



MINUTES

January 28, 2016

PRESENT: John Hall, Chairman, Liz Craig, Tom Burgess, Nick Lee, Mark Andrews, Dan Falta, Rick Stow

ALSO PRESENT: Mike Conklin, Environmental Analyst; Liz Larkin, Recording Secretary; Kate Throckmorton, Environmental Land Solutions; Doug Cullen and Eva Pao, Property Owners

I. CALL TO ORDER

Mr. Hall called the meeting to order at 7:30 p.m.

II. PUBLIC HEARINGS - None

III. APPLICATIONS TO BE REVIEWED

A. WET#2371(I) – FOOTE/CARRILLO – 269 Nod Hill Road – “emergency” septic repair

Mr. Conklin confirmed this was an emergency situation where the septic was leaking near a pond. He stated a temporary permit was issued and the repair is taking place.

Ms. Craig MOVED to APPROVE WET#2371, SECONDED by Mr. Burgess and CARRIED 6-0-0 as Mr. Falta had not arrived at the time of the vote.

B. WET#2373(I) – RICHARDS – 186 Kellogg Drive – “emergency” septic replacement

Mr. Conklin confirmed this was an emergency situation so a temporary permit was issued. He noted that the new system is farther from the wetlands.

Mr. Burgess MOVED to APPROVE WET#2373, SECONDED by Ms. Craig and CARRIED 6-0-0 as Mr. Falta has not arrived at the time of the vote.

C. WET#2347(I) – CULLEN/PAO – 24 Wildwood Road – “corrective action” for construction of a fire pit in an upland review area

Ms. Throckmorton explained that the property consists of 3 acres and sits between Wildwood Road and Kent Pond. She noted that there is a slope down to the pond and the homeowners started to build a fire pit adjacent to the pond not realizing this would require a permit. The

homeowners hired a soil scientist to flag the wetlands once the violation was discovered and Ms. Throckmorton confirmed that fire pit area is 20 feet off the pond edge, coinciding with the current lawn line. Mr. Conklin commented that he has included site photographs in the file which were taken prior to the snow fall for reference.

Ms. Throckmorton showed her proposal to make modifications to the fire pit area. She confirmed the materials are pervious and noted the property owners would like to be able to keep this feature in its original location. She noted that the 16 ft. x 16 ft. area of the fire pit will require minimal excavation and the small pile of soil in the vicinity will be removed.

Ms. Throckmorton noted that the lawn is being reduced by the fire pit and almost 200 perennials and small trees will be planted to enhance the overall buffer. Ms. Throckmorton also confirmed she is providing direction on cutting the pricklers on the property and replanting 25 native shrubs with no disturbance to the wetlands. She stated they are converting more than 2,000 sq. ft. of lawn into landscape cover. The proposal includes putting a stone walkway from the house that leads to the fire pit as well as a walkway to the pond to avoid disturbance to the new plantings. Ms. Craig asked if there is a boulder buffer. Ms. Throckmorton responded there are existing boulders. Ms. Craig asked if plantings are present in that area. Mr. Hall stated the lawn goes right to the pond. Ms. Throckmorton confirmed the lawn goes to the wetland but not all the way to the pond. Mr. Hall asked if the patio for the fire pit will be permeable. Ms. Throckmorton confirmed it will be gravel. Ms. Craig asked for the size of the wetland buffer. Ms. Throckmorton responded there is a 20 ft buffer adjacent to the pond.

Mr. Hall stated that he considers this fire pit just like a 15 ft. x 15 ft. building or shed.

Mr. Falta arrived at 7:46pm.

Mr. Hall continued to explain that this fire pit will be a permanent commitment on the border of the wetland. Mr. Lee stated that he does not feel this is an intense use. Mr. Hall suggested that the use in the wetland can enhance the owners desire to take care of the wetlands. Ms. Craig added that it is encouraging passive recreational use. She then asked about the neighboring property thinking that it is much more desirable as their lawn does not extend to the pond. Mr. Lee stated that the neighbors have a stone wall that was not evident in the photos. Ms. Craig responded that she thinks more vegetation should be along the buffer. She suggested adding an understory tree.

