



MEETING MINUTES
HYBRID MEETING
July 28, 2022

PRESENT: Rick Stow (Chair) Miriam Sayegh (Vice Chair), Jeremi Bigosinski, Nick Lee

ALSO PRESENT: Mike Conklin, Director of Environmental Affairs; James Murphy, Gregory & Adams, P.C.; Daniel Conant, Gregory & Adams, P.C.; Joseph Canas, Tighe & Bond; Raina Volovski, Tighe & Bond; Brian Carey, LandTech; Jim Kousidis, Kousidis Engineering, LLC; William Kenny, William Kenny & Associates; Dan Valentine, Property Owner; Craig Johnson, Property Owner

ABSENT: Penelope Koechl & Theodora Pinou (notified of intended absences)

I. CALL TO ORDER

Mr. Stow called the meeting to order at 7:33 pm.

II. PUBLIC HEARINGS

A. WET#2805(S) ASML – 77 Danbury Road – proposed construction of new driveway and address erosion and stormwater runoff from existing northeastern parking lot (cont.)

Mr. Murphy stated responses have been prepared and submitted to address questions and comments from the last Hearing.

Ms. Volovski confirmed an Invasive Species Management Plan was created with the assistance of the Invasive Plant Working Group. She also confirmed she spoke to Mianus Chapter of Trout Unlimited and obtained their report relating to the endangered lamprey found 3 miles upstream in the Norwalk River which will not affect this project. Lastly, she noted the temperature of runoff will be reduced and plantings will provide shade which will improve the area from current conditions.

Mr. Canas addressed the questions relating to functions of the sediment trap during construction and bioswale system post-construction. He noted the stormwater will be spread over larger area than the current conditions which is a benefit to this area. He also confirmed there are two de-icing strategies to put down the least amount of salt. Wetland Flag 110 has a current leak off and they will fill swale to get a wider discharge from 2 – 3 ft. wide to 20 ft. wide to spread the discharge slowly with less erosion.

Mr. Bigosinski inquired what chemical would be used for the de-icing. Mr. Canas responded that ASML is looking into the best possible solution and will present the information to Staff once drafted. Mr. Bigosinski read the different mediums and asked that the most environmentally friendly method should be proposed.

Mr. Canas confirmed the construction of the driveway will be from the bottom up to allay steep slope disturbance with a temporary sediment trap to capture any materials during construction. To avoid thermal impact from hot pavement they propose mitigation by treating 1st inch of runoff. He noted that microclimate plantings will provide shade. He also stated a tunnel was considered however, due to potential impact of equipment inside building, this was not a feasible option. Mr. Canas confirmed the rock is shallower in the north end and they would need a large staging area which will be encroach more on the wetlands than the proposed driveway.

Mr. Bigosinski inquired about the rocks falling from the large rock face on the west of the new driveway as the grade increases. Mr. Canas confirmed there will be shelving where plants will be installed as the rock was shallow upon boring holes. Mr. Bigosinski asked that a planting plan be provided for this area.

Mr. Lee MOVED to CLOSE the Public Hearing for WET#2805, SECONDED by Ms. Sayegh and CARRIED 4-0-0 with all in favor.

Mr. Lee MOVED to APPROVE the Draft Resolution with three additional Special Conditions that the Applicant shall implement the Invasive Species Management Plan and submit annual reports to the office of the Commission by October 1st each year, the Applicant shall submit a de-icing plan for staff approval, and a planting plan for the steep slope, terracing areas and retaining walls for staff approval, SECONDED by Mr. Bigosinski and CARRIED 4-0-0 with all in favor.

B. WET#2811(S) BRYANT – 121B New Canaan Road - proposed single-family residence with box culvert crossing

Mr. Carey provided an update on the status of Application. He will be submitting a formal written update prior to the next meeting.

With no further questions from the public, the Hearing was continued.

