



Conservation Commission

Kleber and Kerry Quimi  
9 Calvin Road  
Weston, CT 06883

July 22, 2024

SENT VIA REGISTERED MAIL – RETURN RECEIPT REQUESTED

Dear Mr. and Mrs. Quimi:

This letter concerning your property at 9 Calvin Road is written on behalf the Weston Conservation Commission under the direction of the Chairwoman Sarah Schlechter.

Chairwoman Schlechter has reviewed recent email correspondence between the Conservation Planner and Mr. Quimi indicating permitted remediation work (CC-23-07 issued April 2023) at 9 Calvin was not completed by July 15, 2024, the due date of the second extension that the Commission granted at your request on Dec. 14, 2023 (CC-23-07-Modification)

You are now requesting a third extension, even after other landscaping work on your property, not in the remediation area, was undertaken during the latest extension period. However, the regrading and revegetation of the remediation area according to the approved plan has not been initiated. It also appears that excess fill material that was to be removed from the property in a legal and environmentally appropriate manner may not have been done, and instead, was apparently spread across the filled area and perhaps elsewhere on the property. In addition, the erosion and sedimentation silt fence controls have deteriorated.

At this point, the Commission directs you to come to the Aug. 29, 2024, regular monthly Zoom meeting of the Commission (see enclosure for link instructions). The Commission also requests that your engineer (Mr. Trinkaus of Trinkaus Engineering), your contractor (Mr. Jimenez of Billy Tree & Landscaping Service) and any other experts, whom you would like to invite, come to the meeting to answer questions from the Commissioners regarding why the work has not been completed in a timely fashion more than an year after the initial permit was granted and why you are seeking an extension until July 15, 2025.

Sincerely,

Dr. Tom Failla, Conservation Planner

Cy: Steve Trinkaus, Trinkaus Engineering LLC, 114 Hunters Ridge Road, Southbury, CT 06488  
Billy C. Jimenez, Billy Tree Services & Landscaping 67 Westville Ave, Danbury, CT 06810  
Members of the Conservation Commission; Town of Weston Land Use Director



Incorporated 1787

Conservation Commission

## NOTICE

Notice is hereby given that the Weston Conservation Commission will review a request for a third extension on Permit CC-23-07 issued April 2023 and extended December 2023 regarding remediation work at 9 Calvin Road. The Commission will review the request on Thursday, August 29, 2024 at 7:30 p.m. which will be held via internet and phone, pursuant to Sections 163-167 of Senate Bill 1202:

The Commission's file is available on the Conservation Commission's page of The Town of Weston's website at:

Join Zoom Meeting

<https://us02web.zoom.us/j/86758151644?pwd=Mp5EXav8T0OfQmDX8SjlfUQuxsBOlh.1>

By Phone: +1 646 558 8656 US (New York)

Meeting ID: 867 5815 1644

Passcode: 767506

## Tom Failla

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**From:** Conservation Planner  
**Sent:** Friday, July 5, 2024 6:58 AM  
**To:** Kerry & Vince Quimi; Vincent Quimi  
**Cc:** Felippo Scandizzo; Kerry Ann Quimi; Richelle Hodza; Sarah Schlechter; Steven D Trinkaus  
**Subject:** Re: [EXTERNAL] RE: [EXTERNAL] Re: 9 Calvin Wetlands Permit 23-07 (April 20, 2027) Modified (Dec.14, 2023)

Vince - Received and thank you. As we discussed I will review your request for an extension with the Commission chairwoman and let you know whether you will need to discuss this with the full commission when it next meets on Zoom either July 18 or Aug. 29. In the meantime. if you would like your engineer, Steve Trinkaus, to rework your approved plan for remediation based on current conditions for the commission to consider also with the extension, I will be available to meet on the site with him before the commission takes up the extension request. Cheers Tom

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**From:** Kerry & Vince Quimi <kerryvincequimi@gmail.com>  
**Sent:** Thursday, July 4, 2024 10:55:17 AM  
**To:** Conservation Planner <conservationplanner@westonct.gov>; Vincent Quimi <kvquimi@gmail.com>  
**Cc:** Felippo Scandizzo <landuseadmin@westonct.gov>; Kerry Ann Quimi <kerryannquimi@icloud.com>; Richelle Hodza <rhodza@westonct.gov>; Sarah Schlechter <sshlechter@westonct.gov>; Steven D Trinkaus <STRINKAUS@earthlink.net>  
**Subject:** [EXTERNAL] RE: [EXTERNAL] Re: 9 Calvin Wetlands Permit 23-07 (April 20, 2027) Modified (Dec.14, 2023)

**CAUTION: External Sender. Please do not click on links or open attachments from senders you do not trust.**

Hello Conservation Committee Members,

We are writing to request an extension on our permit condition for 9 Calvin Rd. Our current permit runs through 7/15. Dr. Tom Failla and I had a good conversation yesterday and he recommended I reach out with this communication.

