5 in. caliper, 4 native understory trees should be 5-6 ft. in height, and 10 multi-stem native shrubs at 3-4 ft. in height.

Mr. Leddy suggested relocating trees from non-regulated areas to the regulated area to save money. Mr. Conklin recommended nursery stock be installed in a uniform way with a plan that can be followed and enforced easily for bonding purposes. Mr. Leddy refused to hire a landscape architect for a clearer plan.

Ms. Koechl MOVED to LIFT the Cease & Desist Order on 85 Old Driftway, SECONDED by Dr. Pinou and CARRIED 4-0-0 with all in favor.

Ms. Koechl MOVED to APPROVE WET#2749 with the normal Special Conditions and additional Special Conditions that the planting plan be installed by April 15, 2022 including 5 overstory native trees at 2.5 in. caliper, 4 understory native trees at 5-6 ft. height and 10 native understory shrubs at 3-4 ft. in height, SECONDED by Dr. Pinou and CARRIED 4-0-0 with all in favor.

V. APPLICATIONS READY TO BE ACCEPTED

- A. WET#2751(I) MITRIONE – 49 Rivergate Drive** – “corrective action” to address unauthorized removal of trees and understory, and dumping of debris

Ms. Koechl MOVED to ACCEPT WET#2751, SECONDED by Mr. Bigosinski and CARRIED 4-0-0 with all in favor.

VI. APPROVED MINOR ACTIVITIES

- A. WET#2745(M) FRATINO – 130 Range Road** – proposed removal of three dangerous trees 15 ft. from a wetland
- B. WET#2746(M) HILLIER – 439 Belden Hill Road** – proposed removal of ten trees 15 ft. from wetlands

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

VII. CORRESPONDENCE

- A. WET#2469(S) WILTON 40, LLC – 40 Danbury Road** – request to extend permit expiration
- B. WET#2470(S) DIV 50, LLC – 50-60 Danbury Road** – request to extend permit expiration

Mr. Conklin noted that the regulations allow for an extension of the 5-year expiration date for Inland Wetland Permits. Ms. Pinou noted her discomfort with the request without reviewing the entire Application. Ms. Royle noted the section 7.7 of the Town's Regulations allow for permit renewals.

Ms. Koechl MOVED to APPROVE the extension for WET#2469 and WET#2470, SECONDED by Mr. Bigosinski and CARRIED 3-0-1 with Dr. Pinou opposed.

VII. NEW BUSINESS - None

VIII. VIOLATIONS

- A. 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. Conklin confirmed an email was received asking for an extension of the due date after the Agenda was filed on Tuesday so this should be postponed until the December 9, 2021 Meeting.

IX. APPROVAL OF MINUTES

A. Meeting Minutes October 28, 2021

Ms. Pinou asked that the following is included for the October 28, 2021 Meeting Minutes:
I'd like the minutes to reflect that WET2724 acknowledged that they did not include the NDDB map in their original application, and that they called this a mistake. Secondly, the minutes need to clearly indicate that the applicant must follow the guidelines provided by CT DEEP as well as those described by Mr. Quinn.

Ms. Koechl MOVED to APPROVE the Meeting Minutes of October 28, 2021 as amended, SECONDED by Mr. Bigosinski and CARRIED 2-0-2 with Dr. Pinou abstained as she did not review the minutes and Mr. Bigosinski abstained as he was not present.

X. PUBLIC COMMENT - None

XI. ADJOURN

Ms. Koechl MOVED to ADJOURN at 8:27 pm, SECONDED by Dr. Pinou and CARRIED 4-0-0 with all in favor.

Respectfully Submitted,
Liz Larkin
Recording Secretary, Environmental Affairs