

ENVIRONMENTAL PROTECTION COMMISSION
REGULAR MEETING/PUBLIC HEARING
MINUTES
October 7, 2015
7:30 P.M.
Room 206, Town Hall

Ms. Riccardo called the meeting to order at 7:30 P.M

Commission Members Present: Vickie Riccardo, Ed Sweeney Susan Mackenzie, Jim Millard, and Eric Joosten

Staff: Jacobson

Channel 79 recorded

Ms. Riccardo called the meeting to order at 7:30 p.m. She welcomed Susan Mackenzie to the Commission.

Ms. Riccardo called the following agenda item:

EPC-34-2015, Robert & Debra Riley, 64 Dubois Street, proposing filling and grading within an upland review area. The site is shown on Assessor's Map #43 as Lot #56.

Mr. Jacobson said the Applicants are in the process of retaining an engineer to provide more data. The Commission continued the application until November 4.

Ms. Riccardo called the next agenda item:

EPC-35-2015, Roger & Joan Frate, 7 Scout Trail, proposing pond dredging. The site is shown on Assessor's Map #37 as Lot #15.

Joseph Warren represented the applicant. He said they propose to remove 200 cubic yards of sediment from the pond. He said they will dewater the material in an area of the lawn until it can be removed to a site in Easton.

Mr. Sweeney moved to approve the application subject to conditions that will be set forth in the approval to be sent to the applicant. Mr. Millard seconded the motion and it passed 5-0.

Ms. Riccardo called the next agenda item:

EPC-36-2015, Jeffrey Nelson, 23 Renshaw Road, proposing repair of a portion of a retaining along the Stony Brook. The site is shown on Assessor's Map #41 as Lot# 87 & 88.

Jeff Nelson represented himself. He said they would like to be proactive and repair the wall before more of it collapses.

Ms. Mackenzie moved to approve the application subject to conditions that will be set forth in the approval to be sent to the applicant.

Mr. Millard moved to approve the 2016 meeting schedule. Mr. Sweeney seconded the motion and it passed 5-0.

Ms. Riccardo said she would like to discuss and vote on the election of officers for 2016 at the November meeting.

Mr. Joosten moved to approve the Minutes of September 2 with amendments including standard language provided by Ms. Riccardo regarding approval of applications with conditions to be sent to the applicant to be included with every decision.

The Commission discussed updating the Wetlands and Watercourses Regulations. Mr. Jacobson said the DEEP model regulations can be adapted to Darien's procedures and include the upland review areas for named watercourses. He said the process will take a few months to allow for review by the Commission and a public hearing prior to adoption.

Ms. Riccardo called the following public hearing item:

EPC-32-2015, Reilly Builders LLC, 76 Nearwater Lane, proposing new house construction within an upland review area. The site is shown on Assessor's Map #51 as Lot #63.

Jim Reilly represented himself. He said the property was determined not to have any wetlands by Cynthia Rabinowitz, Soil Scientist. He introduced Steve Trinkaus, P.E. who designed the storm water plan. He said he provided a planting plan for the upland review area.

Ms. Riccardo asked if it is correct that there are no wetlands on the subject property, but there are wetlands on the adjacent property. Mr. Reilly said that is correct.

Ms. Riccardo asked Mr. Trinkaus if he reviewed the memo from Mr. Oustafine. Mr. Trinkaus said he had and confirmed that there would be no impact from the site drainage because the property is 600 feet from the tidal area. He said there would be minimal flow to the Town system and no impact.

Mr. Sweeney asked what the elevation is at the street. Mr. Trinkaus said it is elevation 98 assumed datum and 102 by the house. He said the property is very level.

Ms. Riccardo asked is there were any members of the public who wished to speak.

Courtney Rae, 15 Pasture Lane said she doesn't see any impact occurring to their property's drainage and she is satisfied with the planting plan.

Mr. Millard moved to close the public hearing. Mr. Joosten seconded the motion and it passed 5-0.

Ms. Riccardo called the following public hearing item:

EPC-33-2015, Michael Nikolas, 2 Silver Lakes Drive, proposing a two lot subdivision with the construction of two new homes and related site development in an upland review area. The site is shown on Assessor's Map #37 as Lot #15.

Steve McAllister represented the Applicant. He introduced Kate Throckmorton, Wetland Scientist. He described the property and the proposed two lot subdivision.

Ms. Throckmorton reviewed her report on the wetland functions and values. She described the mitigation measures they are proposing. She said the proposed measures will improve the wetland functions. She said they willing to expand the proposed conservation easement to 15 feet wide. She recommended the Applicant locate the trees to be protected.

Ms. Riccardo asked about the comment from Mr. Oustasfine regarding the low level outflow. Mr. McAllister said they believe the galleries will drain out by infiltration after a storm because the percolation rate is good. He said they cannot always design for a low level outlet based on the elevation. He said they can look into it.

Mr. Sweeney asked if they are proposing sump pumps. Mr. McAllister said they are not. He said there will be crawl spaces with flood vents.

The Commission discussed whether there would potentially be standing water after a major storm because of the elevation of the flood vents. Mr. McAllister said they can clarify that aspect of the design.

Ms. Riccardo suggested the Commission have an outside engineering consultant review the drainage design and the Commission members agreed.

There were no members of the public who wished to speak.

The Commission continued the public hearing to November 4.

The Commission proceeded to deliberate on EPC-32-2015, Reilly Builders.

Mr. Millard said he project is acceptable.

Mr. Joosten and Mr. Sweeney agreed.

Ms. Mackenzie said she did not see any threat to the wetland.

Ms. Riccardo said she is glad the neighbors are satisfied with the plantings.

Mr. Jacobson suggested a condition that the plants be installed according to the plan, and any dead plants be replaced if necessary after one growing season.

Ms. Mackenzie moved to approve the application with the planting plan, replacement after one growing season, and conditions that will be set forth in the approval to be sent to the Applicant. Mr. Joosten seconded the motion and it passed 5-0.

Mr. Sweeney moved to adjourn. Mr. Joosten seconded the motion, and it passed 5-0.

The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Richard Jacobson
Environmental Protection Officer