

DRAFT ENVIRONMENTAL PROTECTION COMMISSION  
REGULAR MEETING  
MINUTES  
June 1, 2011  
7:30 P.M.  
Auditorium, Town Hall

Chairman Hillman called the meeting to order at 7:30 P.M

Commission Members Present: Craig Flaherty, Wynne Shapiro, Michael Tone, Rick Rohr, Ed Sweeney, Pete Kenyon, and Peter Hillman (7:35)

Staff Present: Jacobson

Court Reporter: Syat

Recorded by Channel 79

Acting Chairman Flaherty called the first agenda item:

EPC-11-2011, Jeffrey & Maureen Marston, 49 Goodwives River Road. proposing a house addition within an upland review area. The site is shown on Assessor's Map #49 as Lot #8.

Gary McIntyre, Architect represented the applicant. He provided the additional information regarding the site coverage of the original approval versus the new plan. He said he discussed additional plantings with the owners, and he is recommending adding ground cover such as myrtle to help stabilize the river bank.

Mr. Flaherty asked if the infiltrators would require removing the tree in that area. Mr. McIntyre said they can shift the infiltrators to avoid the tree.

Mr. Kenyon made a motion to approve the application with proposed planting on the river bank. Mr. Tone seconded the motion and it passed 6-0. Mr. Hillman abstained.

Mr. Hillman read his letter of resignation to the Board of Selectmen effective June 2, 2011.

Mr. Hillman made a motion to add the following item to the agenda:

EPC-24-2011, Dave & Jennifer Shea, 6 Fox Hill Run, proposing pond dredging.

Richard Windels represented the applicant. He described the dredging process for the pond on Cummings Brook. He said the pond was last dredged in 2004. The material to be dredged will be pumped to a lawn area and used as fill in the backyard.

Mr. Tone asked the depth of the pond. Mr. Windels said 6 feet at the deepest.

Mr. Rohr asked about the dewatering area. Mr. Windels said it will be about half the size of the pond in the lawn area.

Mr. Flaherty made a motion to approve the application. Mr. Tone seconded the motion and it passed unanimously.

Mr. Hillman called the following agenda item:

EPC-22-2011, Nils Benson, 49 Salisbury Road, proposing a generator and propane tank in a regulated area. The site is shown on Assessor's Map #1 as Lot #105.

Steve Bonomo of Cannondale Generators represented the applicant. He said they will place the generator on a pad to be installed by hand. They will bury the propane tank 10 feet away from the generator.

Mr. Hillman made a motion to approve the application. Mr. Tone seconded the motion and it passed unanimously.

Mr. Hillman called the following agenda item:

EPC-20-2011, Dale & Hillary Miller, 5 Tokeneke Beach Drive, proposing to amend the Regulated Inland Wetlands and Watercourses Map. The site is shown on Assessor's Map #62 as Lot #67.

Attorney Robert Maslan represented the applicant.

Mr. Hillman said a public hearing is required and scheduled the hearing for July 6.

Mr. Kenyon asked Mr. Maslan if he could find out when the driveway was constructed and the condition of the culvert under Searles Road.

Mr. Hillman called the following agenda item:

EPC-23-2011, Adrienne Dreiss Ropp, 364 Hollow Tree Ridge Road, proposing removal of invasive species and replanting of native vegetation. The site is shown on Assessor's Map #9 as Lot #111A and 114.

Ms. Ropp represented herself. She said they are proposing to remove invasive species and plant native vegetation.

Mr. Flaherty made a motion to approve the application. Ms. Shapiro seconded the motion and it passed unanimously.

Mr. Hillman called the following public hearing item:

EPC-9-2011, John & Mary Keene, 30 Hamilton Lane, proposing a pool within a regulated area and upland review area. The site is shown on Assessor's Map #10 as Lot #28.

The Commission opened the hearing and immediately continued it to July 6.

