

INLAND WETLANDS  
COMMISSION  
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TOWN HALL  
238 Danbury Road  
Wilton, Connecticut 06897

**WILTON INLAND WETLANDS COMMISSION**  
**September 11, 2008**  
**MINUTES**  
**APPROVED**

PRESENT: Joseph Fiteni, Jr., Chairman, Richard Ziegler, Vice Chairman, Karen Myers, Jill Alibrandi, Franklin Wong, Phil Verdi, Syd Gordon.

ALSO PRESENT: Patricia Sesto, Director of Environmental Affairs; Karen DeSantis, Recording Secretary; Ray Tobiassen; Kate Throckmorton, Environmental Land Solutions; Attorney Casey Healy, Gregory & Adams, PC; Doug DiVesta; Aleksandra Moch; Bill Heyde; Richard Grano; John McCoy; Don Strait, Grumman Engineering; Holt McChord, McChord Engineering; Doug McMillan; Kim Young, Conservation Commissioner; Joe Nazzaro, Michael Healy; Robert Armstrong; Robert Calderoni, Tom Quinn, Peak Engineering

A. CALL TO ORDER

Chairman Fiteni called the meeting to order at 7:30 p.m.

B. PUBLIC HEARINGS

**1. WET#1843(S) – ROBLES – “corrective action” to restore clearing and earthwork in an upland review area at 12 Indian Rock Place – cont.**

Kate Throckmorton, Environmental Land Solutions, agent, distributed a revised planting plan to the Commission. She reported that the southernmost piles of debris on the slope, with permission from the neighbor, would be removed off the slope. She pointed out that the revised plan reflects the addition of six oaks and six white pines.

Patricia Sesto asked for clarification regarding the size of the piles of debris that would not be removed at the bottom of the slope.

Ms. Throckmorton replied that the debris piles are not large but would need to be identified

while in the field and would expect the process of decay would eliminate them eventually.

Richard Ziegler asked Ms. Throckmorton how the debris would be removed to minimize disturbance.

Ms. Throckmorton explained that the machine would take the existing path and that the disturbed area will be smoothed out with minimal disturbance to ensure stabilization.

Chairman Fiteni asked the Commission if there were any questions or comments.

There were none.

Chairman Fiteni asked if the public had any questions or comments.

There were none.

Ms. Sesto suggested to Chairman Fiteni that the hearing be continued to the next meeting until the neighbor whose property would be cleaned up has responded.

Chairman Fiteni MOVED to carry WET#1843 to the next scheduled meeting.

**2. WET#1847(S) – DESOLA** – subdivision and redevelopment of two lots in a regulated area at 21 Edith Lane – cont.

Ms. Sesto read additional documents into the record.

Attorney Casey Healy reviewed the existing site and introduced Doug DiVesta, agent.

Mr. DiVesta distributed documents to the Commissioners and reviewed the proposed site plan. He described the location of the proposed septic systems and proposed wells.

Mr. DiVesta reviewed the peak flows for a twenty five year storm event which he calculated to generate 4.4 cfs without any stormwater management. This plan calls for the runoff to be collected through catch basins on either side of the driveway then discharged to the detention system. He described the sedimentation and erosion plan that consists of silt fencing and hay bails along with tracking pads on both proposed driveways. He added that the stock pile areas would be ringed with silt fencing.

Mr. DiVesta explained that the construction access follows the contours, which would cause less disturbance. The area would be reseeded once septic systems have been installed.

Mr. DiVesta stated that the true predevelopment site vs. development that Ms. Sesto had requested has been included in the document that he distributed at this meeting. He stated that it would be a 1/10 cfs change with no house or driveway calculated. He continued to report that any quality and quantity issues would be ameliorated as the stormwater traveled 1,400 feet to the Norwalk River.

Mr. DiVesta stated that peak volume and runoff are in the document submitted and then proceeded to review the process of preparing his report. He indicated that the silt fence location has been corrected on the revised site plan and a tree protection plan has been submitted as well. He then introduced Aleksandra Moch to the Commission.

