

**CONSERVATION COMMISSION
FAIRFIELD, CONNECTICUT
MINUTES OF CONSERVATION MEETING
JUNE 17, 2010**

The Conservation Commission of the Town of Fairfield held a Meeting on June 17, 2010, in Meeting Room II of the Honorable John J. Sullivan Independence Hall, 725 Old Post Road, Fairfield, CT.

MEMBERS PRESENT: Stanton Lesser, Chairman; Frank Rice, Secretary; Landon Storrs; J. Paul DeMarrais and Kathleen Maxham. **ALTERNATES:** Douglas Jones and Elizabeth Jones. **ABSENT:** Milan Bull, Vice Chairman; Joan Neiley; and Philip DiGennaro. Also Present: Thomas Steinke, Conservation Director; Edward Jones, Open Space Manager; Annette Jacobson, Conservation Administrator; and members of the public.

The meeting was called to order at 7:31 p.m. by Chairman Lesser.

APPOINTMENT OF ALTERNATES: Elizabeth Jones and Douglas Jones were appointed to sit as full members.

I. CONSERVATION

A. Bills and Communications:

1. Approval of Minutes of the Conservation Commission Meeting of May 20, 2010: Douglas Jones *moved* and Elizabeth Jones *seconded* to approve the meeting minutes of May 20, 2010. *Motion passed unanimously.*
2. Approval of Secretary's Bill for May 10, 2010: Kathleen Maxham *moved* and Frank Rice *seconded* to approve the Secretary's Bill for May 20, 2010. *Motion passed unanimously.*

II. OLD BUSINESS

- A. Town Attorney's Legal Opinion on Conservation Commission's Authority over Undesignated Town Properties – Parsell's Property – Town of Fairfield Organic Teaching Farm Proposal: Chairman Lesser indicated that Assistant Town Attorney Eileen Kennelly has opined that since this property was not otherwise designated when it was obtained by the Town, the Conservation Commission has control by default, until otherwise designated by the RTM. Douglas Jones noted that he was on the RTM when the property was obtained by the Town, and it was clear at that time that it was accepted with those conditions.
- B. INCO/Exide Group, 2190 Post Road, Groundwater Study Summary Report – Response to Questions Posed by the Town of Fairfield, Conservation Commission: The Commission reviewed the May 24, 2010 letter from Ralph Klass of Exide to Douglas Zimmerman of the DEP which addressed the questions raised by the Conservation Commission. Thomas Steinke noted that the letter indicates that the sampling of the over-bank areas did not reveal any secondary contamination of soil. In response to query by Douglas Jones, Mr. Steinke stated that the DEP has determined that remediation of the chromium contamination is the responsibility of Superior Plating, and not Exide. Mr. Steinke further indicated that Superior Plating will be required to document the locations of the chromium to the DEP prior to DEP's approving Exide's lead removal plan; the process for getting the final review and acceptance by the DEP for the Exide clean-up will likely take several more years.

**DRAFT MINUTES SUBJECT TO REVIEW, CORRECTION AND APPROVAL BY
THE CONSERVATION COMMISSION OF THE TOWN OF FAIRFIELD**

- C. Notification of the Death of Douglas Zimmerman, State of Connecticut Department of Environmental Protection: The Commission acknowledged the recent passing of Douglas Zimmerman. Thomas Steinke noted that in addition to being a good man, Mr. Zimmerman was a very effective administrator on the Exide matter, and that it will take considerable time for someone else at the DEP to become familiar with this file.

J. Paul DeMarrais arrived at 7:34 p.m.

III. NEW BUSINESS

- A. Woodside Open Space Area – Rooster River Erosion – Letter to Chairman Lesser From Neighboring Property Owners: The Commission discussed the concerns outlined in a May 3, 2010 letter to Chairman Lesser from Jeffrey Ralson, Joseph Mancini, and Robert Demirjian regarding flooding and erosion problems concerning Stratfield Road properties located along a stretch of Rooster River. Thomas Steinke provided the Commission with a summary of the conditions, as well as efforts and communications by and between the Town Engineering Department, administration, and the residents. Mr. Steinke indicated that in 1956 the RTM adopted channel lines for the centerline of the riverbed, if the river was lined with concrete. Mr. Steinke indicated that development and filling in the area has incrementally aggravated the flow conditions throughout the years, resulting in a new unnatural alignment of the channel and considerable flooding and erosion problems, including the wash-out of the retaining wall at 236 Woodside Circle. The river meanders back and forth within its wide floodplain, and where it is restricted, the river is cutting down deeper into the channel. This is a comprehensive Rooster River flood and erosion problem and has been occurring for decades; a resolution of this problem will require sufficient funding as well as the effort and participation of many local, state and federal agencies. In response to inquiry by Chairman Lesser, Mr. Steinke indicated that he is not aware of any inland wetland violations currently existing at the 236 Woodside Circle property that may be causing this flooding condition, and that the Inland Wetland Agency would look at any permit application submitted for activities proposed. The Conservation Commission would also review any proposals as it may impact open space property in that area. Following considerable discussion, Landon Storrs *moved*, and Kathleen Maxham *seconded* to ask the appropriate Town departments and boards, including Flooding and Erosion and the Town Engineering Department, to provide the Conservation Commission with a report on how the Community can be helped in this matter, to advise whether there is anything that the Conservation Commission can do now to assist, and to request that they include this matter in their review process. *Motion passed unanimously*. The Commission acknowledged that this problem needs to be addressed as soon as possible in order to find a remedy to help the area homeowners.

IV. OTHER

- A. Conservation Department Web Site Statistics: Informational.

- B. Sound Outlook, June 2010, CT DEP Publication: Informational.
- C. Edward Jones advised the Commission that the Fire Department is sponsoring a Half Marathon event and is requesting the use of the Penfield Mill Open Space area, and for use of the parking area. Scott Bartlett of the Town Department of Public Works is also providing assistance with this event. Kathleen Maxham moved, and Douglas Jones seconded to have the following matter added to this evening's agenda: Half Marathon – Use of Parking: Motion passed unanimously. Following discussion, Kathleen Maxham moved, and Douglas Jones seconded to approve the request to hold a Half Marathon sponsored by the Fire Department at Penfield Mills Open Space on June 27, 2010 to allow use of parking at the area. Motion passed unanimously.
- D. Frank Rice advised the Commission that the handicap trail behind the Senior Center is coming along very well. Mr. Rice noted Open Space Manager Edward Jones' efforts and talent with regard to the stone masonry work, and that Mr. Jones and the Conservation Crew have done a great job on this project. Edward Jones noted the significant efforts and assistance provided by Department of Public Works employees.

V. **ADJOURNMENT**

There being no further business to come before the Commission, Kathleen Maxham moved and Douglas Jones seconded to adjourn at 8:02 p.m. Motion passed unanimously.

Respectfully submitted,

Betty Gabriel