

**CONSERVATION COMMISSION
FAIRFIELD, CONNECTICUT
MINUTES OF CONSERVATION MEETING
MARCH 15, 2012**

The Conservation Commission of the Town of Fairfield held a meeting on March 15, 2012, in Meeting Room II, Second Floor Conference Room, John J. Sullivan Independence Hall, 725 Old Post Road, Fairfield, CT.

MEMBERS PRESENT: Milan Bull, Vice Chairman; Frank Rice; Catherine O'Donnell; and Kathleen Maxham. **ALTERNATES:** Elizabeth Jones. **ABSENT:** Joan Neiley; Kevin Gumpfer, Secretary. *Note: Three vacancies.* Also Present: Thomas Steinke, Conservation Director; Edward Jones, Wetlands Compliance Officer/Open Space Manager; Annette Jacobson, Conservation Administrator and members of the public and press.

I. CALL TO ORDER: The meeting was called to order at 7:31 p.m. by Milan Bull, Acting Chairman.

II. APPOINTMENT OF ALTERNATES: Elizabeth Jones was appointed to sit as a full member.

III. CONSERVATION:

A. Bills and Communications:

1. Approval of Conservation Commission Meeting Minutes of February 16, 2012:
2. Approval of Secretary's Bill for February 16, 2012:

Kathleen Maxham *moved*, and Frank Rice *seconded* to approve the Conservation Commission Meeting Minutes of February 16, 2012, together with the Secretary's Bill for February 16, 2012. *Motion passed unanimously.*

3. Resignation of Stanton Lesser, Chairman: Milan Bull advised the Commission that he would like the Commission to conduct an election of a Chairman to replace Stanton Lesser, who had resigned on March 2nd. It was the consensus of the Commission that this matter will be placed upon a special Conservation Commission meeting agenda in April (when the Inland Wetland Agency conducts its regularly scheduled meeting on April 5, 2012).

SUPPLEMENTAL AGENDA:

I. OLD BUSINESS

A. DEEP-OLISP Notice of Tentative Determination to Approve Application #201102986-TS of Marianne Ruscito and Fairfield Beach Road Real Estate Holdings to Retain and Repair Two Existing Timber Bulkheads For Flood and Erosion Control and Install A Ramp and Float For Recreational Boating Access at 1748 & 1754 Fairfield Beach Road, Fairfield, CT: Thomas Steinke advised the Commission that the project included repairs to the existing bulkhead, and the installation of a ramp and dock. Mr. Steinke noted that the proposal also provides for protection of the wetland, which was created as a result

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

of sedimentation. Mr. Steinke indicated that he recommends endorsement of the proposal with the condition that no fixed piers or pilings be used, and which may involve the ramp be supported by a strut system in lieu of pilings, since a strut system would continue to allow access for shellfishing. The use of skids is preferred. Following inquiry by Kathleen Maxham, Mr. Steinke noted that the applicant is not in favor of a strut supported system, although the plan was revised to reduce the number of pilings from four to two. Milan Bull noted that the Commission had discussions at previous meetings questioning its role relative to reviewing CT DEEP proposals for conducting activities in tidal wetlands. Mr. Bull indicated that while the Commission's role is advisory and not regulatory in these matters, he was not in favor of deferring comment to the Shellfish Commission since there are other species that inhabit the creek system such as fish, birds and other wildlife. The Commission's review of these proposals relates to protection of all the natural resources, not just shellfish. Kathleen Maxham agreed. Following discussion, Kathleen Maxham *moved*, and Catherine O'Donnell *seconded* to have Staff forward comments to the CT DEEP recommending endorsement of the proposal, with the conditions recommended by Thomas Steinke. *Motion passed unanimously.*

REGULAR AGENDA:

IV. OLD BUSINESS:

A. State of Connecticut Regulation of the Department of Energy and Environmental Protection Stream Flow Standards: Thomas Steinke provided the Commission with a brief summary, noting that this proposal addresses both fish and water supply needs. Implementation of these new standards will take several years. Following inquiry by Milan Bull, Mr. Steinke indicated that he does not anticipate that there will be a significant impact on the Fairfield rivers, although Aspetuck may see some benefit.

