



MINUTES

February 27, 2020

PRESENT: Elizabeth Craig (Chair), Nick Lee, Claudia Avallone, Scott Fischer, Kathie Mandel

ALSO PRESENT: Mike Conklin, Director of Environmental Affairs; Liz Larkin, Recording Secretary; Casey Healy, Gregory & Adams, P.C.; Patrick Downend, Property Owner; Steve Sullivan, CCA, LLC; Kate Throckmorton, Environmental Land Solutions, LLC; Bruce Musser, Neighbor; Michael Shay, Neighbor; Ryan Quinn, Neighbor; Suzanne Schaefer, Neighbor; Dylan Murray, Agent; Ralph Palladino, Palladino & Son Septic; Joseph Moore, Property Owner; John Ragazzini

ABSENT: Mike Whitted & Rick Stow (notified of intended absences)

I. CALL TO ORDER

Ms. Craig called the meeting to order at 7:30 pm.

Mr. Lee MOVED to enter an Executive Session, SECONDED by Mr. Fischer and CARRIED 5-0-0.

II. EXECUTIVE SESSION

A. 221 Millstone Road – Town Counsel update regarding pending litigation

III. PUBLIC HEARINGS

Mr. Lee MOVED to return to the Public Meeting, SECONDED by Ms. Avallone and CARRIED 5-0-0.

A. WET#2607(S) 200 DANBURY ROAD, LLC – 198 & 200 Danbury Road – proposed construction of a Mixed-Use Development

The Applicant's Team displayed the revisions that have been made to the plans since the last hearing based on comments from the Fire Department and the Town Engineer. They noted both departments have signed off on the project as revised.

Neighbors Bruce Musser, Michael Shay, Ryan Quinn, and Suzanne Schaefer spoke against the

scale of the proposal, the impact to the surrounding properties and raised concerns about potential neighboring well issues.

A discussion regarding the accuracy of the wetlands delineation was discussed.

Ms. Mandel MOVED to HIRE a Third-Party Soil Scientist to re-do the wetlands flagging, SECONDED by Mr. Fischer and FAILED to CARRY 2-3-0 with Mr. Fischer, Mr. Lee and Ms. Avallone voting against the additional review.

With no further questions or comments from the public, the Public Hearing was closed.

B. WET#2612(S) SULLIVAN – 356 Nod Hill Road – “corrective action” to address excavation of a wetland and grading in the front yard

Mr. Murray provided a new plan that mirrors the mitigation plantings from a permit in 2004 with 5 additional trees added. He confirmed the debris pile will be removed.

With no further questions or comments from the public, the Public Hearing was closed.

Mr. Lee MOVED to APPROVE WET#2612 with the normal Special Conditions and the additional Special Condition that all plantings will be installed by May 31, 2020, SECONDED by Ms. Mandel and CARRIED 5-0-0.

IV. APPLICATIONS READY TO BE REVIEWED

Mr. Lee MOVED to SCRAMBLE the Agenda to hear WET#2615 first as they were present, SECONDED by Ms. Mandel and CARRIED 5-0-0.

A. WET#2615(I) MOORE – 506 Belden Hill Road – proposed B100a for basement remodel

Mr. Fischer, Ms. Craig, Ms. Mandel and Mr. Conklin indicated they visited the site.

Mr. Palladino explained the Health Department requires a B100a for the basement finishing. He confirmed the B100a is smaller and further from the primary system and he confirmed the primary system is only 25% used at this time.

Mr. Fischer MOVED to APPROVE WET#2615, SECONDED by Ms. Avallone and CARRIED 5-0-0.

B. WET#2605(S) 144 HUCKLEBERRY HILL ROAD, LLC – 144 Huckleberry Hill Road
– proposed pond restoration and expansion of wetland shoreline

Mr. Conklin provided a DRAFT Resolution and the Special Conditions were discussed.

Mr. Lee MOVED to APPROVE the Resolution as drafted, SECONDED by Mr. Fischer and CARRIED 5-0-0.

V. APPLICATIONS TO BE ACCEPTED

- A. **WET#2616(S) MITCHELL – 146 Cedar Road** – proposed filling of abandoned swimming pool
- B. **WET#2617(I) FRIENDS OF NORWALK RIVER VALLEY TRAIL – Grist Mill Road/Old Belden Hill Road to Kent Road** – proposed approximately 4,200 ft. of stone dust trail, a gravel parking area, one culvert and 152 ft. of boardwalks
- C. **WET#2618(I) RAGAZZINI – 6 Abbott Lane** – proposed retaining walls and removal of 2 trees within a regulated area
- D. **WET#2619(S) DARBANDI – 516 Danbury Road** – improvement of an existing parking area and access driveway, installation of pedestrian walkway and B100a within an upland review area
- E. **WET#2621(S) MERCER – 97 Spoonwood Road** – proposed conversion of indoor storage space and screened porch to interior space, update and expand deck with covered porch, site grading and B100a

Mr. Lee MOVED to ACCEPT all above Applications, SECONDED by Ms. Mandel and CARRIED 5-0-0.

VI. APPROVED MINOR ACTIVITIES – None

VII. CORRESPONDENCE

- A. **WET#2280(S) MONTANARO – Wampum Hill Road (Assessor’s Map#9 Lot#6)** – request to extend permit for additional five years

Mr. Conklin provided background on the project and noted the site still has a Cease & Desist. He confirmed the Cease & Desist was issued based on the Applicant not completing the Special Conditions that must be met prior to work being completed. He confirmed those conditions are now satisfied.

Mr. Lee MOVED to LIFT the Cease & Desist, SECONDED by Mr. Fischer, and CARRIED 5-0-0.

Ms. Mandel MOVED to GRANT the extension of 5 more years to complete the project, SECONDED by Mr. Fischer and CARRIED 5-0-0.

VIII. OTHER APPROPRIATE BUSINESS - None

IX. VIOLATIONS - None

X. APPROVAL OF MINUTES – January 23, 2020 Meeting Minutes & Special Meeting Minutes February 19, 2020

Ms. Avallone MOVED to APPROVE the Meeting Minutes of January 23, 2020 as drafted,

SECONDED by Mr. Fischer and CARRIED 4-0-1 with Ms. Mandel abstaining as she was not present.

Mr. Lee MOVED to APPROVE the Special Meeting Minutes of February 19, 2020 as drafted, SECONDED by Ms. Mandel and CARRIED 3-0-2 with Ms. Avallone and Mr. Fischer abstaining as they were not present.

Ms. Avallone MOVED to ADD a discussion of 200 Danbury Road, LLC Application that was just closed, SECONDED by Ms. Mandel and CARRIED 4-1-0 with Mr. Lee voting against the additional discussion.

XI. APPLICATION READY TO BE REVIEWED

A. WET#2607(S) 200 DANBURY ROAD, LLC – 198 & 200 Danbury Road – proposed construction of a Mixed-Use Development

The Commissioners discussed the proposal as it relates to the size and location of the wetland, the size of the building and the stormwater management system. The members agreed to come back to the next meeting ready to vote based on all information from the record.

XII. ADJOURN

Mr. Lee MOVED to ADJOURN at 11:03 pm, SECONDED by Mr. Fischer and CARRIED 5-0-0.

Respectfully Submitted,
Liz Larkin
Recording Secretary, Environmental Affairs