

**CONSERVATION COMMISSION  
FAIRFIELD, CONNECTICUT  
INLAND WETLANDS MEETING AGENDA**

Thursday, OCTOBER 3, 2013

**7:30 P.M.**

**MEETING ROOM II**

**SULLIVAN INDEPENDENCE HALL  
725 OLD POST ROAD**

**PLEASE NOTE TIME AND LOCATION**

Kevin Gumper, Chairman (FM)	Kate Maxham, Vice Chair (FM)	Catherine O'Donnell, Secretary (FM)
Frank Rice (FM)	Elizabeth Jones (FM)	Richard Santalesa (FM)
Sam Boyarsky (FM)	Felicia B. Watson (A)	Richard D'Amico (A)
Vacant (A)	FM = Full Member	A = Alternate Member

- |   |                 |
|---|-----------------|
| <b>I. CALL TO ORDER</b>                                     | <b>DECISION</b> |
| <b>II. APPOINTMENT OF ALTERNATES, if necessary.</b>         |                 |
| <b>III. BILLS AND COMMUNICATIONS</b>                        |                 |
| <b>A. Approval of Minutes of meeting September 12, 2013</b> | _____           |
| <b>B. Approval of recording secretary's bill of 9/12/13</b> | _____           |
| <b>C. REGULATIONS REVISIONS---Under Review.</b>             |                 |

***PLEASE NOTE!***

***This agenda does not reflect items received after the date the agenda was compiled. Please check with the Conservation Department for additional items which might have been added to a supplemental agenda after the mailing date.***

*NOTE: All members of the Inland Wetlands Agency are requested to notify the Conservation Department (256-3071) if they are unable to be present. A quorum is necessary to transact business, and your call will be appreciated.*

**IV. INLAND WETLANDS-LEGAL/ENFORCEMENT ACTION**

**1. CONTINUED FROM SEPTEMBER 12, 2013**

**Cease and Desist Show Cause Violation Hearing, Ganjikunta & Kancharla, 44 Rosemere Avenue, Assessor's Map 5 Parcel 045 Filling wetland soil and Piping watercourse without benefit of a Wetland Permit and within a Conservation Easement**

**Staff recommends that the Agency hold the violation in abeyance for up to 6 months while homeowners pursue an IWPA and Conservation Easement resolution.** \_\_\_\_\_

**V. INLAND WETLANDS DELIBERATIVE SESSION**

**A. OLD BUSINESS**

- 1. Declaratory Ruling Request by John Fallon, Esq. regarding 464 Pine Creek Avenue, Loper, Assessor's Map 234 Parcel 247D. Request to make a finding of no inland wetland and watercourse jurisdiction over activity due to no inland wetland regulated areas. See Attachments from September 12 Agenda.**

**Staff recommends Map Amendment Procedure and Articulation of Findings** \_\_\_\_\_

- 1. IWPA 2013-14-02, Rice, 3 Hickory Lane Assessor's Map 152 Parcel 24A Construct new Dwelling and septic system within a regulated area. Application received September 12, 2013 Last day for public hearing or decision is November 16, 2013. Last regular meeting prior is November 7, 2013.**

**Staff recommends Approval with Conditions** \_\_\_\_\_

- 3. IWPA 2013-14-04, Love Where You Live Homes, 310 Penfield Road Assessor's Map 139 Parcel 198 Demolish existing House and Rebuild Elevated House within a regulated area. Application received September 12, 2013 Last day for public hearing or decision is November 16, 2013. Last regular meeting prior is November 7, 2013.**

**Staff recommends tabling pending departmental review.** \_\_\_\_\_

**B. NEW BUSINESS**

1. **Connecticut DEEP’s Training for Municipal Inland Wetland Agencies—  
See Attached. Note: Change in Training Program Operations**
2. **Request for Release of Performance Bond:**

**Staff recommends approval, by general consent, of the following performance bond releases due to satisfactory completion or partial completion of permit requirements:**

- a. **IWP 2001-12, M & M Land Development, Southport Ridge Road & Kings Highway West, Subdivision construction within a regulated area. Request of Thomas E. DellaBitta of MTM Classic Home Builders Ltd. for final individual lot bond releases for lots 2, and 8.**

Staff recommends final releases of Lot 2 \$2,145 \_\_\_\_\_  
 Lot 8 \$2,145 \_\_\_\_\_

3. **Monthly wetland business update for the Agency. See Attached.**

**VI. NEW APPLICATIONS - 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 2013-14-05, Cavaliere, 220 Wellington Drive  
Assessor’s Map 251 Parcel 36E  
Construct House, Pool, Pool House & subsurface sewage disposal system within a regulated area.  
As per PA 96-157 the Agency shall not hold a public hearing unless the proposal may have a significant impact on wetlands or a watercourse, or a proper petition is received, or a public hearing is in the public interest.  
Application type per staff: Significant or Non-significant \_\_\_\_\_  
Public Hearing petition received: Yes or No as of 9-26-13 \_\_\_\_\_  
Petition period ends 10-17-13 \_\_\_\_\_  
Is a public hearing in the public interest? \_\_\_\_\_  
Last day for public hearing or decision is December 7, 2013. \_\_\_\_\_  
Last regular meeting prior is December 5, 2013.**

**Staff recommends tabling pending legal notice and departmental review.** \_\_\_\_\_

**2. IWPA 2013-14-06, Melish & McNab, 1536 Redding Road**

**Assessor's Map 171 Parcel 47**

**Pond Dredging within a regulated area.**

**As per PA 96-157 the Agency shall not hold a public hearing unless the proposal may have a significant impact on wetlands or a watercourse, or a proper petition is received, or a public hearing is in the public interest.**

**Application type per staff: Significant or Non-significant**

**Public Hearing petition received: Yes or No as of 9-26-13**

**Petition period ends 10-17-13**

**Is a public hearing in the public interest?**

**Last day for public hearing or decision is December 7, 2013.**

**Last regular meeting prior is December 5, 2013.**

**Staff recommends tabling pending legal notice and departmental review.**

**VII. STATUS OF APPLICATIONS PREVIOUSLY FILED**

**IWPA 2013-14-03, Gorelick, 3250 North Street**

**Assessor's Map 215 Parcel 11A**

**Construct new Dwelling and septic system within a regulated area.  
--awaiting Public Hearing November 7, 2013**

**VIII. PUBLIC HEARING—**

**1. CONTINUED FROM SEPTEMBER 12, 2013**

**IWP 2003-08, Black Rock Realty, LLC and Town of Fairfield**

**Formerly 21 Black Rock Turnpike, Kenard Street to Ash Creek**

**Assessor's Map 80 Parcel 4A**

**Request of John Fallon, Esq. to determine whether proposed plan revisions to change a Retail Pavilion to a 197-unit Apartment Building is consistent with the existing wetland permit, or whether such change requires a permit modification and/or new permit. See Attached.**

**APPLICANT REQUESTS CONTINUANCE TO NOVEMBER 7<sup>TH</sup>**

**IX. OTHER**

**X. ADJOURNMENT**