

ENVIRONMENTAL PROTECTION COMMISSION
REGULAR MEETING/PUBLIC HEARING

MINUTES

January 7, 2015

7:30 P.M.

Room 206, Town Hall

Vice Chairman Rohr called the meeting to order at 7:30 P.M

Commission Members Present: Rick Rohr, Ed Sweeney, Jim Millard, and Keith Kearney

Staff: Jacobson

Reporter: Syat

Channel 79 recorded

Mr. Rohr called the following agenda item:

EPC-06-2014, Town of Darien, Upper Pond, Goodwives River, and 36 Goodwives River Road, proposing pond dredging and dam reconstruction. Request to amend permit approval.

Jon Lundeen represented the Applicants. He said the Fuss & O'Neill letter describes the proposed changes.

Mr. Rohr asked about restoration of the proposed access. Mr. Lundeen said they would like to keep it open for future maintenance.

Mr. Sweeney moved to approve the changes as consistent with the permit. Mr. Kearney seconded the motion and it passed 4-0.

EPC-31-2014, Cathy & Brett Jefferson, 225 Tokeneke Road, proposing sewer connection within an upland review area. The site is shown on Assessor's Map #66 as Lot #115.

Jacek Bigosinski represented the Applicants. He said they are proposing to install a sanitary sewer line where there is an existing driveway and remove the driveway.

Mr. Rohr asked what would replace the driveway. Mr. Bigosinski said it would be lawn or landscaping.

Mr. Sweeney moved to approve the application with a condition that the driveway be restored to lawn or landscaping. Mr. Kearney seconded the motion and it passed 4-0.

Mr. Rohr called the next agenda item:

EPC-32-2014, Steven & Maeve Zamsky, 66 Five Mile River Road, proposing dock construction within an upland review area. The site is shown on Assessor's Map #66 as Lot #'s 49 & 13.

Attorney Wilder Gleason represented the Applicant. He introduced Kate Throckmorton of Environmental Land Solutions.

Mr. Gleason said the dock has been approved by DEEP. He said the concrete footing, steps and a portion of the pier are within the upland review area.

Ms. Throckmorton said they are proposing to remove 12 trees, six of which are invasive, and the remainder are in poor condition. She said they are proposing to plant lower shrubs along with ground cover.

Ms. Sweeney moved to approve the application. Mr. Millard seconded the motion and it passed 4-0.

Mr. Rohr called the next agenda item:

EPC-33-2014, Brandon Marty, 11 Greenwood Avenue, proposing a house addition and deck within an upland review area. The site is shown on Assessor's Map #8 as Lot's #143 & 144.

Brian Nesteriak, P.E. represented the Applicant. He said they are proposing an addition and deck at the rear of the house. He said the proposed addition will be approximately 70 feet from the river. He said they are proposing a storm water system for the addition.

Mr. Rohr asked what the condition of the proposed deck area was currently. Mr. Nesteriak said it was lawn.

Mr. Rohr asked if they have a test pit in the area of the system. Mr. Nesteriak said no but the elevation is well above the river and they do not anticipate groundwater. Mr. Rohr asked if they will certify that at the time of the as-built. Mr. Nesteriak said "yes".

Mr. Sweeney moved to approve the application. Mr. Kearney seconded the motion and it passed 4-0.

Mr. Rohr called the next agenda item:

EPC-34-2014, Eric & Allie Glasband, 54 Nearwater Lane, proposing new house construction and related site development within an upland review area. The site is shown on Assessor's Map #51 as Lot #74.

Renato Gasparian, Contractor, represented the Applicant. He said the previous Applicant proposed a basement and a pool. He said they are not proposing either.

The Commission considered a public hearing to be in the public interest. Mr. Sweeney moved to schedule the hearing for February 4. Mr. Kearney seconded the motion and it passed 4-0.

Mr. Rohr called the next agenda item:

EPC-35-2014, David & Sandra Kirchoff, TR et. al, 1 Beverly Place, proposing new house construction and related site development within an upland review area. The site is shown on Assessor's Map#62 as Lot #83.

