

**CONSERVATION COMMISSION
FAIRFIELD, CONNECTICUT
MINUTES OF INLAND WETLAND AGENCY MEETING
FEBRUARY 3, 2011**

The Conservation Commission, acting as the Inland Wetland Agency of the Town of Fairfield held a Meeting on February 3, 2011, in the All Purpose Room of Osborn Hill School, 760 Stillson Road, Fairfield, CT.

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

- I. CALL TO ORDER: The meeting was called to order at 7:31 p.m. by Chairman Lesser.
- II. APPOINTMENT OF ALTERNATES: Douglas Jones was appointed to sit as a full member.
- III. BILLS AND COMMUNICATIONS:
 - A. Approval of Minutes of Meeting January 6, 2011: Kathleen Maxham *moved* and Douglas Jones *seconded* to approve the meeting minutes of January 6, 2011. *Motion passed unanimously.*
 - B. Approval of Recording Secretary's Bill of January 6, 2011: Kathleen Maxham *moved* and Kevin Gumpper *seconded* to approve the recording secretary's bill of January 6, 2011. *Motion passed unanimously.*
 - C. REGULATIONS COMMITTEE: The December meeting of the Regulations Committee was canceled due to the agenda not being posted on the Town's webpage. Frank Rice reported that there have been some issues with regard to e-mailing the agenda; Mr. Rice will hand deliver the meeting agenda to the Town Clerk's office to avoid problems in the future.
- IV. INLAND WETLANDS-LEGAL/ENFORCEMENT ACTION:
 1. Bateson, et al. v. Weddle (Quo Warranto). Stanton Lesser indicated that briefs have been filed with the Supreme Court in this matter.
- V. INLAND WETLANDS DELIBERATIVE SESSION:
 - A. OLD BUSINESS
 1. Council on Environmental Quality 2011 Legislative Recommendations: Informational.

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VI. PUBLIC HEARING:

1. IWPA 2010-11-06, Piekarski & Cocco, Tuller Road and Little Brook Road, Assessor's Map 46, Parcels 26, 27 and 27A – Subdivision Construction Grading and Drainage Within A Regulated Area: The public hearing was opened at 7:34 p.m. Frank Rice read the call of the public hearing. Following a request by Attorney William Fitzpatrick for a continuance of the public hearing, at 7:37 p.m., Kevin Gumper moved and Kathleen Maxham seconded to continue the public hearing to March 3, 2011. Motion passed unanimously. The public hearing was recorded on tape and is available for review at the Conservation Department.

V. INLAND WETLANDS DELIBERATIVE SESSION:

A. OLD BUSINESS

2. Board of Finance FY 2011-2012 Budget Review: It was noted that the Board of Finance budget review is scheduled for Monday, March 15, 2011. Thomas Steinke indicated that the Board of Finance will be following the revised format it had previously adopted in which no presentations will be given.
3. IWPA 2010-11-05, Town of Fairfield, 2425 Morehouse Highway (H. Smith Richardson Golf Course); Assessor's Map 67, Parcel 5 – Dredge ponds and drainage alterations within a regulated area. Annette Jacobson provided the Agency with a description of the proposed activities, noting that the proposal involves replacing detention of basin C and expansion of the ponds at the 18th hole and 3rd hole, with new water control structures at each of the ponds will control water flow. The expansion of the ponds and new water control structures is proposed to improve the erosion conditions occurring at Grace Richardson Open Space area. In addition, the applicant will conduct drainage work at the 10th and 18th fairways to improve course conditions. Annette Jacobson indicated that the applicant is in agreement with the conditions recommended by Staff, including the condition that the work on the ponds for improved conditions at Grace Richardson Open Space area must be completed prior to the drainage work proposed at the 10th and 18th fairways. Gerald Lombardo advised the Agency that he is in agreement with the conditions as recommended by Staff, and is appreciative of Conservation Staff efforts in this matter. Following discussion, Douglas Jones moved and Kevin Gumper seconded to approve the Staff Recommended Findings of Fact. Motion passed unanimously. Douglas Jones moved and Kevin Gumper seconded to approve the staff recommended standard and specific conditions of approval. Motion passed unanimously. Kevin Gumper moved and Kathleen Maxham seconded to approve the application. Motion passed unanimously. A copy of the letter conveying the decision of the Agency is attached hereto as Exhibit A.

B. NEW BUSINESS

1. IWP 2003-08, Black Rock Realty, LLC – Status Report/Update by Redniss and Mead Consultant on 3rd Train Station. Attorney Richard Saxl advised the Agency that although the project is moving along fairly quickly at this point, it will not be done by the time the inland wetland permit expires, March 1st, and that the applicant is seeking an extension of that permit. The work is expected to be completed in the October.
2. Requests for Permit Time Extension:
 - (a) IWP 2004-11, Town of Fairfield, H. Smith Richardson Golf Course, 2425 Morehouse Highway and Hoyden's Lane; Assessor's Map 67, Parcel 5: Fill wetlands and modify drainage within a regulated area. Request of Gerald Lombardo for the maximum (5-year) extension (however, this was modified to a three-year extension – now modification to request elimination of condition). Annette Jacobson advised the Agency that Staff is recommending approval of the extension of this permit, with the added conditions for the completion of the gully and plunge pool work and on-site detention equivalent to the detention in basin C, in accordance with the condition/detention imposed for IWPA 2010-11-05. Kevin Gumper *moved* and Kathleen Maxham *seconded* to approve the permit time extension with conditions, as recommended by Staff. *Stanton Lesser restated the motion as follows: to approve the request for a permit time extension, with conditions, including completion of the gully/plunge pool work and on-site detention equivalent to detention basin C as proposed in IWPA 2010-11-05. Vote on Motion: Motion passed unanimously.*
 - (b) IWP 2003-08, Black Rock Realty, LLC and Town of Fairfield, Black Rock Turnpike, original Assessor's Map 80, Parcels 4A and 4B – now Assessor's Map 80, Parcels 4A, B, C, D, E, and F. Proposed 3rd Train Station and Office Buildings, Hotel, Parking Garage, Etc. Request of John Fallon, Esq. for a five-year time extension: Attorney Richard Saxl and Attorney John Fallon were present this evening on behalf of the applicant(s). As noted in item B. 1 above, Attorney Richard Saxl advised the Agency that the project is not expected to be completed prior to the expiration of the inland wetland permit (March 1, 2011), and that the Applicant is seeking a five-year extension. Kevin Gumper *moved* and Douglas Jones *seconded* to approve the request for a five-year extension of IWP 2003-08. *Motion passed unanimously.*
3. Monthly Wetland Business Update For The Agency: Informational.

There being no further business to come before the Commission, Douglas Jones *moved* and Kathleen Maxham *seconded* to adjourn at 7:45 p.m. *Motion passed unanimously.*

Respectfully submitted,
Betty Gabriel

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