C. WET#2814(S) KISHIDA – 95 Cheese Spring Road – proposed subdivision of existing parcel into two parcels and construct a new single-family residence and associated site improvements

Mr. Conklin noted the Public Works Director provided comments to the Engineers without time for them to appropriately respond. Mr. Kousidis explained the revisions including adding haybales added to the erosion plan to minimize sediment impact. He also confirmed the septic tank and leaching pit were located at 99 Cheese Spring Road which will not impact their development.

Mr. Kousidis responded to Mrs. Channing's email showing that the stormwater features are at least 50 ft. from the septic on 99 Cheese Spring Road. He also responded to Mr. Noonan's

comments that they are only responsible for their site, not neighboring sites as all water is being directed into their drainage system with no runoff being sent off this site.

Mr. Conklin pointed to the current driveway configuration noting there are not appropriate sight lines. Mr. Kousidis did not wish to move the driveway closer to the wetlands and stated there are no other options for this existing driveway. Mr. Conklin confirmed this is an issue they need to consider as the Town Engineer said its problematic.

Mr. Valentine stated there has not been an issue with site lines and should not be required for a single-family residence. Mr. Conklin countered that the driveway location is not feasible per Town Engineer so he is asking them to iron out the issue prior to approval.

Mr. Bigosinski noted the schematic planting plan needs more detail with their locations for approval and include boulder demarcation to show where the lawn ends for consideration.

With no further questions, the Public Hearing was continued.

III. APPLICATIONS TO BE REVIEWED

- A. WET#2816(I) JOHNSON – 77 Nod Hill Road** – proposed barn construction within a regulated area

Mr. Johnson provided a revised plan showing the sizing of the dry wells, soil & erosion controls, and temporary stockpile area.

Ms. Sayegh MOVED to APPROVE WET#2816 with general and normal Special Conditions, SECONDED by Mr. Bigosinski and CARRIED 3-0-1 with Mr. Lee abstained.

IV. APPLICATIONS READY TO BE ACCEPTED

- A. WET#2821(I) LABRUM – 11 Surrey Glen** – proposed removal of twenty compromised trees
- B. WET#2822(M) PENNIMAN – 30 Liberty Street** – proposed shed 75 ft. from a brook
- C. WET#2823(I) MELTZER – 24 Broad Axe Lane** – proposed retaining wall

Mr. Lee MOVED to ACCEPT WET#2821, WET#2822, and WET#2823, SECONDED by Ms. Sayegh and CARRIED 4-0-0 with all in favor.

V. APPROVED MINOR ACTIVITIES - None

VI. CORRESPONDENCE

- A. ALLAM – 271 Cannon Road** – request for reconsideration of fines

Mr. Conklin noted the Owner requested a Municipal Citation Hearing to appeal the Citations that were issued.

VII. NEW BUSINESS – None

IX. VIOLATIONS

- A. ROBLES – 114 Thunder Lake Road** – unauthorized removal of eighteen (18) trees and placement of a concrete pad without a permit (Cease & Desist Upheld April 28, 2022 – Corrective Action Application due May 24, 2022 – Extension Granted – New Due Date of June 7, 2022 – Second Extension Granted June 23, 2022 – New Due Date of July 12, 2022)
- B. ALLAM – 271 Cannon Road** – unauthorized replacement of drainage pipe under driveway and earthwork in a wetland (Cease & Desist Upheld May 12, 2022 – Corrective Action Permit Due Date June 21, 2022 – Extension Granted June 23, 2022 – New Due Date of July 12, 2022)

Mr. Conklin noted the above Residents have not yet submitted their Corrective Action Applications to date. As there was no action taken, another fine would be issued and both owners will be referred to Town Counsel for non-compliance.

VIII. APPROVAL OF MINUTES

A. Meeting Minutes July 14, 2022

Mr. Lee MOVED to APPROVE the Meeting Minutes of July 14, 2022 as drafted, SECONDED by Ms. Sayegh and CARRIED 4-0-0 with all in favor.

X. PUBLIC COMMENT – None

XI. ADJOURN

Mr. Lee MOVED to ADJOURN at 9:11 pm, SECONDED by Ms. Sayegh and CARRIED 4-0-0 with all in favor.

Respectfully Submitted,
Liz Larkin
Recording Secretary, Environmental Affairs