Mr. Hillman called the following agenda item:

EPC-18-2011, Jessica Blouin, 324 Hollow Tree Ridge Road, proposing a fence within an upland review area. The site is shown on Assessor's Map #9 as Lot #128.

Tom Blouin represented the applicant. He said the fence is proposed to enclose the property on both sides of the house.

Mr. Tone asked about the type of fence. Mr. Blouin said a lattice type. Mr. Tone asked how far off the ground the fence would be. Mr. Blouin said six inches.

Mr. Kenyon made a motion to approve the application. Mr. Rohr seconded the motion and it passed unanimously.

Mr. Hillman called the following agenda item:

EPC-17-2011, Town of Darien Parks & Recreation, Weed Beach, proposing trail construction in an upland review area. The site is shown on Assessor's Map #56 as Lots #3,4,8,9 & 10.

Debbie Parnon, Weed Beach Building Committee, represented the applicant.

The Commission discussed the trail construction and the method of construction and surface materials.

Mr. Hillman made a motion to approve the application. Mr. Flaherty seconded the motion and it passed unanimously.

Mr. Hillman called the following agenda item:

EPC-13-2011, Tucker & Elaine Scott, 655 Hollow Tree Ridge Road, proposing shed expansion in an upland review area. The site is shown on Assessor's Map #3 as Lot #34.

Mr. Scott represented himself. He said they are proposing an addition to an existing garden shed. He said it will be closer to the wetland and still 36 feet from the pond. No significant trees will be removed.

Mr. Hillman asked if there will be a foundation. Mr. Scott said there will be a concrete slab like the existing shed.

Mr. Kenyon asked if it could be flipped from the North side to the south. Mr. Scott said it would be too close to the trees.

Mr. Flaherty asked if it could be used as a garage. Mr. Scott said it would not be used for a car and is strictly a garden shed.

Mr. Rohr asked if they would be willing to plant two trees for the tree removed somewhere on the property. Mr. Scott said they would be willing to do that.

Mr. Kenyon made a motion to approve the application with the condition of two trees to be planted. Mr. Flaherty seconded the motion with a stipulation that the shed not be used as a garage and the motion passed 7-0.

Mr. Hillman called the following agenda item:

EPC-14-2011, PL Partnership LLC, 3 Purdy Lane, proposing sea wall improvements, and associated temporary stockpiling, in an upland review area. The site is shown on Assessor's Map #54 as Lot #33.

Attorney Terry Coates represented the applicant. He described the existing site conditions. He said the wall has been in place since at least 1938. He said they have received a certificate of permission from the DEP for the wall and the tidal wetland restoration. He introduced Tim DiBartolomeo, P.E.

Mr. DiBartolomeo described the repairs and drainage improvements to be made to the wall. He said there will be temporary stockpiles and excavated materials will be removed off site if they are unsuitable for re-use. They are proposing to level the wall as requested by the DEP.

Mr. Tone asked about the length of wall that will be added to. Mr. Coates said less than one half or roughly 300 feet.

Mr. Coates said that if the wall is not repaired it may fail and introduce sediment to the pond. He said there is an existing source of sediment from erosion of material behind the wall which will be eliminated.

Mr. Hillman made a motion to approve the application. Mr. Flaherty seconded the motion and it passed unanimously.

Mr. Hillman called the following agenda item:

EPC-21-2011, Kelly Banner, 11 Archer Lane, proposing excavation and stone wall construction within an upland review area. The site is shown on Assessor's Map #42 as Lot #112.

Neil Brunetti, Odd Job Landscaping, represented the applicant. He said the purpose is to create a more usable backyard. They will cut and fill to create a level area and install native plantings.

The Commission discussed the possibility of blasting. Mr. Brunetti said he did not think there would be ledge, but they would not blast if they encounter any and would re-design. The Commission would re-quire them to come back for any changes to the plan.

