



MEETING MINUTES
HYBRID MEETING
December 14, 2023

PRESENT: Rick Stow (Chair), Jeremi Bigosinski, Penelope Koechl, Nick Lee, Frank Simone

ALSO PRESENT: Mike Conklin, Director, Environmental Affairs; Craig Flaherty, Redniss & Mead; Jason Williams, SLR; Tom Daly, SLR; Megan Raymond, SLR; Roy Seelye, Cardinal Engineering; Aleksandra Moch, Soil Scientist; Wayne D'Avanzo, Fairfield Country Engineers; James Lucas, Intervenor; Steven Trinkaus, Trinkaus Engineering; Cecil Nazareth, Neighbor; Bo Mitchell, Neighbor

ABSENT: Miriam Sayegh (notified of intended absence)

I. CALL TO ORDER

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

II. ELECTION OF OFFICERS

Mr. Stow MOVED to NOMINATE Mr. Lee for Chair, Ms. Koechl for Vice Chair and Mr. Bigosinski for Secretary, SECONDED by Mr. Simone and CARRIED 5-0-0 with all in favor.

Mr. Stow left the meeting and Mr. Lee was seated as Chair.

III. 2024 MEETING SCHEDULE

Ms. Koechl MOVED to APPROVE the 2024 Meeting Schedule, SECONDED by Mr. Simone and CARRIED 4-0-0 with all in favor.

IV. PUBLIC HEARINGS

A. WET#2904(S) 131 DANBURY WILTON DEV AMS, LLC – 131 Danbury Road –
proposed 4 ½ story building with 208 apartments with associated parking, driveways, landscaping and grading

Mr. Flaherty, of Redniss & Mead, explained the project with the associated wetlands on the site. The current asphalt parking lot is within feet of the Norwalk River with no stormwater maintenance facilities. The proposal would introduce a large buffer and facilities to capture

runoff.

Mr. Williams, of SLR, explained the proposed buildings and the plantings that are proposed for mitigation on the site. He noted asphalt is existing directly next to the Norwalk River with no treatment.

Mr. Daly, of SLR, reviewed the Engineering on the site. One small catch basin exists so they used Best Management Practices to build a stormwater management system decreasing the impervious surfaces on the site while adding six elements to retain and promote infiltration of runoff.

Ms. Raymond, of SLR, reviewed the wetlands on the site. She noted there is 385 linear feet of frontage on the Norwalk River and a significant reduction of impervious area proposed within the upland review.

Mr. Seelye, of Cardinal Engineering, noted the initial comments were emailed to Staff just hours before the meeting.

Mr. Bigosinski raised concern about the plantings and stormwater galleries within the flood plain. Ms. Koechl asked about the permeable pavers and questioned if there has been testing of the existing fill for any contaminants. Mr. Flaherty confirmed the environmental contamination has been addressed and the matter closed with CT DEP.

With no further questions or comments from the Commission or the public, the Public Hearing was continued until the next meeting on January 11, 2023.

B. WET#2905(S) OLD DRIFTWAY, LLC – 0 Mountain Road (Map#25 Lot#2) – proposed single-family residence with driveway, in-ground pool, pool house, stormwater detention and septic

Mr. Conklin introduced the Application and explained the timing and resubmittal. All documents from the last withdrawn Application are part of the record for this Application.

Mr. Conklin explained there is an intervenor associated with this Application and confirmed he spoke to Town Counsel regarding the legality of the Applicant's proposal to apply for a permit.

Ms. Moch explained the proposal noting the accessway, and reading the deed from 1955. She explained the wetlands on the site and showed the potential vernal pool with species found on the site. She provided details on the wetland crossing and parking area for fire truck access as well as the planting plan.

Ms. Koechl inquired about the permeable driveway relating to maintenance. Ms. Moch responded that they will have a maintenance agreement filed on the Land Records. The Commissioners confirmed there are 6 bedrooms with a footprint of 2,725 sq. ft.

Mr. D'Avanzo explained the proposed drainage as it relates to the wetland. He explained the box culverts and advised a bridge was considered for the crossing but was abandoned due to requirement of abutments in the wetland and vernal pool which is not prudent and feasible. The

septic and cultech system locations were shown.