Ms. Moch described the existing conditions of the wetland which included swamp areas and dense vegetation in other areas. She described the existing driveway culvert.

Ms. Moch reported that the wetland values were listed in her report and then described its major function. She continued on to say that the ground water discharge is intermittent so the wetland would not be able to support reptile habitat. Runoff leaves the property quickly due to the slope but some sediment is being captured by the existing vegetation root system.

Ms. Moch commented that the septic locations were selected to be as far away from the wetland as possible and felt that a fifty foot wooded buffer would be positive in protecting the wetland.

Phil Verdi asked Ms. Moch how many trees would need to be removed and if there is a replanting plan.

Ms. Sesto asked what is the caliper of trees that is being considered. Mr. Divesta stated that trees 8 inches or greater diameter at breast height, is what they are relying on in their description of trees to be removed.

Attorney Healy offered to submit the information of the removal and replanting of trees at a later date.

Chairman Fiteni asked the Commission if there were any questions or comments.

There were none.

Chairman Fiteni asked the public if there were any questions or comments.

Bill Heyde, 23 Edith Lane, expressed his concern over the wetland area to the west of the driveway and explained that it currently retains a good amount of water for a length of time after rainfall. He continued to say the wetland is receiving water from other recently developed properties and had changed the wetland characteristics.

Chairman Fiteni asked for a review of the alternatives.

Mr. DiVesta reviewed the alternatives submitted.

Franklin Wong asked Mr. DiVesta what was the plan for the existing lawned area and stonewalls.

Mr. DiVesta responded to Mr. Wong by saying that there was not a planting plan submitted at this time.

Mr. Wong expressed his concern over the increased runoff from the lawn and fertilizers that may be used.

Mr. DiVesta indicated that that information was included in his report submitted.

Ms. Sesto asked which of the alternatives required the least amount of clearing.

Mr. DiVesta responded to Ms. Sesto by stating that more trees would be removed with the preferred plan, but the proposed pool area would be less impervious.

Chairman Fiteni MOVED to carry the public hearing to the next scheduled meeting.

**3. WET#1849(S) – RT BUILDERS** – “corrective action” to restore a cleared wetland and regrading at 14 Hidden Lake Ridge – cont.

Ms. Sesto read additional documents into the record.

Holt McChord, agent, reviewed the revised proposed site plan. He indicated that the runoff to the property line would be reduced from 2.3 cfs to 2.13 cfs; flow to watercourse would be reduced from 2.15 to 2.07 due to the detention system.

Ms. Sesto asked if test holes had been dug yet.

Mr. McChord answered Ms. Sesto by saying not as of yet, but he wouldn't expect trouble with the soil.

Chairman Fiteni asked if the public had any questions or comments.

Pat Hessel, 24 Hidden Lake Ridge, stated that she had a pond on her property. She felt that the trees removed in the Regulated Area were impacting her pond. She requested that the trees that were removed be replaced due to the impact of the pond and then distributed photos of the area before and after the clearing of trees from her view of the property.

Richard Grano, 19 Drum Hill Road, described the volume of water from this week's rain and felt that it was substantial and noted mud being deposited into the watercourse.

Chairman Fiteni asked the public if there were any more questions.

There were none.

Chairman Fiteni asked if there was a proposal to replace the trees that had been cleared.

Kate Throckmorton, Environmental Land Solutions, agent, stated that the runoff would not

reach the pond because the effected portion of the Regulated Area is not in the pond's watershed, and instead flows away from the pond. Accordingly, There were no plans at this time to replace the trees.

Chairman Fiteni closed the public hearing.

**4. WET#1854(S) – WILTON STORAGE PARTNERS, INC.** – “corrective action” to restore a riverbank, remove berm and fill at 111 Danbury Road.

Site Attendees: Chairman Fiteni, Karen Myers, Richard Ziegler, Jill Alibrandi, Franklin Wong, Phil Verdi and Syd Gordon.

Ms. Sesto read the list of documents into the record.