Ms. Throckmorton confirmed that the homeowners could move the fire pit location outside the regulated area and not require a wetlands permit. She stated that she would prefer to treat this as an opportunity to enhance the buffer. She reiterated that no impacts will affect the wetlands with this proposal. She stated the property will have a defined wetland line and an enhanced buffer but they would consider adding a red or white oak.

Mr. Andrews asked if stepping stones are enough for the path to the fire pit and then to the pond. He was concerned about them being snow covered and frozen. Ms. Throckmorton stated they will be placed to avoid stepping on the installed mitigation plantings. Mr. Lee suggested setting a date for the plantings to be installed by May 31, 2016.

Ms. Craig MOVED to APPROVE WET#2374, with the normal General and normal Special Conditions and the additional Special Conditions that one canopy tree, preferably an oak, will be

planted in the buffer zone to the north and the plantings will be fully installed by May 31, 2016, SECONDED by Mr. Falta and CARRIED 7-0-0.

IV. APPLICATIONS READY TO BE ACCEPTED

Mr. Conklin read a letter from Rob Sanders pertaining to a request to credit the Intermediate Application Fee paid for by Richard Branch of 14 Stonecrop Lane that was recently withdrawn. The commission agreed this would be acceptable so a \$450 credit will be provided for this new application.

- A. WET#2375(S) – DATILLO – 135 Seir Hill Road** – install gravity footing drain and extend earth fill adjacent to the house within a regulated area
- B. WET#2372(S) – COPPOLA – 54 Warncke Road** – proposed single-family residence on vacant parcel including septic, pool, and stormwater management system
- C. WET#2376(S) – BRANCH – 14 Stonecrop Lane** – “corrective action” to address unauthorized tree removal and alterations and additions to residence including replacement of septic

Mr. Lee MOVED to ACCEPT the above applications, SECONDED by Mr. Andrews and CARRIED 7-0-0.

V. APPROVED MINOR ACTIVITIES - None

VI. CORRESPONDENCE

A. Eversource Maintenance Activities

Mr. Conklin referred to a letter received by Eversource that states they will be clearing land under the power lines in Wilton in 2016. Mr. Conklin confirmed he called Darcy Winther at the Department of Energy and Environmental Protection to find out if there is any case law for this activity. Ms. Winther stated the Attorney General is unsure of who has jurisdiction. The town could work with Public Utility Regulatory Authority (PURA) with any concerns about specific areas based on the plan provided.

The commission discussed the balance of the need for electricity and the need to protect the natural habitat. Ms. Craig stated she has seen them removing witch hazel. Mr. Burgess suggested sending a response letter to let Eversource know we are aware of what they are asking but to not take anything more than what is necessary for the power lines.

Mr. Conklin confirmed that Eversource sprays invasives but not within 100 feet of a well, river, stream, or waterbody. He also stated that power lines are a super highway for invasive species. Ms. Craig stated that the power lines are a great opportunity for pollinators and animals and mentioned Doug Tallamy as an expert who authored books about this subject.

Mr. Conklin concurred that he would write a letter to Eversource asking them to enhance the wildlife habitat and to keep an open channel of communication. Ms. Craig suggested asking for some understory plantings. Mr. Hall asked if there are any stories of success in working with

Eversource as a municipality. Mr. Conklin was not aware of any. Mr. Hall stated that the Conservation Commission should get involved. Mr. Falta stated that the costs to replant will be passed down to the consumers. Ms. Craig stated that Trout Unlimited and Norwalk River Watershed Association may be interested in working with Eversource as well. She added that grass seed is not expensive. Mr. Burgess noted that Massachusetts has stronger regulations around this activity and that we should encourage them to provide better environmental work.

VII. OTHER APPROPRIATE BUSINESS

A. Approval of Minutes – January 14, 2016

Mr. Lee MOVED to APPROVE the minutes as drafted, SECONDED by Ms. Craig, and CARRIED 5-0-2 with Mr. Stow and Mr. Falta abstaining as they were not present at the last meeting.

VIII. ADJOURN

Mr. Burgess MOVED to ADJOURN at 8:29 pm, SECONDED by Ms. Craig and CARRIED 7-0-0.

Respectfully Submitted,
Liz Larkin
Recording Secretary, Environmental Affairs