



MEETING MINUTES
HYBRID MEETING
July 27, 2023

PRESENT: Rick Stow (Chair), Miriam Sayegh (Vice Chair), Penelope Koechl, Jeremi Bigosinski, Frank Simone

ALSO PRESENT: Mike Conklin, Director of Environmental Affairs; Christopher Ullman, Property Owner; Jeff Yates, Trout Unlimited; Kate Throckmorton, Environmental Land Solutions; Alex Etemadfar, Property Owner; Tom Quinn, Peak Engineers

ABSENT: Nick Lee (notified of intended absence)

I. CALL TO ORDER

Mr. Stow called the meeting to order at 7:30 pm.

II. APPLICATIONS READY TO BE REVIEWED

A. WET#2882(I) SEELEY FARM/WILTON LAND CONSERVATION TRUST – 105 Seeley Road & Seeley Road (Map#21 Lot#3-1) – proposed restoration of cold water refuge and spawning habitat on the Norwalk River

Mr. Conklin noted there was nobody present in the audience to present this Application.

Ms. Sayegh MOVED to SCRAMBLE the Agenda to review WET#2888 for Ullman at 427 Thayer Pond Road first, SECONDED by Mr. Simone and CARRIED 5-0-0 with all in favor.

B. WET#2888(I) ULLMAN – 427 Thayer Pond Road – removal of fourteen (14) dead trees within a regulated area

Mr. Ullman explained his request to remove fourteen trees that are within a regulated wetlands area from a neighboring site. Mr. Ullman stated the trees are a burden to prune with one dead birch tree and 13 additional healthy trees. Ms. Koechl raised concern about equipment access over the septic fields to the area of the tree removal.

Mr. Bigosinski asked about a mitigation planting plan as details were not provided. Mr. Conklin advised that typical mitigation to remove one tree would require five shrubs or a similar type of tree for mitigation. A plan should be submitted to the Commission for the tree and shrub

replacement that will note trees species, location, and the sizes for bonding purposes.

C. WET#2882(I) SEELEY FARM/WILTON LAND CONSERVATION TRUST – 105 Seeley Road & Seeley Road (Map#21 Lot#3-1) – proposed restoration of cold water refuge and spawning habitat on the Norwalk River

Mr. Yates provided a summary of the proposal. The river channel has become very wide and they are attempting to make it deeper and healthier for organisms that utilize it.

Mr. Conklin noted their previous similar project at Schenck's Island is utilized by the CT DEEP as a model to show how the river has improved by this work.

Ms. Sayegh MOVED to APPROVE WET#2882, SECONDED by Ms. Koechl and CARRIED 5-0-0 with all in favor.

III. APPLICATIONS READY TO BE ACCEPTED

A. WET#2890(S) DOLAN – 48 Cedar Road – “emergency” septic repair

Ms. Koechl MOVED to ACCEPT WET#2890, and schedule for the next available meeting, SECONDED by Mr. Simone and CARRIED 5-0-0 with all in favor.

IV. APPROVED MINOR ACTIVITIES

- A. WET#2887(M) YEAGER – 134 Ridgefield Road – proposed removal of seven (7) dead trees within a regulated area**
- B. WET#2886(M) WHITE FENCES – 529 Danbury Road – proposed new driveway reconfiguration within a regulated area**

Mr. Conklin reviewed the above Minor Applications approved since the last meeting.

V. CORRESPONDENCE

- A. Letter from Vernon & Karen Miller – owners of 433 Ridgefield Road as recipient of 425 Ridgefield Road debris**

Commissioners confirmed they read the letter from the Millers.

VI. VIOLATIONS

- A. WET#2781(S) A-E CUSTOM BUILDERS – 425 Ridgefield Road – review Cease & Desist Order, requirements from last meeting, new remediation plan, sediment and erosion control plans, and neighbor letter**

Mr. Conklin confirmed the silt fence is still not fixed as per the Orders from the Commission, and displayed the photos taken by staff earlier in the day. He also confirmed the neighbor did not authorize the placement of debris on their property. He noted plans were submitted by Ms.

Throckmorton of Environmental Land Solution and Tom Quinn of Peak Engineers.

Mr. Conklin advised that Town Counsel stated no work should be allowed to take place by this Owner on neighbor's site, a new deadline should be ordered, and fines can be issued for \$250 per day under State Statutes if the orders are not followed. Mr. Conklin will obtain written permission from the Owner to inspect the site at regular intervals.

Ms. Throckmorton reviewed her plan noting only four additional trees were removed past the approved permit in the wetland area around the stream. She proposes immediate stabilization with seeding. There are 25 trees and 25 shrubs proposed for mitigation. She noted the Peak Engineers plan details the steps on the soil and erosion measures. Mr. Conklin asked Ms. Throckmorton to remove the work on the neighboring site from the plan per Town Counsel's recommendation.

Mr. Bigosinski suggested hay bales be added to the silt fence to assist with the collection of the silt. Ms. Throckmorton noted the silt fence must be installed properly for this to work properly.

Commissioners discussed a possible date for conformance on the soil & erosion measures and if not completed, a \$250 per day fine will be imposed. Mr. Conklin suggested asking for conformance by August 1st. Commissioners agreed on August 2nd or the daily fine will be started.

Mr. Etemadfar asked if the Commission could sign-off on the Building Checklist to allow the Building Department to start their review on the concrete bridge that takes one month to build. The Commissioners responded that if the approved plans were followed as permitted, there would not be this delay.

Ms. Koechl MOVED to UPHOLD the Cease & Desist Order for A-E Custom Builders/Alex Etemadfar at 425 Ridgefield Road until the Owner has complied with soil and erosion controls as required in the permit resolution and orders from the Commission, and submit a letter allowing staff to routinely access the site by August 2, 2023, or a fine of \$250 per day will be levied to the property owner until both of these items are acknowledged by the Town, SECONDED by Ms. Sayegh and CARRIED 5-0-0 with all in favor.

VII. APPROVAL OF MINUTES

A. Meeting Minutes July 13, 2023

Ms. Sayegh MOVED to APPROVE the Meeting Minutes of July 13, 2023 as drafted, SECONDED by Mr. Simone and CARRIED 4-0-1 with Ms. Koechl abstained as she was not present.

VII. PUBLIC COMMENT – None

VIII. ADJOURN

Ms. Koechl MOVED to ADJOURN at 9:00 pm, SECONDED by Ms. Sayegh and CARRIED 5-0-0 with all in favor.

Respectfully Submitted,
Liz Larkin
Recording Secretary, Environmental Affairs