B. DEEP-OLISP COP #201106447-TS, issued to Southport Realty Corp., at 789 Harbor Road, Southport, to Elevate an Existing Dwelling, Retain, Replace and Modify Existing Decks, and Replace And Modify an Existing Dock for Recreational Use: Thomas Steinke advised the Commission that the CT DEEP has issued a COP for the activities at 789 Harbor Road in Southport, which did not include the condition to remove the pilings as recommended by the Conservation Commission. Mr. Steinke further indicated that there will not be any changes to the culvert, which will have video monitoring while work is being conducted. To date, there has not been a response from town counsel regarding ownership questions.

C. Exide Mill River Remedial Action Plan (RAP) Update: Thomas Steinke advised the Commission that while working in the State highway, it was determined that the Exide and state storm drain are not functional. An additional pipe was also discovered. Exide may remediate the factory pipe to the river and then replace it with a new drain – connecting to the State drain. The State of Connecticut will supply the pipe and Exide will install it. It is anticipated that the State of Connecticut will maintain the drain. Upon completion of this work in the upland, it is anticipated that Exide will implement the RAP for the remediation of the river.

D. Hoyden's Hill Open Space Area – Barn Grant Application: Thomas Steinke advised the Commission that it had been awarded grant funds by the CT Trust For Historic Preservation for the structural assessment followed by the structural repairs to the Hoyden's Hill barn. The grant was reduced to \$1,500.00 in matching Town funds for the assessment, and \$3,500.00 in matching Town funds for the stabilization of the barn. Mr. Steinke will pursue quotes for the assessment and repairs, and will continue to keep the Commission apprised in this matter.

E. DEEP-OLISP COP #201200343-TS For the Town of Fairfield – Request For Additional Information – CT DEP Wetlands Habitat and Mosquito Management Program (WHAMM) Integrated Marsh Management (IMM) – Marsh Mosquito Control: The Commission acknowledged a March 1, 2012 letter from the CT DEEP requesting additional information relative to its application. Mr. Steinke advised the Commission that the Town will pursue grant funds for this project, which includes cleaning of drainage ditches, habitat improvements, and mosquito control activities. The State of Connecticut has experienced delays as it addresses issues which had occurred due to Tropical storm Irene.

V. NEW BUSINESS:

A. The Aquarion Environmental Champion Awards: Aquarion is sponsoring the Aquarion Environmental Champion Awards program, and is seeking nominations for environmental volunteers such as Conservation Commissions, non-profit organizations, individuals and businesses in the State for outstanding volunteer efforts to protect or restore Connecticut's natural resources. Nominations are due by May 1, 2012. Milan Bull encouraged Commissioners to give this some consideration for discussion at the next meeting and suggestions for nominations.

B. DEEP-OLISP Notice of Tentative Determination to Approve Application #2011060307-TS, of Scott and Jennifer Mallek to Retain and Replace A Garage, Install a Driveway, and Install a Stormwater Filtration System at 355 Pine Creek Avenue, Fairfield: Thomas Steinke provided the Commission with a brief description of the project noting that he did not anticipate any adverse affect on the marsh system, and was recommending endorsement. All activities are proposed to occur outside of the State tidal wetlands. Kathleen Maxham *moved*, and Elizabeth Jones *seconded* to have Staff forward comments recommending endorsement of the application. *Motion passed unanimously.*

VI. OTHER:

A. Southwest Conservation District Equine Agricultural Waste Management Workshop-Fairfield County Hunt Club, 174 Long Lots Road, Westport, CT: Informational.

B. Southwest Conservation District Newsletter, Soil and Water Spring 2012: Informational.

C. Conservation Department Web Site Statistics: Informational. Elizabeth Jones noted that there was a significant increase in hits to the Conservation/Open Space websites in January.

D. Open Space Trail Guides: Thomas Steinke noted that the Conservation Department still has approximately one dozen of the first printing of the open space trail guides available for sale; copies of the second printing have been received, and will be sold after the first edition has been exhausted. Mr. Steinke asked the Commission to consider having the open space trail guide posted on the department website. Kathleen Maxham and Frank Rice noted that they were in favor of having it available on the website. Edward Jones indicated that the sales have basically replenished the fund created for publication costs. It was the consensus of the Commission that Conservation Department Staff pursue having the open space trail guide posted on the Town of Fairfield website for public access.

VII. ADJOURNMENT:

There being no further business to come before the Commission, Kathleen Maxham moved and Elizabeth Jones seconded to adjourn at 8:03 p.m. Motion passed unanimously.

Respectfully submitted,
Betty Gabriel