

**CONSERVATION COMMISSION  
FAIRFIELD, CONNECTICUT  
MINUTES OF  
INLAND WETLAND AGENCY MEETING  
February 7, 2013**

The Conservation Commission, acting as the Inland Wetland Agency of the Town of Fairfield, held a Meeting on February 7, 2013 in MEETING ROOM II of Independence Hall, 725 Old Post Road, Fairfield, CT.

**MEMBERS PRESENT:** Kevin Gumper, Chairman; Kathleen Maxham, Vice Chair; Catherine O'Donnell, Secretary, Frank Rice. **ALTERNATES:** Felicia Watson; Sam Boyarsky. **ABSENT:** Elizabeth Jones; Richard Santalesa; and Letitia Ferguson. Also Present: Annette Jacobson, Conservation Administrator; Edward Jones, Wetlands Compliance Officer/Open Space Manager; Noel Newman, Assistant Town Attorney; and members of the public and press.

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

II. **APPOINTMENT OF ALTERNATES:** Sam Boyarsky and Felicia Watson were appointed to sit as full members.

**III. BILLS AND COMMUNICATIONS**

A. Approval of Minutes of Meeting January 3, 2013: Catherine O'Donnell *moved*, and Kathleen Maxham *seconded* to approve the January 3, 2013 meeting minutes, *Motion passed unanimously.*

**IV. LEGAL/ENFORCEMENT ACTION**

1. Wetland & Watercourse Violation at 1157 Congress Street, Originally Klanchich in 1983, now Bragg & Larkin. Asst. Town Attorney Noel Newman Filled-in the Agency on the history and current status of the matter. Ed Jones indicated that very recently, more communications have taken place with staff to address the violation. No action by the Agency is needed tonight, but we wanted to keep the Agency informed that if staff & the violator do come to an agreement, it will require action by the Agency in the future. It was the consensus to bring this matter back for Agency review in two months, if action is not needed sooner.
2. Wetland & Watercourse Violation at 1159 Redding Road, Red 11 LLC (aka DiNardo) Asst. Town Attorney Noel Newman is present to address this matter. At 7:51pm, Kathleen Maxham *moved*, and Catherine O'Donnell *seconded* to go into closed session with Asst. Town Counsel and staff to discuss the status of this matter. *Motion passed unanimously.* At 8:02pm Kathleen Maxham *moved*, and Catherine O'Donnell *seconded* to go out of closed session. Chairman Gumper indicated no motion other than to exit the meeting, was taken.

**V. DELIBERATIVE SESSION**

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

1. CWC 2011-12-69, Cerreta, 477 Lalley Boulevard, New House construction within a regulated area. Correspondence from David Quattrella, Esq. The Agency discussed disturbance within the 50' regulated area that staff has no authority to allow under the CWC process for a new structure. The Agency discussed options to resolve the disturbance such as violation processing, restoration, a new IWPA, IWPA under Emergency provisions, etc. After deliberation, Felicia Watson *moved*, and Catherine O'Donnell *seconded* to accept the applicant's restoration plan for the disturbed area in full resolution of the purported violation. *Motion passed unanimously.*
2. The Monthly wetland business update for the Agency for January was noted.

## VI. NEW APPLICATION

1. IWPA 2012-13-04, Rotando, 5060 Congress Street  
Assessor's Map 167 Parcel 3  
Subdivision Construction within a regulated area. Kathleen Maxham *moved*, and Sam Boyarsky *seconded* to find the application non-significant and to table the application pending legal notice and departmental review. *Motion passed unanimously.*

## VII. OTHER

1. Article: Tale of the Saw Mill—A buried river comes to light by David C. Richardson, STORMWATER, The Journal for Surface Water Quality Professionals, January/February 2013. The Agency found this article interesting.

## SUPPLEMENTAL AGENDA

1. CWC 2005-098, Munson Builders, Inc., Kings Highway West, Subdivision construction within a regulated area. Request of Cal Munson for the assignment of the bonds. Chairman Gumpfer indicated these types of assignments are straight forward and in this case the proposed language didn't even need to be changed. Sam Boyarsky *moved*, and Felicia Watson *seconded* to approve the assignment of the bond as presented (no language change needed). *Motion passed unanimously.*

ADJOURNMENT: There being no further business to come before the Commission, Catherine O'Donnell *moved*, and Kate Maxham *seconded* to adjourn at 8:21 p.m. *Motion passed unanimously.*

Respectfully,

Annette Jacobson  
Conservation Administrator

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