John McCoy, agent, described the existing violation and reviewed the proposed restoration of the river bank to its original state by removing the berm. He submitted a revised planting plan that the DEP has approved and reviewed the plan. He described the hay bails that will be installed along the bank while the project is in process and he added that it would be monitored.

Mr. McCoy described that after the berm is removed, a new bank will have to be constructed. The reseeding would benefit the bank with stabilization in many parts of the project.

Ms. Sesto suggested incorporating coconut fiber logs at the toe of the slope to prevent undercutting.

Chairman Fiteni asked the Commission if there were any questions or comments.

There were none.

Chairman Fiteni asked the public if there were any questions or comments.

Peter Feick, 20 Arrowhead Road, felt satisfied with the proposed plan. He expressed his concern for the increase of flooding in recent years and asked that the bank not be raised above the previous elevation due to flooding in general from nearby developments.

Chairman Fiteni closed the public hearing for WET#1854.

**5. WET#1855(S) – 19 DANBURY ROAD, LLC** – “corrective action” to restoration a riverbank adjacent to the Norwalk River at 19 Danbury Road.

Site Visit Attendees: Chairman Fiteni, Karen Myers, Richard Ziegler, Jill Alibrandi, Franklin Wong, Phil Verdi and Syd Gordon.

Ms. Sesto read the list of documents into the record.

Attorney Healy reviewed the existing site plan and the violation. He proposed to remove the retaining wall by hand, a silt fence to be installed prior to the project commencing and rake, and fine grade and seed to stabilize erosion.

Syd Gordon asked Attorney Healy if the existing debris will be removed.

Attorney Healy responded yes to Mr. Gordon.

Mr. Ziegler asked if the wall would be removed to grade.

Don Strait, Grumman Engineering, responded to Mr. Ziegler by reporting that the wall would be removed six inches below grade and planting would be used to stabilize erosion.

Ms. Sesto suggested that more woody vegetation be added to the proposed planting plan; perhaps willow waddles.

Don Strait agreed to add more vegetation to the proposed plan.

Chairman Fiteni asked the Commission if there were any questions or comments.

There were none.

Chairman Fiteni asked the public if there were any questions or comments.

There were none.

Chairman Fiteni closed the public hearing for WET#1855.

**6. WET#1856(S) – RAMADANI** – “corrective action” to restore grading and stone wall within a regulated area at 12 Center Street.

Site Visit Attendees: Chairman Fiteni, Karen Myers, Richard Ziegler, Jill Alibrandi, Franklin Wong, Phil Verdi and Syd Gordon.

Ms. Sesto read the list of documents into the record.

Doug McMillan, agent, reviewed the proposed site plan to include replacement of the existing impervious patio with a pervious patio.

Mr. McMillan offered to respond to the staff report to mitigate the violation for the applicant.

Chairman Fiteni asked the Commission if there were any questions or comments.

There were none.

Chairman Fiteni asked the public if there were any questions or comments.

Kim Young, Conservation Commissioner, suggested removing the invasive vegetation during the process of the mitigation.

Ms. Sesto indicated that the invasives can be removed immediately and suggested that the agent for the applicant attend the next Conservation meeting since that commission has comments relative to their pedestrian easement.

Jill Alibrandi left the meeting.

### C. APPLICATIONS READY TO BE REVIEWED

#### **1. WET#1851(M) – ARMSTRONG** – placement of a shed within 50 feet of an adjacent wetland at 35 Graenest Ridge Road.

Robert Armstrong, applicant, reviewed a revised location for the proposed shed. He explained the difficulties with the proximity of the well, at the driveway side of the house. He explained that the only alternative location at the edge of the deck would be ten feet from the wetland.

Mr. Armstrong offered to remove lawn area on the east side and protect the wetland with a gravel barrier in order to install the shed in the originally proposed location at the wetland edge.

Mr. Ziegler expressed concern for the possible contamination if the shed were installed in the desired location originally proposed.

