

**CONSERVATION COMMISSION  
FAIRFIELD, CONNECTICUT  
MINUTES OF INLAND WETLANDS AGENCY MEETING  
JULY 1, 2010**

The Conservation Commission, acting as the Inland Wetlands Agency of the Town of Fairfield held a meeting on July 1, 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; J. Paul DeMarrais; Landon Storrs and Kathleen Maxham. **ALTERNATES:** Elizabeth Jones; Philip DiGennaro, Jr., and Douglas Jones. **ABSENT:** Joan Neiley and Milan Bull, Vice Chairman. Also Present: Thomas Steinke, Conservation Director; Annette Jacobson, Conservation Administrator; Edward Jones, Open Space Manager; and members of the public.

**I. CALL TO ORDER**

The meeting was called to order at 7:35 p.m. by Chairman Lesser.

**II. APPOINTMENT OF ALTERNATES**

Elizabeth Jones and Douglas Jones were appointed to sit as full members.

**III. BILLS AND COMMUNICATIONS**

- A. Approval of Minutes of Meeting May 6, 2010: Kathleen Maxham *moved* and Elizabeth Jones *seconded* to approve the Minutes of Meeting May 6, 2010. Following discussion, in which it was determined that clarification was needed with regard to subparagraph I.A.1. of the May 6, 2010 minutes (SUPPLEMENTAL AGENDA portion), Landon Storrs *moved*, and J. Paul DeMarrais *seconded* to table the approval of the Minutes of Meeting May 6, 2010 to the August meeting. *Motion passed unanimously.* Following inquiry concerning which party was originally responsible for the costs associated with the remediation of the contaminated material at the Black Rock Realty, LLC/train station site (pursuant to the three-party agreement), Chairman Lesser indicated that the Town of Fairfield is currently responsible for these costs, and that clarification as to who was originally responsible for these costs could be obtained from First Selectman Kenneth Flatto. J. Paul DeMarrais noted his concern that there may not be sufficient funds available to cover the costs of remediation. Chairman Lesser indicated that information concerning costs could be obtained from the bid documents/responses, recently submitted to the Town Purchasing Department.
- B. Approval of Recording Secretary's Bill of May 6, 2010: Frank Rice *moved* and Kathleen Maxham *seconded* to approve the Recording Secretary's Bill of May 6, 2010. *Motion passed unanimously.*
- C. REGULATIONS COMMITTEE: Committee Chair Frank Rice indicated that it was originally thought that the Committee would meet on the second Thursday of each month. Mr. Rice indicated that he would like this item placed on a special meeting agenda for July 15, 2010 in order to establish greater understanding of the make-up of the Committee, as well as a meeting schedule. Mr. Rice further indicated that a public hearing will be conducted on any proposal for revisions to the Agency's regulations.

**DRAFT MINUTES SUBJECT TO REVIEW, CORRECTION AND APPROVAL BY  
THE INLAND WETLANDS AGENCY OF THE TOWN OF FAIRFIELD**

Landon Storrs left the meeting briefly; Philip DiGennaro, Jr. was appointed to sit as a full member in her absence.