Attorney Robert Maslan represented the Applicant. He said he anticipated the Commission would hold a public hearing and asked if the Commission required additional information.

Mr. Rohr asked them to show proposed trees to be removed. He asked if they proposed a basement sump pump and asked that they clarify the results for perc tests #2 and #5 which were shown as inconclusive.

The Commission considered a public hearing to be in the public interest. Mr. Sweeney moved to schedule the hearing for February 4. Mr. Millard seconded the motion and it passed 4-0.

Mr. Rohr called the following public hearing to order:

EPC-24-2014, Sun Homes Darien, LLC, 36, 42 & 48 Wakemore Street, proposing expansion of a residential community and construction within an upland review area. The site is shown on Assessor's Map #8 as Lot #'s 226, 227, 228, 229 & 230. (Continued from November 5)

Attorney Bruce Hill represented the Applicant. He said the Commission discussed the conservation easement and the previously filled wetlands on the site. He said Michelle Ford's report described three feet of fill over the area and the Soil Science Services report concluded it would be difficult to restore. He said they are proposing a substitute location as an exchange. The proposed easement location is adjacent to an existing easement on property owned and under development by Sun Homes Darien, and the wetlands on the Town property adjacent to Kensett II. He said they are proposing to add a 6,317 square foot easement to the existing 4.64 acre easement vs. the existing 5000 square foot easement.

Mr. Rohr said he would prefer a contiguous easement to the proposed horseshoe shape.

Mr. Millard said the proposed easement is a larger area and is adjacent to existing wetlands and the invasive removal can be continued onto Town property.

Mr. Canas said he has received revised plans but has not had enough time to respond.

Mr. Rohr opened the hearing to the public for comment.

Theresa Green, 35 Wakemore Street, said she is opposed to the expansion of the Kensett development and requested the Commission deny the application.

Cornelius Perkins, 25 Wakemore Street said that, even though the neighbors have not hired their own engineer, they would like their concerns to be taken seriously.

Mr. Rohr asked if Mr. Canas has met with the neighbors. Mr. Canas said he has met with the applicant's engineer and he plans to meet with the neighbors in a meeting to be set up through Jeremy Ginsberg.

The Commission continued the meeting to January 21 at 7:30 in the auditorium.

Mr. Rohr called the following public hearing to order:

EPC-29-2014, Peter Grant, 154 West Avenue, proposing new house construction in an upland review area. The site is shown on Assessor's Map #20 as Lot #17.

Jacek Bigosinski, A.I.A., represented the applicant. He introduced Wayne D'Avanzo, P.E. He described the property as an oversized lot which could potentially be divided into two. He said two neighbors called him and neither had any issues with the project when they were told that only one house is being proposed.

Mr. D'Avanzo said he analyzed the stormwater runoff as if the lot were undeveloped. He said they are reducing net runoff for all storms 2-100 years.

Mr. Rohr asked about the basement depth. Mr. Bigosinski said the floor elevation is at 74 and the existing grade is between 76 and 80. He said they do not have a test hole in the basement area but the soil mottling in the detention area indicates ground water at approximately elevation 73.

Mr. Rohr said they can come back to the Commission if they encounter groundwater and wish to add Cul-Tec units to accommodate a sump pump.

The Commission required a planting plan for the area adjacent to the stone wall to enhance the existing wetland and buffer. Mr. Bigosinski said he would work with staff to provide a plan.

Mr. Kearney moved to close the public hearing. Mr. Sweeney seconded the motion and it passed 4-0.

The Commission deliberated on the application.

Mr. Sweeney moved to approve the application with a planting plan to be approved by staff and the condition that the applicant will return to the Commission with a plan to address additional stormwater detention if it is determined that a sump pump is necessary. Mr. Kearney seconded the motion and it passed 4-0.

Mr. Sweeney moved to adjourn. Mr. Kearney seconded the motion, and it passed 4-0.

The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Richard Jacobson
Environmental Protection Officer