

**CONSERVATION COMMISSION  
FAIRFIELD, CONNECTICUT  
CONSERVATION MEETING MINUTES  
October 17, 2013**

The Conservation Commission of the Town of Fairfield, held a Meeting on October 17, 2013 in MEETING ROOM II of the Sullivan Independence Hall, 725 Old Post Road, Fairfield, CT, at 7:30 p.m.

**MEMBERS PRESENT:** Kevin Gumper, Chairman; Kate Maxham, Vice Chair; Catherine O'Donnell, Secretary; Frank Rice, Richard Santalesa, Sam Boyarsky. **ALTERNATES:** Richard D'Amico, Felicia Watson. **ABSENT:** Elizabeth Jones. Also Present: Thomas Steinke, Conservation Director, Annette Jacobson, Conservation Administrator, Edward Jones, Open Space Manager/Wetlands Compliance Officer and members of the public.

**CALL TO ORDER:** The meeting was called to order at 7:32 by Kevin Gumper.

**APPOINTMENT OF ALTERNATES:** Richard D'Amico was appointed to sit as a full member.

**I. CONSERVATION**

**A. Bills and Communications**

1. Approval of Conservation Commission Meeting Minutes July 18, 2013. Kate Maxham *moved* and Catherine O'Donnell *seconded* to approve the minutes of July 18, 2013 after amending Kathleen Braun to Kathryn Braun and to change the footer from Shellfish to Conservation. *Motion passed unanimously.*
2. Approval of secretary's bills for July 18, 2013, (4.) August 1, 2013, (6.) September 12, 2013, and (8.) October 3, 2013. Sam Boyarsky *moved* and Frank Rice *seconded* to approve secretary's bill for July 18, 2013, August 1, 2013, September 12, 2013 and October 3, 2013. *Motion passed unanimously.*
3. Approval of Conservation Commission Special Meeting Minutes for August 1, 2013. Catherine O'Donnell *moved* and Sam Boyarsky *seconded* to approve Special Meeting Minutes of August 1, 2013. Mr. Gumper suggested an amendment to Page 3, the third paragraph, next to the last line regarding the water samples from the railroad drain are far cleaner than the water that comes from the other storm drains and exceeds the drinking water standards. After discussion, the tape will be checked and the *motion passed unanimously.*
5. Approval of Conservation Commission Special Meeting Minutes of September 12, 2013. Catherine O'Donnell *moved* and Kate Maxham *seconded* to approve Special Meeting Minutes of September 12, 2013. *Motion passed unanimously.*
7. Approval of Conservation Commission Special Meeting Minutes October 3, 2013.

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

Kate Maxham *moved* and Catherine O'Donnell *seconded* to approve Conservation Commission Special Meeting Minutes of October 3, 2013. *Motion passed unanimously.*

9. Thank you card from Joy Abrams to Conservation Crew was noted.

**II. OLD BUSINESS**

A. Harbor Management Commission - August 22, 2013 Letter to DEEP - Exide Lead Remediation in Mill River.

Mr. Steinke stated there was an update meeting with Exide. Detail plans are being prepared for the application to the DEEP for proposed repairs to the Tide Mill structure.

B. WHAMM mosquito control project in Turney, Ash, and Pine Creeks (status). Mr. Steinke indicated work is progressing on addressing the floatable debris field.

C. DEEP OLISP Notice of Tentative Determination to Approve Structures, Dredging & Fill Application No. 201206291-TS by the Town of Fairfield-South Benson Marina to Dredge the Access Channel in Ash Creek.

Mr. Steinke recommends approval of the project but with the condition to get a survey done following any change in the sand spit over time. Mr. Drake was present representing the DPW proposal.

Kate Maxham expressed concerns for protecting Great Marsh Island and the historic corduroy road in the marsh and having the data from this long term survey would provide for evaluation of the long term proposal and any long term effects.

Sam Boyarsky *moved* and Kate Maxham *seconded* a motion for a topographical survey of the barrier beach and Ash Creek channel system, before and after each dredging for the duration of the permit, in writing to the DEP as a condition of approval. *Motion passed unanimously.*

**III. NEW BUSINESS**

A. Trout Unlimited Nutmeg Chapter Invasive Species Control on Congress Street - Mill River Floodplain.

B. Request of Ms. Kelly Renna of Tomlinson Middle School to hold a Cross Country Meet on October 3, 2013 at Pine Creek Salt Marsh Open Space Area - Senior Trail.

Mr. Jones stated the September meeting was cancelled. They were given an agreement with the policy of the Commission. No further contact has been made.

C. Conservation Easement Violation, Ganjikunta & Kancharla, 44 Rosemere Avenue, Assessor’s Map 5 Parcel 045 Unauthorized excavation and piping of a watercourse within a Conservation Easement.

Mr. Jones stated the Commission was sitting as the Conservation Commission and has purview over the easement. Mr. Jones in a memo proposed alternatives if the Commission wished to approve the activities and use of the easement.

Kate Maxham *moved* and Sam Boyarsky *seconded* to allow the property owners to use the conservation easement as a backyard and the details can be worked out in the inland wetland permit as recommended by Ed Jones in his October 11, 2013 memo. *Motion passed unanimously.*

D. Brett Woods Open Space Area - Easterly North Street Entrance - Relocation of two-car Visitor Parking spaces from the Open Space to the Paved Cul-de-sac of North Street.

Kate Maxham *moved* and Catherine O’Donnell *seconded* a motion to table the matter until the Commissioners have viewed the location.

E. Black Rock Realty - Metro Center, Closure of the 10-acre Public Access and Conservation Easement Area pending Resolution of Maintenance Responsibility and Liability Issues.

Mr. Steinke recommends that the public not be allowed on-site until: 1) completion of all construction in the Easement area; 2) establishment of Open Space Rules & Regulations for the easement area; and 3) recognition of management responsibility by the property owner for the easement area.

After discussion regarding liability, vandalism, interpretations of whose responsibility various aspects may be, Catherine O’Donnell *moved* and Sam Boyarsky *seconded* to close the Easement Area at this time. Kevin Gumper, Kate Maxham, Catherine O’Donnell, Frank Rice, and Richard D’Amico voted In Favor. Richard Santalessa voted Nay. *Motion carries 6-1.*

**IV. INFORMATIONAL**

A. “The Habitat”, Summer 2013 Newsletter of the Connecticut Association of Conservation and Inland Wetland Commissions, Inc.

**V. OTHER**

**VI. ADJOURNMENT**

There being no further business, *motion* to adjourn was made at 8:39 p.m. by Kate Maxham and *seconded* by Catherine O’Donnell. *Motion passed unanimously.*

Respectfully,

Jacqueline Brown  
Recording Secretary

DRAFT