

**CONSERVATION COMMISSION
FAIRFIELD, CONNECTICUT
MINUTES OF INLAND WETLAND AGENCY MEETING
August 2, 2012**

The Conservation Commission, acting as the Inland Wetland Agency of the Town of Fairfield held a Meeting on August 2, 2012 in Meeting Room II of the Honorable John J. Sullivan Independence Hall, 725 Old Post Road, Fairfield, CT.

MEMBERS PRESENT: Kevin Gumpper, Chairman; Milan Bull, Vice Chairman; Catherine O'Donnell, Secretary; Frank Rice; Elizabeth Jones; and Kathleen Maxham. *Note - One full member vacancy.* **ALTERNATES:** Letitia Ferguson. *Note – two alternate vacancies.* Also Present: Thomas Steinke, Conservation Director; Annette Jacobson, Conservation Administrator; Edward Jones, Wetlands Compliance Officer/Open Space Manager; and members of the public and press.

Note: the items listed on the meeting agenda for this evening were taken out of order; the item numbering below follows the corresponding position on the actual meeting agenda.

- I. **CALL TO ORDER:** The meeting was called to order at 7:30 p.m. by Chairman Gumpper.

- II. **APPOINTMENT OF ALTERNATES:** Letitia Ferguson arrived at 7:31 p.m. and was appointed to sit as a full member.

- III. **BILLS AND COMMUNICATIONS**
 - A. Approval of Minutes of Meeting May 17, 2012: Milan Bull *moved*, and Elizabeth Jones *seconded* to approve the May 17, 2012 meeting minutes, *Motion passed unanimously.*

 - B. Approval of Recording Secretary's Bill of May 17, 2012: Kathleen Maxham *moved*, and Frank Rice *seconded* to approve the recording secretary's bill of May 17, 2012. *Motion passed unanimously.*

 - C. DEEP INLAND WETLAND COMMISSIONER TRAINING – Segments 1 & 2 Update. Commissioner Gumpper and Commissioner O'Donnell have completed Segments 1 & 2. Commissioner Gumpper found Segment 2 legal updates useful. Commissioner Jones stated that she has completed all segments and is certified. Commissioner Ferguson asked questions regarding completion of the training and Annette Jacobson explained that the three segments must be completed in one calendar year to receive certification.

 - D. Regulations Committee – Update – Commissioner Rice stated he would like a special meeting in the future. Keep off regular agenda for now. Commissioner Maxham is getting a computer program to compare versions of the regulations.

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

IV. INLAND WETLANDS – LEGAL/ENFORCEMENT ACTION

1. IWP 2006-07-05, Sweeny, South Pine Creek Road, between #985 and #1001, Bochanis v. Sweeny, et al. Discussion of no absolute right to appeal to Appellate court. They must certify it.

V. INLAND WETLANDS DELIBERATIVE SESSION

A. NEW BUSINESS

1. PUBLIC ACT 12-151 – Wetlands permit duration increased up to ten (10) years for certain proposals requiring P&Z review. Annette Jacobson stated it related to subdivisions, affordable housing, etc.
2. Referral of proposal within 500' of Fairfield as required by statute Applicant-RDR 5520 LLC.5456 Park Avenue, City of Bridgeport, (and 5520 Park Ave, Town of Trumbull). Proposal to construct a 5-level 571 parking space garage in Bridgeport. Annette Jacobson stated the Bridgeport Public Hearing is August 27, 2012 and recommends sending comments to Town of Bridgeport. Consensus that Annette Jacobson send comments to Bridgeport.
3. IWP 2003-08, Black Rock Realty, LLC – Status Report/Update by Redniss and Mead Consultant on 3rd Train Station: Chairman Gumper noted that a Public Hearings is scheduled on August 16, 2012 for a proposal to change to residential (apartment building). They will decide if that needs modification or new Inland Wetlands Permit. Also, temporary encroachment into Conservation, Open Space, and Public Access easement area so the hearing will be held jointly with the Conservation Commission. Craig Flaherty to act as staff, Conservation Staff act as clerical function.
4. Request for Release of Performance Bond:
 - a. IWP 93-22, Toll Brother's Inc., Acorn Lane, Subdivision construction within a regulated area. Request of John Fallon, Esq., for final release of 3 in-common bonds: comprising 2 cash bonds of \$28,865, and \$41,520.75 totaling \$70,385.75 and 1 Surety bond of \$34,000.

Milan Bull *moved*, and Elizabeth Jones *seconded* to release these performance bonds.

Motion passed unanimously.

- b. IWP 2008-09-07, Pine Ridge Homeowners Association, 930-994 South Pine Creek Road, Detentions basin within a regulated area. Request of Andrew McElroy for final release of \$6000.

Milan Bull *moved*, and Elizabeth Jones *seconded* to release performance bond.

Motion passed unanimously

VI. NEW APPLICATIONS

1. IWPA 2012-13-01, Marcinowski, 446 Struges Road, Assessor's Map 179, Parcel 308-Demolish existing House and construct new house within a regulated area. Milan Bull *moved*, and Elizabeth Jones *seconded* to table pending legal notice and departmental review. *Motion passed unanimously*.
2. IWPA 2012-13-02, Auriemma, 1263 Bronson Road, Assessor's Map 177, Parcel 194 – Construct new house within a regulated area. Elizabeth Jones *moved*, and Cathy O'Donnell *seconded* to table pending legal notice and departmental review. *Motion passed unanimously*.

VII. OTHER

1. The Habitat – A newsletter of the CT Association of Conservation & Inland Wetland Commission – Summer 2012. Milan Bull stated that the first article in the newsletter written by Min Huang was a good.

VIII. ADJOURNMENT: There being no further business to come before the commission, Milan Bull *moved* and Elizabeth Jones *seconded* to adjourn at 7:52 p.m. *Motion passed unanimously*.

Respectfully,

Cortney Baranyai