Mr. Conklin raised concerns on the topography being shown on the plans, asked for bridge options alternative to the box culverts, and questioned the width of the driveway being shown on the plans. He also suggested not doing work in the summertime when wildlife is active. He questioned utilizing a meadow mix with little sunlight. He asked for details on tree removal for the next meeting.

Ms. Koechl asked if the Applicant considered creating a new road through State property. Ms. Moch stated they would be cutting a mature forest but would look into the possibility. Mr. Bigosinski asked about the feasibility of the driveway with the Town Engineers comments. The Commission requested a new topo map with 1 ft. contours.

Mr. Lee suggested a lesser bedroom count and noted he would not vote in favor of the pool or pool house on the other side of the wetland due to the disturbance it would create. Mr. D'Avanzo stated lessening the bedroom count would not reduce the disturbance from the septic.

Mr. Lucas, Intervenor at 2 Indian Hill Road, commented on the ownership stating the Deed is incorrect and shows a different property. He added that he has photos of the choke point which is less than 10 ft. wide.

Mr. Trinkaus, the Intervenor's expert, reviewed his findings. He raised concerns regarding the effectiveness of the underground galleries with no soil testing. His experience with permeable pavement is not favorable for residential use and in his opinion inappropriate. He does not support the box culvert as there is not a cut-off wall, and noted a direct physical impact to the vernal pool would take place with the proposed activities.

Mr. Nazareth, of 66 Thunder Lake Road, lives above this site and has experienced water issues with his well.

Mr. Mitchell stated his questions written in his letter relating to the property rights, title search, Engineering comments, and impacts to the vernal pool.

With no further questions or comments, the Public Hearing was continued until the January 11, 2024 Meeting.

V. APPLICATIONS READY TO BE REVIEWED

A. WET#2907(I) BECRAFT – 18 Stirrup Place – proposed new 1,500-gallon septic tank to replace 1,000-gallon septic tank

Mr. Becraft reviewed his proposal for an additional bedroom within the existing footprint which requires a larger septic tank.

Ms. Koechl MOVED to APPROVE WET#2907 with normal Special Conditions, SECONDED by Mr. Simone and CARRIED 4-0-0 with all in favor.

VI. APPLICATIONS READY TO BE ACCEPTED

- A. WET#2911(I) THOMPSON – 16 Bryants Brook Road** – proposed replacement of 1,250-gallon septic tank and with new 1,250-gallon septic tank
- B. WET#2912(I) GOLASZEWSKI – 86 East Meadow Road** – proposed septic system replacement

Ms. Koechl MOVED to ACCEPT WET#2911 and WET#2912, SECONDED by Mr. Simone and CARRIED 4-0-0 with all in favor.

VII. APPROVED MINOR ACTIVITIES

- A. WET#2903(M) SILVER – 241 Mountain Road** – proposed 2 120-gallon LP tanks 15 ft. from wetlands
- B. WET#2908(M) LACAVA – 25 Bristol Place** – proposed new HVAC system 45 ft. from a wetland

Mr. Conklin reviewed the above Minor Permits issued since the last meeting.

I. CORRESPONDENCE

- A. WET#2531(S) WILTON HEIGHTS, LLC – 300 Danbury Road** – request to extend permit expiration date

Ms. Koechl MOVED to GRANT a five-year extension of the Wetland Permit as requested, SECONDED by Mr. Simone and CARRIED 4-0-0 with all in favor.

II. APPROVAL OF MINUTES

A. Meeting Minutes October 26, 2023

Mr. Simone asked that the following is added to second last paragraph of II B Walker, 354 Thayer Pond Road: *Mr. Simone noted not all requested changes had been completed and he still preferred a three-bedroom house with smaller septic. Ms. Koechl noted that although the house had been reduced from 5 to 4 bed rooms the house foot print had not changed.*

Mr. Simone MOVED to APPROVE the Meeting Minutes as amended, SECONDED by Mr. Bigosinski and CARRIED 4-0-0 with all in favor.

B. Meeting Minutes November 9, 2023

Ms. Koechl MOVED to APPROVE the Meeting Minutes as drafted, SECONDED by Mr. Simone and CARRIED 4-0-0 with all in favor.

VII. PUBLIC COMMENT – None

VIII. ADJOURN

Ms. Koechl MOVED to ADJOURN at 10:55 pm, SECONDED by Mr. Simone and CARRIED 4-0-0 with all in favor.

Respectfully Submitted,
Liz Larkin
Recording Secretary, Environmental Affairs