

**CONSERVATION COMMISSION  
FAIRFIELD, CONNECTICUT  
MINUTES OF INLAND WETLAND AGENCY MEETING  
OCTOBER 6, 2011**

The Conservation Commission, acting as the Inland Wetland Agency of the Town of Fairfield held a Meeting on October 6, 2011, in the all Purpose Room of the Osborne Hill School, 760 Stillson Road, Fairfield, CT.

**MEMBERS PRESENT:** Stanton Lesser, Chairman; Milan Bull, Vice Chairman; Frank Rice, Secretary; Joan Neiley; Kevin Gumper and Kathleen Maxham. **ALTERNATES:** Elizabeth Jones, Douglas Jones and Philip DiGennaro, Jr. Also Present: Thomas J. Steinke, Conservation Director; Annette Jacobson, Conservation Administrator; Edward Jones, Wetlands Compliance Officer/Open Space Manager; 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: Elizabeth Jones and Douglas Jones were appointed to sit as full members.
- III. BILLS AND COMMUNICATIONS
  - A. Approval of Minutes of Meeting September 1, 2011: Elizabeth Jones *moved*, and Kevin Gumper *seconded* to approve the September 1, 2011 meeting minutes. *Motion passed unanimously.*
  - B. Approval of Recording Secretary's Bill of August 4, 2011: Kathleen Maxham *moved*, and Elizabeth Jones *seconded* to approve the recording secretary's bill of September 1, 2011. *Motion passed unanimously.*
  - C. Regulations Committee – Frank Rice, Chairman: Regulations Committee meetings currently suspended.
- IV. INLAND WETLANDS – DELIBERATIVE SESSION
  - A. NEW BUSINESS
    1. 2011 Legislation and Regulations Advisory – Public Act 11-5 and Public Act 11-184: Informational.
    2. 2011 Municipal Inland Wetland Commissioners Training Program: Segment 3 Soils: Also, Listing of Commissioners DEP status: Informational.
    3. IWP 2003-08, Black Rock Realty, LLC – Status Report/ update by Redniss and Mead Consultant on 3<sup>rd</sup> Train Station: A representative from Redniss and Mead was not present this evening to provide status report/update on this matter.

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

4. Request For Release of Performance bond(s):

Milan Bull *moved*, and Frank Rice *seconded* to approve the following requests for release of performance bond as recommended by Staff:

a. IWPA 99-9, Laurelbrook 1 Associates, LLC, 280 Stonewall Lane, Request of Walt Stapleton for release of \$5,700.00 for Lot 2;

b. IWP 2010-11-02, Panigutti, 320 Pansy Road, Request of Walt Stapleton for release of \$6,900.00.

*Motion passed unanimously.*

V. PUBLIC HEARINGS:

Joan Neiley arrived at 7:34 p.m. during the following matter; Douglas Jones continued to sit as a full member, and Elizabeth Jones sat as an Alternate Member for the remainder of the evening.

1. MAP AMENDMENT 2011-12-01, O'Neill, 317 Edward Street, Assessor's Map 138, Parcel 231 - Request to revise the official Inland Wetland and Watercourses Maps: D-18 to deregulate parcel.

The public hearing regarding Map Amendment 2011-12-01 was opened at 7:33 p.m. Frank Rice read the call of the public hearings to be conducted this evening. At 7:44 p.m. Kevin Gumpper *moved*, and Joan Neiley *seconded* to close the public hearing on this matter. *Motion passed unanimously.* Following the close of the public hearing, the Agency deliberated on the matter as follows:

Kevin Gumpper *moved*, and Kathleen Maxham *seconded* to accept the September 26, 2011 Staff recommended findings of Fact A through E, inclusive. *Motion passed unanimously.*

Kathleen Maxham *moved*, and Joan Neiley *seconded* to adopt the September 26, 2011 Staff recommended specific conditions of approval. *Motion passed unanimously.*

Kevin Gumpper *moved*, and Douglas Jones *seconded* to approve Map Amendment 2011-12-01. *Motion passed unanimously.*

The public hearing was recorded and is available for review at the Fairfield Conservation Department, 725 Old Post Road, Fairfield, CT.

2. IWPA 2011-12-02, Suarez, Hubbell Lane, north side (just east of #130)  
Assessor's Map 173, Parcel 26  
Construct New Dwelling and septic system within a regulated area.

The public hearing was opened at 7:45 p.m. The call of the hearing was read by Frank Rice (see item 1 above). Chairman Lesser announced that letters had been submitted by James and Susan Kallstrom (neighbors to the Hubbell Lane property), and by William Fitzpatrick, counsel for the applicant, each requesting a continuance of the public hearing in this matter. Milan Bull *moved*, and Douglas Jones *seconded* to continue this matter to November 3, 2011. *Motion passed unanimously*. At 7:46 p.m. Douglas Jones *moved*, and Kathleen Maxham *seconded* to temporarily close/suspend the public hearing for this evening. *Motion passed unanimously*.

The public hearing was recorded and is available for review at the Fairfield Conservation Department, 725 Old Post Road, Fairfield, CT.

#### VI. OTHER:

1. Chairman Lesser acknowledged Selectman Sherri Steeneck in the audience, and suggested that she request that a new public address system and microphones be purchased for the Osborn Hill School so that the public can be better served.

#### SUPPLEMENTAL AGENDA

- III. NEW APPLICATION - Formal acceptance and start of 65 day legal time frame, determination of application significance, fee, and scheduling of public hearing, if necessary, and/or decision on the application.

1. IWPA 2011-12-04, St. Vincent's Medical Center, 5545 Park Ave;  
Assessor's Map 14 Parcel 2  
Demolish House and Construct New Medical Building, Grading and Drainage within a regulated area.

Annette Jacobson noted that the Agency has reviewed and approved development proposals for this site previously, with two separate designs for the construction of a medical building at this location. It was noted that the current applicant was seeking a fee waiver relative to this matter. Attorney John Fallon was also present on behalf of the applicant, and noted that there are currently two conditional approvals recorded on the land records. Mr. Fallon noted that his client is seeking to conduct the activities approved in the "first approval". Chairman Lesser advised the Agency that Staff had contacted him relative to the fee waiver request and he had approved the submittal of the application by Mr. Fallon without the

initial required fees. If upon its review of the matter, the Agency does not approve a fee waiver then the applicant will pay the required fees. Milan Bull *moved*, and Douglas Jones *seconded* to table the request of the applicant for a fee waiver. *Motion passed unanimously.* Kevin Gumpper *moved*, and Joan Neiley *seconded* to formally accept the application, and to find the matter non-significant, with no public hearing scheduled unless a petition is received. *Motion passed unanimously.*

IX. ADJOURNMENT: There being no further business to come before the Commission, Milan Bull *moved* and Douglas Jones *seconded* to adjourn at 7:54 p.m. *Motion passed unanimously.*

Respectfully submitted,  
Betty Gabriel