

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

WILTON INLAND WETLANDS COMMISSION

DATE: April 8, 2010
PLACE: Town Hall Meeting Room A
TIME: 7:30 P.M.

Present: Franklin Wong; Joseph Fiteni; John Hall; Jill Alibrandi; Phil Verdi; Sydney Gordon; Elizabeth and Dariusz Roginski; Jennifer Heustis, Heustis Tucker Architects; Richard Layda, builder

Also Present: Patricia Sesto, Director of Environmental Affairs; Allison McConnell, Acting Administrative Secretary

A. CALL TO ORDER

Chairman Wong called the meeting to order at 7:31 p.m.

B. PUBLIC HEARINGS

1. **WET #1934(S) – DRISCOLL** - construct addition to existing house and install new septic system in regulated area at 149 Wolf Pit Road – cont'd.

Ms. Sesto noted that no new information had been received.

The extension approved at the February 25, 2010 meeting will continue to the next Commission meeting.

C. APPLICATIONS READY TO BE REVIEWED

1. **WET #1935(I) – ROGINSKI** – "corrective action" to remove debris, restore clearing and grading adjacent to a wetland at 73 Vista Road – cont'd.

Mrs. Roginski described previous site conditions, and the remediation plantings they plan to install as part of their plan to return the disturbed area to meadow. She submitted a drawing showing the location of the white pines to be planted, as well as a receipt for the trees. She

also described that the debris in the wetland buffer will be removed, and they will hire a Dumpster for that purpose.

Ms. Sesto described for the Commission several ways to allow a maintained lawn to revert to meadow. She also suggested a different placement of the new tree to be planted closest to the barn.

The Commission discussed the bond needed to ensure the success of the plantings.

Commissioner Verdi MOTIONED to accept WET#1935 with conditions as specified in the permit, and the required plantings bond; Commissioner Gordon SECONDED.

The Commission discussed required deadlines for the intended work. It was agreed that the debris should be removed by May 15, 2010 and the buffer area previously maintained as lawn will need to revert to meadow; the plantings should be installed by May 31, 2010.

The motion PASSED 6-0-0.

2. **WET#1952(I) – DELANEY** – proposed addition and associated relocation of septic system to within 50 feet of a wetland at 38 Woods End Drive.

The Commission attended a sitewalk at this property earlier this date. Mr. Delaney was not present for the discussion.

The application will be continued to the next meeting.

3. **WET#1954(I) – CLARK** – emergency repair of septic system within a regulated area at 68 Cannon Road.

Ms. Sesto described the proposal as the only possible location for the septic system at this property.

Commissioner Fiteni MOTIONED to accept WET#1954 with normal special conditions; Commissioner Hall SECONDED; PASSED 6-0-0.

4. **WET#1956(I) – BROCK** – proposed residential addition and removal and replacement of driveway within a regulated area at 42 Charter Oak Drive.

Sitewalk Attendees: Joseph Fiteni, John Hall, Jill Alibrandi, Franklin Wong, Sydney Gordon

Jennifer Heustis of Heustis Tucker Architects presented the proposal for the applicant.

Ms. Sesto asked Ms. Heustis for an explanation of the logistics of removing the material from the driveway.

Richard Layda, builder, stated that the material is not contaminated, and it would be removed

off-site, not stockpiled.

Ms. Sesto suggested that the applicant also check with the Planning and Zoning Department on this matter.

Chairman Wong expressed his concern about erosion control with the associated grading. Ms. Heustis stated that silt fencing will be installed.

Ms. Sesto asked Mr. Layda how long he estimated the removal of the driveway material would take. He stated that it should take no more than a couple of days, but he would verify this with the excavator.

Commissioner Fiteni expressed that he would be more comfortable with the placement of the silt fencing adjacent to the pond.

Commissioner Hall asked about the material of the curbing. Ms. Heustis and Mr. Layda described it as Belgian block.

Chairman Wong asked the Commission if there were any additional comments or questions. There were none.

Commissioner Hall MOTIONED to accept WET#1956 with normal special conditions and the additional special condition regarding the silt fencing; Commissioner Verdi SECONDED; PASSED 6-0-0.

