

CERTIFIED MAIL RETURN RECEIPT REQUESTED

March 7, 2019

Darien Athletic Foundation
c/o Jennifer Montanaro
1025 Post Road Suite 200
Darien, CT 06820

Dear Ms. Montanaro:

The Environmental Protection Commission voted on the following application at their March 6, 2019 meeting:

**CONDITIONAL APPROVAL
PERMIT TO CONDUCT A REGULATED ACTIVITY
EPC APPLICATION #4-2019
EFFECTIVE DATE: March 6, 2019
EXPIRATION DATE: March 5, 2024**

Applicant: Darien Athletic Foundation

Location of Proposed Activity: 80 High School Lane

Shown on: Assessor's Map #9 as Lot #80 & 81

Proposed Activity: Cross Country gravel running track

Approved Plans: Darien High School Cross Country Track: "General Notes Legend and Abbreviations" (sheet C010); "Schematic Plan" (sheet C100); "Soil Erosion and Sediment Erosion Control Plan" (sheet C300); "Soil Erosion and Sediment Control Notes Narrative & Details" (C301); "Details-1" (sheet C400); "Details-2" (sheet C401) by Tighe & Bond and dated 1/31/19.

The Environmental Protection Commission ("the Commission") has considered the application with due regard to the matters enumerated in Section 22a-41 of the Connecticut General Statutes

as amended and in accordance with Section 10 of the Inland Wetlands and Watercourses Regulations of the Town of Darien, and has found that an approval is in conformance with the purposes and provisions of said sections.

This authorization refers to the application to conduct regulated activities within and adjacent to inland wetlands within the Town of Darien. The Commission has conducted its review and findings on the bases that:

In evaluating this application, the Commission has relied on plans, specifications, representations, and information provided by the Applicants. In the event any such plans, specifications, representations, and information subsequently proves to be false, deceptive, incomplete, and/or inaccurate, or in the event any such plans, specifications, or representations, are materially modified, after interested parties have had an opportunity to be heard at a duly noticed public hearing, this permit may be modified, suspended or revoked by the Commission.

The Environmental Protection Commission determined that the proposed activity will not have a significant impact on wetlands or watercourses and that a public hearing will not be required.

I. Project Description

The project consists of the construction of a five foot wide cross country running path comprised of crushed stone in an upland review area and wetland. The portion of the track on the High School property within the wetland is 875 square feet. The portion in the upland review area is 14,141 square feet. The track will connect to a proposed section of path on the adjacent Diller property which is the subject of a separate wetland permit application. The proposed track will have minimal impact on the wetland and will not impact the wetland functions and values identified by the Applicant's Wetland Scientist.

II. Decision

The Applicant asserted that there will be no likely adverse impacts on an inland wetland or watercourses. The Commission agrees that there does not need to be additional analysis of alternatives based on their finding of no likely significant adverse impacts to inland wetlands or watercourses, and pursuant to 22a-41(b) of the CT General Statutes and Section 10.3 of the Town's Inland Wetlands and Watercourses Regulations.

EPC Permit #4-2019 is hereby approved subject to the conditions and modifications listed below. This Decision is consistent with the purposes of the Darien Inland Wetlands and Watercourses Regulations which are designed to protect the citizens of the Town of Darien by providing a balance between the need for growth, development, and enjoyment of the natural resources of Darien with the need to protect its environment and ecological stability.

III. Conditions

- 1. This permit does not relieve the Applicant of its responsibility to comply with all other applicable rules, regulations, and codes of other Town agencies or other**

regulating agencies.

2. The Applicant shall notify the Environmental Protection Commission two business days prior to commencement of any activity that is subject to the terms of this Approval. After appropriate sediment and erosion controls are in place the staff will inspect such controls to assure they are sufficient and installed in accordance with the approved plan. Sediment and erosion control measures shall be maintained until all disturbed areas are stabilized and re-vegetated and may be only dismantled following reasonable advance (two business days) notice to the Commission staff.
3. The Applicant's environmental consultant shall inspect the plantings after a full growing season, and provide a report to the Commission's staff on the status of the restoration and enhancement. Any dead plants shall be removed and replaced after one growing season.
4. An inspection for invasive species shall take place annually for three years, and their removal shall be supervised by the environmental consultant, with written confirmation provided to the Commission's staff.
Any increase in the extent of grading, re-grading, development, disturbance, or impacts within the wetlands or watercourse, or regulated area around the wetlands, or other significant amendments to the approved plan will require prior submission to and review by the Commission in accordance with Section 7.8 of the Inland Wetlands and Watercourses Regulations of the Town of Darien
5. All erosion and sediment controls shall be installed in accordance with the "2002 CT E&S Guidelines". The Commission staff or site monitor may require additional controls and /or abatement at any time, including but not limited to, silt fence, hay bales, outlet protection, stone filters, and energy dissipaters.
6. Construction of any structures, any excavation, fill, obstructions, encroachment, or regulated activities not specifically identified and authorized herein shall constitute a violation of this permit and may result in its modification, suspension, or revocation. Upon the initiation of the activities authorized herein, the Applicant/Permittee accepts and agrees to comply with the terms and conditions of this permit. **This Approval may be revoked or suspended if the Applicant/Permittee or its successors and assigns fail to comply with the terms, provisions, conditions, and limitations of this Approval.** The Commission may require the Applicants **or their successors and assigns, as the case may be**, to appear before them if any violation or non-compliance is determined by the Commission staff to be occurring. The Commission reserves the right, at its discretion, to require remediation and additional bonding or insurance to assure compliance with this permit.
7. The duration of this permit shall be five (5) years and shall expire on the date specified. All proposed activities must be completed and all conditions of this permit must be met within two years from the commencement of the proposed activity. Any request for renewal must be received prior to the expiration date.

On behalf of the Commission,

Richard B. Jacobson
Environmental Protection Officer

cc: Elliot Landon, Superintendent of Schools
Joe Canas, P.E.
Planning & Zoning Commission