We will need additional time to continue the work that is being done on our property. We are requesting an additional year through 7/15/2025 due to several factors, including 1. finalizing plans with our contractor as there are differences on the scope of the work, 2. needing additional funds to continue the work, 3. having the appropriate time of the year (season) for plantings.

In the short-term, I will speak with Otto Theall, Soil Scientist and/or Steve Trinkaus, Land Engineer/Landscaper for them to speak with Dr. Tom Failla in due course on possible alternative options for our project.

Lastly, Kerry and I would like to offer our sincere "Thank You" to all the Committee members for having the willingness and patience to work with us on balancing the needs our family to enjoy our home and the requirements of the Town.

As a way of background, attached is information My wife and I have put together for some perspective on this process. We believe this information provides valuable reference on the history of this project.

Please do not hesitate to reach out with any questions.

Weston Permit Conservation Commission | Town of Weston, Connecticut

Background: Moved pandemic w three kids-twins Jack, Jared and Gracie-and after an extraordinary house search, returned to Weston and Promised kids we'd make grass for them to play when bought this house. And fix dangerous cliff like driveway.

Sellers scheduled excavator to meet w us at our lasting showing and pitched how we could carve out giant hill in back to make a flat yard for them. AND, All purchasing docs signed off by sellers show no wetlands-since shared w town.

Went to town and my former friend, Darcy and staff helped me print and emailed maps. Vince called Tom Faella about tree removal-esp.over the kids bedrooms- and moving dirt around.

Few weeks later, Tom knocked on door and advised we had wetlands over the driveway berm and needed to stop and engage soil scientist, surveyor and engineer.

I met with the town enforcer and immediately engaged a team that he had starred from referral list.

We continued to call and email Tom and the town concerned many, many months passed. AS WE CO YONUE TO DO. But All booked w work... Ultimately replaced our elderly surveyor and had to start process all over again.

Pushed the process out requiring a second permitting process.

In April 2024 excavation began again.

Our son and my Mom saw and called out to our neighbor-who inherited his late dad's house-in the woods taking pictures of our property. And, our friends on other side of him shared how the Same happened to them when they were doing work in their property.

Also, our neighbor on other side-who we informed of the project visited and brought bottle of wine-sellers' landscaper warned us of their complaint history about leaves on his property-

Vince called town and. Cheryl said now there's a complaint on backyard. Our engineer confirmed we were given verbal clearance from her predecessor. She followed up and said we are cleared...???

As of now after excavator work the wetland berm is apparently still too close to the wetlands. After two rounds of permitting working in good faith with the Town, soil, scientist, survey and engineer intends 1000s of extra dollars we asking for forgiveness and to close the permit and plant some wetland plantings. are now nearing 16 year-old twin boys will be driving up and down the driveway within months! Their safety and every carpoolers on this driveway is a must.

Thank you again and Happy Fourth of July Holiday.

Kind regards,

Vince and Kerry Quimi  
646 234 1069 (cell)

Sent from Mail for Windows

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**From:** Conservation Planner  
**Sent:** Tuesday, July 2, 2024 9:42 PM  
**To:** Vincent Quimi  
**Cc:** Felippo Scandizzo; Kerry Ann Quimi; Kerry Sheffield Quimi; Richelle Hodza; Sarah Schlechter; Steven D Trinkaus  
**Subject:** Re: [EXTERNAL] Re: 9 Calvin Wetlands Permit 23-07 (April 20, 2027) Modified (Dec.14, 2023)

Vincent As discussed over the phone, please send a reply email updating me on your plans to comply with your permit conditions and any request for an additional extension. Cheers Tom