D. APPLICATIONS TO BE ACCEPTED

1. **WET#1958(S) – GEORGE** – proposed construction of pool and terraces in a regulated area at 35 Branch Brook Road.

Chairman Wong MOTIONED to add WET#1958 to the agenda; Commissioner Hall SECONDED; PASSED 6-0-0.

Chairman Wong MOTIONED to accept WET#1958; Commissioner Hall SECONDED; PASSED 6-0-0.

2. **WET#1957t(I) – MAISANO** – temporary permit application for emergency septic repair in a regulated area at 20 Grey Rocks Road.
3. **WET#1959t(I) – WILLSON** – temporary permit application for emergency septic repair in a regulated area at 297 Nod Hill Road.

Chairman Wong MOTIONED to add WET #1957t(I) and WET#1959t(I) to the agenda; Commissioner Verdi SECONDED; PASSED 6-0-0.

Commissioner Hall MOTIONED to accept WET#1957t(I) and WET#1959t(I); Commissioner

Gordon SECONDED; PASSED 6-0-0.

E. APPROVED MINOR ACTIVITIES

1. **WET#1953 – KUPINSE** – proposed deck addition within a regulated area at 54 Chicken Street.

Ms. Sesto described the proposal to replace an existing patio with deck of the same dimensions. There was no discussion.

F. CORRESPONDENCE

Ms. Sesto described a complaint received from 295 Newtown Turnpike, a property which previously was issued a Notice of Violation relating to removal of trees. She described the prior conditions and stated that storm damage is not sufficient to allow removal of trees in a regulated area. She stated that new plantings were required as part of the prior Violation. She noted that staff will inspect the property.

Commissioner Hall recommended that the property owner have an arborist evaluation and submit a planting plan.

G. OTHER APPROPRIATE BUSINESS

Chairman Wong expressed his concern about perceived ambiguity in the Commission's requirements for limit of lawn, how it is defined, and how it is distinguished from wetlands. He suggested that the matter may need monitoring.

Ms. Sesto noted that while the Department is quite busy with events through April and May, around May-June, department staff can review recent applications, perform inspections, and see how these delimitations are managed over time. As an example, she cited the 15 foot boulder spacing.

Commissioner Verdi mentioned that the Commission might think about closing the required boulder spacing.

Ms. Sesto stated that the question is whether applicants are violating the limit of lawn, and/or violating the permit requirements.

Chairman Wong reiterated that he is interested in knowing whether the reality is distorted by a perception based on permit violations.

H. BONDS

1. **WET #1296 – DUNCAN** – 121 Middlebrook Farm Road

Ms. Sesto noted that Mike Conklin has reviewed the permit requirements and inspected the site and concluded that the bond is eligible for release. Commissioner Verdi MOTIONED to release the bond; Commissioner Alibrandi SECONDED; PASSED 6-0-0.

I. VIOLATIONS

1. **BOCCAROSSA** – 107 Twin Oaks Lane

Ms. Sesto has spoken to the family; Mr. Boccarossa is ill and in Florida. Counsel for the Town, Ken Bernard has been in contact with him, and has requested payment of \$1,500.00 – Ms. Sesto noted that it was unclear whether this money would be applied to Atty. Bernard's fees or to fines due the Inland Wetlands Commission. She is following up with Atty. Bernard.

The Commission discussed, and there was consensus that the fines should be paid, regardless of the property owner's location or condition.

Ms. Sesto noted that a court hearing was set for April 12, but will be continued to May, and that there is not enough information to set a deadline for payment of the fines.

Chairman Wong asked if the work related to the violation is continuing. Ms. Sesto noted that all the fill has been removed, and the work has then stopped.

Commissioner Fiteni asked if the soils are stable. Ms. Sesto noted that they are most likely eroding into the pond on site.

J. APPROVAL OF MINUTES – March 25, 2010

Chairman Wong MOTIONED to approve the minutes of March 25, 2010 as amended; Commissioner Verdi SECONDED; passed 6-0-0.

K. ADJOURN

Chairman Wong MOTIONED to adjourn at 8:12 pm; Commissioner Gordon SECONDED; PASSED 6-0-0.

Respectfully submitted,

Allison McConnell for Karen Padowicz
Recording Secretary