

ENVIRONMENTAL PROTECTION COMMISSION
REGULAR MEETING
March 7, 2012
7:30 P.M.
Room 206, Town Hall

Chairman Tone called the meeting to order at 7:35 P.M

Commission Members Present: Michael Tone, Ed Sweeney Keith Kearney, Vickie Riccardo, and Pete Kenyon

Staff : Jacobson

Court Reporter: Syat

Mr. Tone called the first agenda item:

EPC-03-2012, Paul & Marylou Williams, 21 Hancock Lane, proposing generator and buried propane tank within the 100 foot upland review area.

Tim Haymon, Contractor, represented the applicant. He said that most of the property is wetland or upland review area. He said both the generator and tank are in the upland review area.

Mr. Tone asked about the size of the concrete pad and tank. Mr. Haymon said the pad is 3'x 5' and the tank is 1000 gallons.

Mr. Kearney asked if they will anchor the tank. Mr. Haymon said it is not required since it is not in a flood zone.

Ms. Riccardo made a motion to approve the application. Mr. Sweeney seconded the motion and it passed 5-0.

Mr. Tone called the next agenda item:

EPC-04-2012, Alex Jackson, 180 Old Kings Highway North, proposing filling and re-grading within the upland review area.

Mr. Jackson represented himself. He described the work done by the contractor, including filling and creating a rock wall to level the driveway. He said the work was done because several cars hav slid down the slope toward the wetland. He said he intends to plant screening trees or shrubs along the edge of fill.

Mr. Tone asked if he would need to bring in more fill. Mr. Jackson said just topsoil.

Mr. Kenyon said Mr. Jackson was in front of the Commission in 2007 for a fence and should have known about the wetland regulations and requirement for a permit. Mr. Jackson said the previous permit was for a fence. He thought he was doing minor filling and did not need a permit.

Mr. Sweeney asked if he had consulted an engineer for the wall. Mr. Jackson said no, just the contractor.

The Commission continued the application until April 4 to allow the applicant to consult with an engineer and provide a planting plan.

Mr. Tone called the next agenda item:

EPC-05-2012, Chris & Carol Piccaro, 35 Beach Drive, proposing generator and buried propane tank within the 100 foot upland review area from Holly Pond.

Mr. Piccaro represented himself. He said he is proposing a generator and buried propane tank in an upland review area. He said the generator would be screened by existing plantings.

Mr. Tone asked about the size of the pad and tank. Mr. Piccaro said the pad would be 3' x 5' but was not sure what size tank his contractor recommends.

Mr. Tone made a motion to approve the application subject to the specifications for the tank being submitted to staff. Mr. Kenyon seconded the motion and it passed 5-0.

Mr. Tone called the next agenda item:

EPC-06-2012, Leslie & Matt Reber, 31 Philips Lane, proposing a house addition within the upland review area.

Jacek Bigosinski represented the applicant. he said they are proposing a 14' x 18' addition over an existing driveway, no closer to the pond than the existing drive and stone wall. He said they will leave the driveway. He said Steve Trinkaus, P.E., has designed a small bioretention basin for the driveway and roof runoff.

Mr. Tone asked about erosion controls. Mr. Bigosinski said they will provide silt fence beyond the bioretention area before the steep slope.

Mr. Kenyon asked if there is a planting plan for the bioretention basin. Mr. Bigosinski said there is a suggested plant list but no numbers.

Mr. Sweeney asked if the drainage was designed for a 50 year storm. Mr. Bigosinski said yes.

Mr. Tone made a motion to approve the application with a planting list to be provided and confirmation from the engineer that the design of the basin is for a 50 year storm. Mr. Kearney seconded the motion and it passed 5-0.

Mr. Tone called the next agenda item:

Request from Environmental Land Solutions to amend: EPC-04-2010, 19 Brush Island Road, James P. & Elizabeth D. Degnan, to allow buried utilities within the upland review area.

Kate Throckmorton represented the applicant. She said they are proposing to bury the utility lines, remove two trees and invasive species and replant with native trees and shrubs. They are disturbing an area 400 feet long by 3 feet wide.