Phil Verdi MOTIONED to approve WET#1851 with General Conditions and the standard Special Conditions, Chairman Fiteni amended the MOTION to include that the approval was for the alternative plan presented immediately adjacent to the deck, SECONDED by Syd Gordon and carried 7-0-0.

#### **2. WET#1850(I) – PFAHL** – repair an existing dam/weir at 48 Mountain Road.

Site Visit Attendees: Chairman Fiteni, Karen Myers, Richard Ziegler, Franklin Wong,

Joe Nazzaro, agent, reviewed the existing situation of the damage dam. He explained that the proposal is to replace the dam with a precast dam of the same dimensions.

Ms. Sesto stated that the proposed plan indicates that the pond will be dewatered by pumping the pond water up hill to a location just above the inlet.

Mr. Nazzaro responded to Ms. Sesto by stating that sand bags would be installed.

Ms. Sesto raised concerns with this strategy and suggested that the repair be done when water is lower.

Mr. Nazzaro agreed to do the repair when the water level is lower and offered to discharge downstream.

Ms. Sesto inquired as to how low the water level would be to start the job.

Mr. Nazzaro responded to Ms. Sesto by saying that the water level would be two feet lower than it is presently and that it would take two days to complete the project.

Chairman Fiteni MOTIONED to approve WET#1850 with the General Conditions, standard Special Conditions, and the additional Special Conditions that the dewatering pump discharge downstream to a proper outlet as approved by staff and that staff is notified when work is to commence, SECONDED by Karen Myers and carried 7-0-0.

3. **WET#1857(I) – CALDERONI** – B100a in a regulated area at 196 Sharp Hill Road.

Site Visit Attendees: Chairman Fiteni, Karen Myers, Richard Ziegler, Franklin Wong, Phil Verdi and Syd Gordon.

Mr. Calderoni, applicant, reviewed his proposed site plan.

Richard Ziegler MOTIONED to approve WET#1857 with standard General Conditions, SECONDED by Syd Gordon and carried 6-0-0.

#### D. APPLICATIONS TO BE ACCEPTED –

1. **WET#1862(I) – FARAGO** – “emergency” septic repair in a regulated area at 964 Ridgefield Road.
2. **WET#1864(I) – FEIDNER/SOVIERO** – excavate a trench in conjunction with an existing septic system 76 from a wetland at 341 Newtown Turnpike.
3. **WET#1865(S) – LUNG/YIJING** – Site development for new house, driveway and septic installation at 79 Olmstead Hill Road.

Chairman Fiteni made a MOTION to accept applications WET#1862 and WET#1864, Seconded by Syd Gordon, and carried 7-0-0.



Tom Quinn, Peak Engineering, presented a plan that would double a previously approved footprint at 79 Olmstead Hill Road. He described an additional storm water detention system and that it would be further from the wetland than the previously approved system. Mr. Quinn asked the commission if they would consider this a field change and in the event they cannot, he has prepared an application to be accepted.

Chairman Fiteni felt it was not a field change and MOTIONED to accept WET#1865, SECONDED by Phil Verdi and carried 7-0-0.

E. APPROVED MINOR ACTIVITIES –

- 1. WET#1863(M) – FANG** – installation of an above ground propane tank approximately 55 feet from a pond at 90 Pheasant Run Road.

Ms. Sesto reported that the application was not out of the ordinary.

F. CORRESPONDENCE –

Request for a bond release dated August 26, 2008 to for WET#1792, Stonebridge Road in the amount of \$2,800.00.

Richard Ziegler MOTIONED to release the bond release the bond money for WET#1792, SECONDED by Karen Myers and carried 6-0-0.

Request for a five year extension for WET#1302 – Avalon granted October 23, 2003.

Ms. Sesto explained that extensions are granted to applicants provided there have not been a pertinent change in the site, technology, wetland science, among other factors since the permit was issued. Since this application was approved, the upland review area has changed from 50 feet to 100 feet and suggested inviting Avalon to an Inland Wetland meeting in October to discuss the activities in this newly regulated 50 foot area. The commission agreed.

