

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

**WILTON INLAND WETLANDS COMMISSION
MARCH 12, 2009
MINUTES**

PRESENT: Franklin Wong, Chairman; Jill Alibrandi, Syd Gordon and Richard Ziegler
NOT PRESENT: Joseph Fiteni, Jr., John Hall and Phil Verdi (noticed of absence)
ALSO PRESENT: Patricia Sesto, Director of Environmental Affair; Karen DeSantis, Recording Secretary; Mark Brody, applicant, Casey Healy, Esq., Gregory and Adams, PC; Kate Throckmorton, Environmental Land Solutions, LLC; Tom Quinn, Peak Engineering, LLC.

A. CALL TO ORDER

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

B. PUBLIC HEARINGS

- 1. WET#1891(S) – GOUDIS** – reconfigure a driveway and shed in a regulated area at 21 Trails End Road – cont.

Patricia Sesto read a document into the record requesting an extension to the next scheduled meeting.

Chairman Wong MOTIONED to grant an extension for WET#1891 to the next scheduled meeting, SECONDED by Richard Ziegler and carried 4-0-0.

C. APPLICATIONS READY TO BE REVIEWED

- 1. WET#1881(I) – PIERREBOURG** – remove existing carport and construction a garage and air conditioning compressor unit in a regulated area at 363 Newtown Turnpike – cont.

Ms. Sesto reported that the applicant has withdrawn the application.

- 2. WET#1894(I) – BRODY** – construction of a barn in a regulated area at 19 Hillbrook Road – cont.

Mark Brody, applicant, distributed photos to the commission and reviewed his revised proposed site plan which included relocating the barn location, depicting a silt fence and replacing two trees that will be removed with two 2 1/2" diameter oak trees.

Ms. Sesto asked Mr. Brody to describe the proposed cleaning of regulated area.

Mr. Brody explained that the vegetation would not be removed and the just debris would be cleared out of the area.

There were no further questions.

3. WET#1895(I) – WAUGH – construction of a barn within an upland review area at 23 Appletree Lane.

Site Walk Attendees: Franklin Wong, Richard Ziegler, Jill Alibrandi, and Syd Gordon.

Ms. Sesto distributed a copy of a portion of Wilton's Inland Wetland and Watercourses regulations pertaining to "as of right" and explained the definition.

Attorney Healy, agent, reviewed the proposed "Alternate #3" site plan and submitted a map to each of the commissioners and for the file. He described the intended use of the proposed barn and paddock for horses and stated the he felt this use would fall under the "as of right" definition.

Kate Throckmorton reviewed the proposed mitigation plan on the "Alternate #3" site plan. She described the clearing, grubbing and reseedling of the paddock area and stated that some trees would remain to shade the wetlands.

Ms. Throckmorton explained that there would be infiltrators installed to capture 1 inch roof run off and the existing berm under the existing stone wall would be extended toward the road. She commented that the septic system note on the site plan would be removed as it pertained to an earlier plan and was no longer relevant.

Ms. Sesto asked if the drainage from the paddocks would enter the Appletree storm drainage system.

Tom Quinn, agent, stated that the pattern of flow would remain unchanged and that gravel diversion depicted across the driveway is intended to divert flows during construction. Mr. Quinn felt that the existing stone wall along the road would control the stormwater runoff and that there would be approximately 1,400 square feet of paddock runoff unaffected by the stonewall/berm.

Ms. Throckmorton confirmed that permanent tree protection would be implemented to around the trees in the paddock to prevent damage from the horses.

Attorney Healy commented that the well and septic would remain as they are.

Chairman Wong inquired about the paddock clearing.

Kate Throckmorton explained that the clearing would be mostly the small trees and a few larger trees around the perimeter of the paddock.

There were not further questions.

D. APPLICATIONS TO BE ACCEPTED –

1. **WET#1897(S) – PEACOCK** – construction of an inground swimming pool, spa, patio and a driveway turn around in a regulated area at 74 St. John's Road.

Ms. Sesto stated that the applicant had requested the application be downgraded to an Intermediate activity. She felt that it would be appropriate and described the previous permit issued for the property and the substantial distance between the proposed pool and the reservoir.

Chairman Wong MOTIONED to accept WET#1997 as an Intermediate activity application, SECONDED by Syd Gordon.

E. APPROVED MINOR ACTIVITIES –

No minor applications had been submitted.

F. CORRESPONDENCE –

Memorandum from Mike Conklin, Environmental Analyst, dated March 11, 2009 requesting a partial bond release for WET#1665, Hunter, 26 Freshwater Lane in the amount of \$1,000.00.

Ms. Sesto explained that the soil and erosion part of the permit had been satisfied and that a partial release would be appropriate.

Richard Ziegler MOTIONED to approve a partial bond release for WET#1665 in the amount of \$1,000.00, SECONDED by Syd Gordon and carried 4-0-0.

Memorandum from Mike Conklin, Environmental Analyst, dated March 11, 2009 requesting a bond release for WET#1311, Francia, 354 Hurlbutt Street in the amount of \$3,583.00.

Richard Ziegler MOTIONED to approve the bond release for WET#1311 in the amount of

\$3,583.00, SECONDED by Jill Alibrandi and carried 4-0-0.

G. OTHER APPROPRIATE BUSINESS –

1. Violations:

None to report.

H. APPLICATIONS TO BE REVIEWED – Cont.

1. **WET#1894(I) – BRODY** – construction of a barn in a regulated area at 19 Hillbrook Road – cont.

Ms. Sesto listed four Special Conditions she felt would be appropriate: show the silt fence 15 feet off the back of the barn, the “clean-up” of the scrub shrub area is limited to debris, the two proposed oaks shall be 2 -2 ½ inches in caliper, and the limit of lawn shall be delineated.

Richard Ziegler MOTIONED to approve WET#1894 with the General Conditions, the normal Special Conditions, and the additional Special Conditions listed by Ms. Sesto, SECONDED by Jill Alibrandi and carried 4-0-0.

2. **WET#1895(I) – WAUGH** – construction of a barn within an upland review area at 23 Appletree Lane.

Ms. Sesto felt that the activities fell under the “as of right” definition and the commission could either make a ruling that permit was required or take the opportunity the applicant is offering by having made an application and issue a permit.

Ms. Alibrandi inquired about regulating the manure and if a buffer could be implemented.

Ms. Sesto stated that because keeping of horses is considered farming and is therefore as-of-right, there is no means to regulate manure management under the IWWA. CT DEP has other regulations available to it that are not under the authority of this commission. However, her efforts to get DEP involved on this issue has not been productive in the past.

Chairman Wong MOTIONED to approve WET#1895 with normal conditions, SECONDED by Jill Alibrandi and carried 4-0-0.

I. APPROVAL OF MINUTES -

January 26, 2009

Syd Gordon MOTIONED to approve the Minutes of January 26, 2009, SECONDED by Jill Alibrandi and carried 4-0-0.

J. ADJOURN

Chairman Wong MOTIONED to adjourn at 8:05 p.m., SECONDED by Richard Ziegler and carried 4-0-0.

Respectfully Submitted,

Karen DeSantis
Recording Secretary

DRAFT