Mr. Kenyon made a motion to approve the application. Mr. Kearney seconded the motion and it passed 5-0.

Request from GHD, Inc. to amend: EPC-24-2007, Hoyt Street Partners, LLC, Hoyt Street and Wakemore Street, to relocate sanitary sewer connection with a regulated area.

Attorney Bruce Hill and Denise Halstead, P.E. represented the applicant.

Ms. Halstead showed the previous plan and the proposed revision to extend the sewer line. She said the proposed location will allow for better pitch for the pipe. There will be a slight incursion into a man-made wetland.

Mr. Tone asked her about the dimension of the disturbance and the value of the wetland. Ms. Halstead said the disturbance is 181 square feet of a drainage ditch and the wetland is not significant.

Mr. Tone made a motion to approve the amendment. Mr. Sweeney seconded the motion and it passed 5-0.

Mr. Tone called the next agenda item:

Informal discussion of proposed conservation easement changes, submitted by Wilder G. Gleason, Esquire on behalf of Mr. & Mrs. Stephen Culliton, 225 Brookside Road

Attorney Wilder Gleason represented Mr. & Mrs. Culliton.

Mr. Tone said that he had consulted Town Counsel and, based on their interpretation of provisions #1 and #3 of the easement, an applicant is allowed the opportunity to apply for permission to install structures or materially alter the landscape of the easement. Therefore, the Commission may entertain an application for the driveway in the easement and a wetland application for work in the upland review area.

Mr. Tone called the next agenda item:

EPC-02-2012, Jack Procaccini, 42 Wakemore Street, proposing grading and filling activity in a regulated area, and upland review area, relocating a new house and related construction. The site is shown on Assessor's Map #8 as Lot #228 & 229.

Mr. Procaccini represented himself. He introduced Sam Northrop, P.E., and Tom Pietras, Soil Scientist.

Mr. Procaccini said their plan is to move the house and remediate the wetland area.

Sam Northrop said the project is straightforward from an engineering perspective. He said the

stormwater system is sized to take 100% of the runoff. The stormwater basin will take surface runoff from the backyard.

Mr. Tone asked Mr. Procaccini if he was offering a conservation easement. Mr. Procaccini said yes. Mr. Northrop showed the Commission the area he is proposing for the easement and the stone wall proposed to demarcate the easement.

Tom Pietras said the wetland was a small area delineated in 2004. It was previously filled and was adjacent to a gravel drive and disturbed soils. He said approximately 3 feet of fill was placed over two feet of previous fill. He said a full restoration would be difficult. He is proposing to use the area for stormwater management and plant native vegetation to restore the original functions.

Mr. Tone asked about the appearance of the area. Mr. Pietras said it would be mostly herbaceous with low shrubby areas and spaced woody vegetation.

Mr. Tone made a motion to approve the application subject to rehabilitation and protection with a conservation easement, of the area delineated on the plan, and a final planting plan to be submitted to staff. Mr. Kenyon seconded the motion and it passed 5-0.

Mr. Tone called the next agenda item:

Planning & Zoning Commission referral: Business Site Plan #281/Special Permit, Town of Darien, 35 Leroy Avenue

Mr. Jacobson said the project does not include any activity that requires a wetland permit. The Commission did not have any additional comments for the P&Z Commission.

Mr. Tone called the next agenda item:

Minutes of previous meetings: February 1

Mr. Tone made a motion to approve the minutes of February 1, as amended. Mr. Kenyon seconded the motion and it passed 5-0.

Mr. Kenyon brought the attention of the Commission a project in New Canaan on the former Jeliff Mill property because of potential impact on the Noroton River. The project is being reviewed by New Canaan Inland Wetland Commission and the adjoining property owners have retained their own experts to review the project for impacts to the Noroton River. The Commission asked Mr. Jacobson to look into whether the EPC may have an interest in the project.

Mr. Kenyon made a motion to adjourn. Mr. Tone seconded the motion and it passed 5-0. The meeting adjourned at 9:15

Respectfully submitted,

Richard Jacobson
Environmental Protection Officer