

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

Thursday, FEBRUARY 5, 2015

**7:30 P.M.**

**ALL PURPOSE ROOM**

**OSBORN HILL SCHOOL  
760 STILLSON ROAD**

**PLEASE NOTE TIME AND LOCATION**

Kevin Gumper, Chairman (FM)	Kate Maxham, Vice Chair (FM)	Catherine O'Donnell, Secretary (FM)
Elizabeth Jones (FM)	Sam Boyarsky (FM)	Felicia B. Watson (FM)
Richard D'Amico (FM)	James Lucey (A)	Raymond Poincelot (A)
Charlie Rowan (A)	FM = Full Member	A = Alternate Member

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| <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 Meeting Minutes of January 8, 2015</b>   | _____           |
| <b>B. Approval of recording secretary's bill of 1/08/15</b>  | _____           |
| <b>C. REGULATIONS REVISIONS---Discussion of potential revisions. <u>See attachments from October 16, Agenda (may have been moved to future agenda packets)</u></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 DELIBERATIVE SESSION**

**A. OLD BUSINESS**

1. **IWPA 2014-15-02, Piatrevich, 177 Pansy Road  
Assessor's Map 123 Parcel 131A  
Demolish existing house & Construct new Dwelling within a regulated area.  
Application received January 8, 2015.  
Petition period ended 1-22-15  
Last day for decision is March 14, 2015.  
Last regular meeting prior is March 5, 2015.**

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

2. **IWPA 2014-15-03, Mitchell, 1495 Cross Highway  
Assessor's Map 253 Parcel 14  
Demolish existing house and Construct new house, and subsurface sewage disposal system within a regulated area.  
Application received January 8, 2015.  
Petition period ended 1-22-15  
Last day for decision is March 14, 2015.  
Last regular meeting prior is March 5, 2015.**

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

**B. NEW BUSINESS**

1. **CONNECTICUT LAND USE LAW FOR MUNICIPAL LAND USE AGENCIES, BOARDS AND COMMISSIONS. 1-DAY SEMINAR. See Attached.**
2. **DEEP Pesticide Program notification that applicants who submit a permit application to use pesticides in waters of the state must copy the local Inland Wetlands Agency, and may ask to provide such notice by e-mail. Staff will ask that such notice be provided in the traditional manner. See Attached. Informational.**
3. **Request for a Declaratory Ruling, essentially, even though no Declaratory Ruling form was used. Request of Alan McKeon for Alpha One LLC for 981 Mill Hill Terrace for construction of a deck. See Attached letter, plan, and Town wetland map.**

**Staff recommends requirement of Certificate of Wetlands Conformance** \_\_\_\_\_

4. IWP 2010-11-01, Fairfield Gateway, LLC, now New Way Associates (Plant Factory site)---Request for Agency review, and modification. See Attached.

Staff recommends new Inland Wetland Permit Application \_\_\_\_\_

5. Proposed FY 2015-16 Budget----Status. BOF meeting schedule conflict with March 19 Conservation Commission meeting. See Attached.
6. Monthly wetland business update for the Agency. See Attached.

**V. 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 2014-15-04, Nelson, Trustee, 1170 Hulls Farm Road  
Assessor's Map 247 Parcel 20A  
Subdivision Construction 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 1-28-15 \_\_\_\_\_  
Petition period ends 2-19-15 \_\_\_\_\_  
Is a public hearing in the public interest? \_\_\_\_\_  
Last day for public hearing or decision is April 11, 2015.  
Last regular meeting prior is April 2, 2015.

Staff recommends scheduling required public hearing for April 2, 2015 \_\_\_\_\_

2. IWPA 2014-15-05, Nicotra, 1135 Mine Hill Road  
Assessor's Map 171 Parcel 18  
Construction of Additions, Pool House, Patio, etc., 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 1-28-15 \_\_\_\_\_  
Petition period ends 2-19-15 \_\_\_\_\_  
Is a public hearing in the public interest? \_\_\_\_\_  
Last day for public hearing or decision is April 11, 2015.  
Last regular meeting prior is April 2, 2015.

Staff recommends tabling pending legal notice and departmental review.

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3. **IWPA 2014-15-06, Beaver, 100 Verna Hill Road**  
**Assessor's Map 173 Parcel 16**  
**Demolish existing House & Construct New House, & Pool, etc., 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 1-29-15**  
**Petition period ends 2-19-15**  
**Is a public hearing in the public interest?**  
**Last day for public hearing or decision is April 11, 2015.**  
**Last regular meeting prior is April 2, 2015.**

Staff recommends scheduling required public hearing for April 2, 2015

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

1. **SHOW CAUSE VIOLATION HEARING, Wetland Filling Violation at 157 Lancelot Drive, Pfalzgraf, Assessor's Map 150, Parcel 21B and 21C CONTINUED FROM SEPTEMBER 4, 2014 and OCTOBER 16, 2014**

Staff recommends Cease and Correct Order (from Fall 2014)Status

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2. **SHOW CAUSE VIOLATION HEARING, Wetland Filling Violation at 303 Lancelot Drive, O'Loughlin, Assessor's Map 150, Parcel 21C CONTINUED FROM OCTOBER 16, 2014**

Staff recommends Cease and Correct Order (from Fall 2014)Status

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**VII. PUBLIC HEARING**

- **IWPA 2014-15-01--Decision may be made if the hearing is completed, or the hearing may be continued. The original 35-day public hearing timeframe to complete the hearing ended on January 8, 2015 and was extended with the applicant's offer of a 65-day time extension to MARCH 14, 2015. If the hearing is completed the decision shall be made within 35 days of the close of the hearing. Potential continuation date is March 5, 2015 at Holland Hill School.**

1. **CONTINUED FROM DECEMBER 4, 2014 AND JANUARY 22, 2015  
IWPA 2014-15-01, Hunter Gregory Realty Group, 845 & 917 Mill Hill Terrace,  
And 130 & 156 Pease Avenue  
Assessor's Map 228 Parcel 16, and Map 243 Parcels 60, 61A, and 67  
Construct Senior Living Facility within a regulated area.**

**Please note a Verified Pleading was filed under CT General Statute 22a-19 which alleges the proceeding or action involves conduct which has, or which is reasonably likely to have, the effect of unreasonably polluting, impairing or destroying the public trust in the air, water or other natural resources of the state. Therefore the Agency shall consider the alleged unreasonable pollution, impairment or destruction of the public trust in the air, water or other natural resources of the state and no conduct shall be authorized or approved which does, or is reasonably likely to have, the effect of unreasonably polluting, impairing or destroying the public trust in the air, water or other natural resources of the state.**

**Agency finding on unreasonable pollution, impairment or destruction of the public trust in air, water or other natural resources of the state as it relates to IWPA 2014-15-01**

**Staff recommends Denial Without Prejudice**

**VIII. OTHER**

**IX. ADJOURNMENT**