#### IV. INLAND WETLANDS DELIBERATIVE SESSION

##### A. OLD BUSINESS

1. Appeal of Certificate of Wetlands Conformance, 2009-10-39, Town of Fairfield, 520 Hoydens Lane: Chairman Lesser reported that the RTM recently designated this land for Parks and Recreation, and that it had also appropriated the funding for the ball field at the site. Chairman Lesser further indicated that he had attended the meeting, and noted that Thomas Steinke had done a terrific job responding to the questions posed by the RTM members. Annette Jacobson indicated that the Agency may uphold, reject, or modify the Staff recommendation on the Certificate of Wetlands Conformance, and recommended that if rejected, an IWPA be required so that a public hearing could be conducted. Ms. Jacobson further indicated that a letter had been received by staff concerning the existence of rare/threatened bird species near the site, and that staff had been aware of this when drafting the recommendation. Following inquiry by Chairman Lesser, Ms. Jacobson indicated that the proximity of these species would not change staff's recommendation. The Commission discussed the detention basins proposed on the site, and Annette Jacobson clarified that the foundations are located on the northerly portion, and that the inland wetlands are contained in a conservation easement, in a wooded section located on the westerly portion of the adjacent property. Douglas Jones *moved*, and Elizabeth Jones *seconded* to sustain the staff approval of June 24, 2010 on this matter. *Motion passed unanimously.*
2. Referral of Proposal within 500' of Fairfield, as required by statute. Applicant of New England Prayer Center to Town of Easton, 18 & 22 South Park Avenue, Easton, CT: Proposal to construct prayer center, storm water management, subsurface sewage disposal, parking and utilities. Annette Jacobson indicated that staff comments included concern that the stormwater detention set forth in the plans did not meet the 10 yr/2yr standards, concern with regard to the proposed septic system, the fuel tank located near the barn on the site, and the proposed asphalt parking area. Ms. Jacobson indicated that staff's recommendations included utilizing porous pavement instead of asphalt, which was what the Agency had required in the Black Rock Congregational approval. The Commission discussed its concern for protection of the water quality in the Mill River, as this proposal, although located in Easton, is actually on the Town's border, and will likely have more impact on Fairfield than Easton. Annette Jacobson indicated that any detention would help to improve water quality. Following discussion, Douglas Jones *moved*, and Elizabeth Jones *seconded* to forward comments based on the Staff's memo of June 23, 2010 to the Town of Easton Inland Wetland Agency. *Motion passed unanimously.* J. Paul DeMarrais noted that it should be suggested to the Easton Inland Wetland Agency that it impose conditions to meet the same water quality standards as the Town of Fairfield. Agency members may attend the upcoming public hearing on this application; Staff will advise the Inland Wetland Agency members of the date, location and time of the Easton Inland Wetland Agency public hearing on this matter.

3. Request For Release of Performance Bond:

Kathleen Maxham *moved*, and Elizabeth Jones *seconded* to approve the following requests for a release of performance bond as recommended by Staff:

- a. IWP 2006-07-19, Fairfield Country Day School, Bronson Road, ballfields and drainage. Request of Walter Stapleton for final release of the east side performance bond in the amount of \$38,700.00, and the west side performance bond in the amount of \$18,500.00

Staff recommends partial release of \$37,000 for the east side performance bond, and partial release of \$17,500.00 for the west side performance bond due to partial satisfactory completion of permit requirements. In response to inquiry by Chairman Lesser, Annette Jacobson indicated that Staff is recommending that a balance of \$1,000.00 on each of these two bonds be retained until it receives an IPM report which is currently being finalized by the applicant.

- b. IWP 2007-08-09, Kreidler, 504 Sasco Hill Road, new house. Request of Paul Tallman for final release of \$14,000.00.

*Motion passed unanimously.*

4. Request For Permit Time Extension:

- a. IWP 2004-11, Town of Fairfield, H. Smith Richardson Golf Course, 2425 Morehouse Highway and Hoydenø Lane, Assessorø Map 67, Parcel; Fill wetlands and modify drainage within a regulate area. Request of Gerald Lombardo for the maximum (5 yr) extension (however this was modified to a 3-yr extension ó now modification to request elimination of condition). Annette Jacobson advised the Agency that the parties are continuing to review and discuss this matter. Elizabeth Jones *moved*, and Douglas Jones *seconded* to table this matter. *Motion passed unanimously.*

5. Monthly Wetland Business Update For The Agency: Informational.

**V. STATUS OF APPLICATION PREVIOUSLY FILED:**

1. MAP AMENDMENT 2009-10-01, Banks, 698 Merwins Lane; Assessorø Map 221, Parcel 44 ó Request to Revise The Official Inland Wetlands And Watercourses Maps: I-11: Awaiting public hearing August 5, 2010.

**VI. OTHER**

**VII. ADJOURNMENT:**

There being no further business to come before the Agency, Douglas Jones *moved* and Kathleen Maxham *seconded* to adjourn the meeting at 8:07 p.m. *Motion passed unanimously*

Respectfully submitted,  
Betty Gabriel