Ms. Sesto stated that Ms. Smith, 550 Ridgefield Road, WET#1842 has requested an extension for completion of the project.

The Commission granted the extension.

Memorandum from Michael Conklin, Environmental Analyst, requesting a bond release for WET#1806, 8 Brandon Circle, in the amount of \$2,486.00.

Karen Myers MOTIONED to release the bond money for WET#1806, SECONDED by Phil Verdi and carried 7-0-0.

Memorandum from Michael Conklin, Environmental Analyst, requesting a bond release for WET#1507 in the amount of \$2,235.00, 35 Graenest Ridge Road.

Karen Myers MOTIONED to release the bond money for WET#1507, SECONDED by Syd Gordon and carried 7-0-0.

G. OTHER APPROPRIATE BUSINESS –

1. Violations:

**Anspach**

13 Stewart Lane – Notice of Violation referred to Town Counsel

No change

**Lombardi**

99 Kensett Drive – Notice of Violation citation issued, referred to Town Counsel

No change

**Coughlin**

102 Kent Road – Notice of Violation

Application expected to be received at the next meeting.

**Farmer**

364 Nod Hill Road – Notice of Violation

Application expected to be received at the next meeting.

**Brody**

19 Hillbrook Road – Notice of Violation

Will forward to legal counsel.

**Papakasmas**

103 Twin Oaks Lane, - Permit Violation WET#913

Will forward to legal counsel

**Pellicano**

87 Sugar Loaf – Notice of Violation

Application was accepted earlier in the meeting.

H. APPROVAL OF MINUTES –

Karen Myers made a MOTION to approve the minutes from August 21, 2008, Seconded by Phil Verdi and carried 6-0-0

I. APPLICATIONS READY TO BE REVIEWED – cont.

**1. WET#1849(S) – RT BUILDERS** – “corrective action” to restore a cleared wetland and regrading at 14 Hidden Lake Ridge

Chairman Fiteni stated he was comfortable with the stormwater management system proposed, noting that the detention system proposed addressed the volume and peak adequately.

The Commission agreed that the clearing of trees did not impact the pond and replacing the trees would not benefit the pond.

Phil Verdi MOTIONED to approve WET#1849 with the General Conditions and standard Special Conditions, SECONDED by Karen Myers and carried 7-0-0.

**2. WET#1854(S) – WILTON STORAGE PARTNERS, INC.** – “corrective action” to restore a riverbank, remove berm and fill at 111 Danbury Road.

Ms. Sesto listed possible Special Conditions for a resolution of approval, including the requirement to have an on-site monitor, an as-built to be prepared, and coir logs to be placed at the toe of the slope.

Chairman Fiteni suggested erosion control be provided.

A discussion ensued concerning breaching and or completing the process and timeliness.

It was agreed by the Commission that four weeks after the resolution was issued would be appropriate to either breach or complete the project.

Karen Myers MOTIONED to approve WET#1854 with the General Conditions, the standard Special Conditions and the additional Special Conditions outlined by Ms. Sesto and that the work will be done in four weeks or if this is not possible, the berm will be breached within four weeks of issuing this permit and the remainder of the work completed by May 15, 2009, SECONDED by Phil Verdi and carried 7-0-0.

**3. WET#1855(S) – 19 DANBURY ROAD, LLC** – “corrective action” to restoration a riverbank adjacent to the Norwalk River at 19 Danbury Road.

A discussion ensued regarding appropriate stabilization and a schedule for work to be completed.

Karen Myers MOTIONED to approve WET#1855 with the General and standard Special conditions, and the additional Special Conditions that the planting plan be revised to incorporate willow waddles, the wall will be removed to a depth 6 inches below grade, debris will be removed, the wall will be removed or breached within four weeks, with a completion

date of May 15, 2009, SECONDED by Chairman Fiteni and carried 7-0-0.

J. ADJOURN

Franklin Wong made a MOTION to adjourn at 10:30 p.m., Seconded by Syd Gordon, and carried 7-0-0.

Respectfully Yours,

Karen DeSantis  
Administrative Secretary Recording Secretary