Mr. Hillman said he would like a planting plan as a condition of approval. He asked if they would plant 3 4" caliper trees to replace trees removed. Mr. Brunetti said they would be able to do that.

Mr. Hillman made a motion to approve the application with the above stipulations. Mr. Rohr seconded the motion and it passed unanimously.

Mr. Hillman called the following agenda item:

EPC-19-2011, Daniel & Melanie McNulty, 299 Hollow Tree Ridge Road, proposing tree removal in an upland review area. The site is shown on Assessor's Map #26 as Lot #59 & 60.

Roger Knoop, Licensed Arborist, represented the applicant.

Mr. Hillman said Mr. Knoop is a friend but he can be impartial in reviewing the application.

Mr. Knoop said they are proposing to clean up the property and would remove 10 average to large trees. Two are dead and the others are compromised.

Mr. Hillman said he would like to see replacement trees that would not need to be removed in the future.

Mr. Flaherty said he would like them to provide a description of the impacts on the resources and evaluate if the tree removal would serve the purpose of increasing sun on the pool.

Mr. Kenyon requested a clearer site plan.

The application was continued until July 6.

Mr. Hillman called the following agenda item:

EPC-15-2011, Martin & Ann Milewski, 8 Glenn Gorham Lane, proposing a house addition within an upland review area. The site is shown on Assessor's Map #49 as 46B.

Peter Finkbinder, P.E. represented the applicant. He introduced Krist Dodaro, Architect. He said they are proposing a small addition 30 feet from an intermittent watercourse. They are proposing a bioretention basin for water quality. No grading is proposed. He said the new roof area is 353 sq. ft. over an existing patio. There will be an increase of only 155 sq. ft. of impervious surface. The proposed rain garden will treat 830 sq. ft.

Mr. Flaherty asked if the rain garden is oversized. Mr. Finkbinder said yes, they cannot separate the new roof runoff from the existing.

Mr. Flaherty asked them to provide a perc test at 2 1/2 feet. The applicant will also provide a plant list.

The Commission continued the item to July 6.

Mr. Hillman called the following agenda item:

EPC-16-2011, Adam Mobarik, 86 West Avenue, proposing fence and stone wall construction in an upland review area. The site is shown on Assessor's Map #18 as Lot #2.

Mr. Mobarik represented himself. He described the proposed fence as a white vinyl fence six feet high and 3" off the ground.

Mr. Hillman asked why they are proposing a stone wall in the front yard instead of a fence. Mr. Mobarik said for aesthetic reasons.

Mr. Hillman made a motion to approve the application. Mr. Flaherty seconded the motion and it passed unanimously.

Mr. Hillman called the following agenda item:

Amendment to EPC-20-2010, Adam Mobarik, 86 West Avenue, proposing revisions to house additions.

Mr. Mobarik represented himself. He reviewed the impervious surfaces proposed and said he modified the areas based on his discussion with Mr. Jacobson regarding existing impervious surfaces to be covered. He said they are proposing two rain gardens.

The Commission discussed the site plan and asked for one comprehensive plan showing all of the elements of the project.

The application was continued to July 6.

Mr. Flaherty took a few minutes to say how much he has enjoyed serving with Peter Hillman, and thanked him for his years of service to the Commission. Mr. Tone made a motion that the minutes reflect that the Commission members echoed those sentiments. Mr. Kenyon seconded the motion and it passed unanimously.

Mr. Hillman made a motion to nominate Mr. Tone as Chairman. Mr. Flaherty seconded the motion and it passed 6-0. Mr. Tone abstained.

Mr. Tone made a motion to nominate Mr. Flaherty as Vice-Chairman. Mr. Rohr seconded the motion and it passed 6-0. Mr. Flaherty abstained.

Mr. Kenyon made a motion to adjourn. Mr. Tone seconded the motion and it passed unanimously. The meeting adjourned at 10:05 P.M.

Respectfully submitted,

Richard Jacobson  
Environmental Protection Officer