

ENVIRONMENTAL PROTECTION COMMISSION
REGULAR MEETING/PUBLIC HEARING
MINUTES
December 1, 2010
7:30 P.M.
Room 206, Town Hall

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

Commission Members Present: Peter Hillman, Michael Tone, Craig Flaherty, Wynne Shapiro, Ed Sweeney, Pete Kenyon, Rick Rohr

Staff Present: Jacobson

Court Reporter: Syat

Recorded by Channel 79

Mr. Hillman called the following agenda item:

EPC-49-2010, Charlie Douglas, 0 Woods End Road (Northeast corner of Woods End Road and Sylvan Road) proposing new house construction within an upland review area.

Doug DiVesta, P.E, represented the applicant.

Mr. Hillman said the application is significant and the Commission will require a public hearing. He asked the Commission for preliminary questions and additional information. The Commission requested the applicant provide response to the following items for consideration at the public hearing: provide runoff calculations for the 100 year storm; describe whether the proposed house will have a basement and sump pump; flag significant trees to be removed in the field; consider additional tree planting to replace trees to be removed; identify the 100 foot Tokeneke Brook upland review area on the east side of the lot; provide sketches of alternatives that were considered and rejected, as described in the application; provide soil test data in the detention areas; consider reducing the overall disturbance area; consider potential impacts to trees shown to be preserved near but close to areas of cuts and fills.

The Commission scheduled the public hearing for January 5.

Mr. Hillman called the next agenda item:

EPC-35-2010, Sanford & Nicole Ewing, 110 Stephen Mather Road, proposing remediation of violation, removal of drain pipe and rain garden construction.

Mr. Rohr was recused for this application.

Lance Zimmerman, Architect, represented the applicant. He introduced Jen Beno, Soil Science & Environmental Services.

Mr. Zimmerman said they revised the plan submitted to eliminate the rain garden and provide for a wetland mitigation area.

Ms. Beno described the mitigation plan. She said the tree canopy is intact and there are some shrubs. She said her plan provides additional shrubs and will restore the herbaceous layer that has been disturbed. She recommended three years of monitoring to ensure success of the restoration.

Ms. Shapiro asked if they are still proposing to stabilize the eroded area described in the original application. Mr. Zimmerman said yes.

Mr. Hillman asked for an approximate cost for the plantings to establish a bond. After discussion, the amount of \$5,000.00 was determined to be adequate. Mr. Hillman said the applicant could request the return in thirds after each of the three monitoring years.

Mr. Flaherty asked about establishing a permanent edge to the lawn to help keep it from being expanded. Mr. Zimmerman said there are boulders on site which could be placed along the edge to demarcate the limit of lawn.

Mr. Flaherty asked about the function of the drainage ditch that was filled. Ms. Beno said she had not seen it prior to being filled. Mr. Zimmerman said that, from his recollection and the survey depiction, it was a narrow, dug out ditch extending all the way to the property edge. He said the restored wetland will provide an opportunity to spread the flow out into the wetland area and improve the hydrology.

Mr. Flaherty asked if the adjacent wetland area would benefit from invasive species management. Ms. Beno said she does not believe so because the invasives are not the predominant understory.

Mr. Tone asked about the time needed to judge the success of the restoration. Ms. Beno said three years is adequate.

Mr. Hillman made a motion to approve the application with the \$5,000.00 bond, returnable in thirds, inspections by the biologist, and the boulder demarcation. Mr. Tone seconded the application and it passed 5-0. Mr. Flaherty abstained.

Mr. Hillman called the following public hearing item:

EPC-37-2010, Country Club of Darien, 300 Mansfield Road & M. David & Marianne Magnotta, 215 Brookside Road, proposing driveway construction in a regulated area.

Attorney Jackie Kaufman represented the applicant. She said they are in the process of revising the plans and discussing the changes with the neighbors. She requested a continuance. The Commission continued the hearing to January 5

Mr. Hillman called the next agenda item:

EPC-33-2010, Anders & Carolyn Hurst, 2 Tanglewood Trail, proposing demolition of existing residence and new house construction within an upland review area.

The Commission reviewed the draft and made corrections. Mr. Tone made a motion to approve the resolution as corrected. Ms. Shapiro seconded the motion and it passed unanimously.

Mr. Hillman called the next agenda item:

EPC-46-2010, Jeff & Cathryn Nelson, 23 Renshaw Road, proposing an addition within an upland review area.

Mr. Nelson represented himself. He described the addition to be built on piers above the floodplain, and the stairs to be removed will add a small amount of floodplain area.

Mr. Flaherty asked about the first floor elevation. Mr. Nelson said it is at 16.85 and the new addition will match that.

Mr. Tone said the application was a reasonable alternative and use of the property. He made a motion to approve the application. Mr. Kenyon seconded the motion and it passed 6-0. Ms. Shapiro abstained.

Mr. Hillman called the next agenda item:

EPC-47-2010, Tom & Sophie Murphy, 68 Salem Straits, proposing storm drainage improvements within an upland review area.

Paulo Vincente, Architect, represented the applicant.

Mr. Hillman asked if this was the former Stone property that received a permit to bury the electrical line. Mr. Vincente said yes, they are in the process of installing that line.

Brian Nesterik, P.E. described the proposed drainage installation.

Mr. Rohr said the note #4 has the wrong town name. He made a motion to approve the application with the change to the note. Mr. Hillman seconded the motion and it passed unanimously.

Mr. Hillman called the next agenda item:

EPC-48-2010, Ray & Nadya Bakhrarov, 19 Weeds Landing, proposing to raise retaining wall and fill within an upland review area.

Jon Sweeney, DLTC, Contractor represented the applicant. He described the proposed wall to be increased in height to level a portion of the lawn.

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

Mr. Hillman called the next agenda item:

Review of draft comments on Flood Mitigation Committee Recommendations

The Commission reviewed the draft letter prepared by Mr. Hillman and recommended changes to be incorporated into a final draft for circulation.

Minutes of November 3, 2010: Mr. Rohr made a motion to approve the minutes as amended. Mr. Tone seconded the motion and it passed unanimously.

Mr. Flaherty left the meeting at 8:50

Planning & Zoning Commission Referrals:

Christopher & Margaret Stefanoni, Tokeneke Road, Coastal Site Plan #259, Site Plan Application #278, Land Filling and Regrading #249

Christopher & Margaret Stefanoni, 57 Hoyt Street, Site Plan Application #277, Land Filling and Regrading #249

Mr. Rohr, Ms. Shapiro and Mr. Tone will review these referrals and provide comments to the Planning & Zoning Commission.

Mr. Kenyon made a motion to adjourn. Mr. Rohr seconded the motion and it passed unanimously. The meeting adjourned at 9:10 P.M.

Respectfully submitted,

Richard Jacobson
Environmental Protection Officer