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**From:** Vincent Quimi <kvquimi@gmail.com>  
**Sent:** Monday, July 1, 2024 3:43:27 PM  
**To:** Conservation Planner <conservationplanner@westonct.gov>  
**Cc:** Felippo Scandizzo <landuseadmin@westonct.gov>; Kerry Ann Quimi <kerryannquimi@icloud.com>; Kerry Sheffield Quimi <Kerryvincequimi@gmail.com>; Richelle Hodza <rhodza@westonct.gov>; Sarah Schlechter <sschlechter@westonct.gov>; Steven D Trinkaus <STRINKAUS@earthlink.net>  
**Subject:** [EXTERNAL] Re: 9 Calvin Wetlands Permit 23-07 (April 20, 2027) Modified (Dec.14, 2023)

**CAUTION: External Sender. Please do not click on links or open attachments from senders you do not trust.**

Hi Tom,

Thanks for the email.

Left you a voicemail on your cell a few moments ago.

Please give me a call when you have a moment.

Thanks,  
Vince  
646 234 1069 (cell)

On Mon, Jul 1, 2024 at 15:16 Conservation Planner <conservationplanner@westonct.gov> wrote:

Mr and Mrs. Quimi –We are two weeks from your requested project completion extension date, July 15 for the remediation work in the upland review area and the wetland edge. In my travels around town, I notice a great deal work has been accomplished in other areas of the property, including soil and tree removals, stone wall construction and repairs but no plantings. However, from what I can see from the road I am not certain whether the remediation grading, plantings and seedings in the upland review area have been started or completed. I also remind you that Condition "I" requires you to get a sign off from your engineer (see Permit CC-23-07 modified Dec. 14, 2023). As such , t

may be necessary to request another extension for a date certain that you will satisfy all the permit requirements. Please let me know what your plans are. Cheers Tom

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**From:** Conservation Planner <[conservationplanner@westonct.gov](mailto:conservationplanner@westonct.gov)>  
**Sent:** Tuesday, April 9, 2024 3:58 PM  
**To:** Vince Amor Quimi <[kvquimi@gmail.com](mailto:kvquimi@gmail.com)>; Kerry Ann Quimi <[kerryannquimi@icloud.com](mailto:kerryannquimi@icloud.com)>  
**Cc:** Steven D Trinkaus <[strinkaus@earthlink.net](mailto:strinkaus@earthlink.net)>; Felippo Scandizzo <[landuseadmin@westonct.gov](mailto:landuseadmin@westonct.gov)>  
**Subject:** 9 Calvin Wetlands Permit 23-07 (April 20, 2027) Modified (Dec.14, 2023)

Kleber and Kerry - Thank you for updating me on your project. Now that you have contracted with Billy Tree Service & Landscaping of Norwalk, on my way home this evening I will drop off a full size to scale copy of the approved plan, which you may have on loan for the duration of the project. Please return it when the project is completed.

It's important that your contractor study the approved Trinkaus plan and notes revised April 20, 2023 and read through the permit conditions with the modification indicating a completion date by July 15, 2024 (see attached).

Before work starts the plans and the permit conditions state I need to inspect the erosion and sedimentation controls, which are essentially a new double row silt fence around the area indicated on the plan. The plan also depicts contours, removal of fill materials, and stabilization restoration of the area with native seed mix and plantings. The E&S controls must be maintained in good working order throughout the project and until I make a final inspection to be sure the area is stabilized and conforms to the plan. You may want to call on the services of Mr. Trinkaus to assist in supervising the contractor.

We also discussed today, checking with health and zoning to see what other local permits you may need before starting the project. I note for instance the approximate location of your septic leaching field in the back may be in an area that you want to do work. Also the overall area affected by the activities planned exceeds 2,500 sq. which probably requires a soil disturbance permit from Zoning. Also, if you haul in more than 25 cu. yds of soil you may need a clean fill certification. Lora Hayes, copied here, from the Health Dept. is here on most Wed. from 10:30a to noon. Zoning Enforcement Office Cheryl Vallerie, also copied, can assist you with Zoning permits. She is here Mon through Thurs from 9a to 4p.

Cheers Tom

**Dr. Tom Failla**

Conservation Planner

Town of Weston

203.222.2681

203.331.6035

203.222.2537 (fax)

[ConservationPlanner@westonct.gov](mailto:ConservationPlanner@westonct.gov)

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**Weston Conservation Commission**  
24 School Road  
Weston, Connecticut 06883-1028

PERMIT

To conduct a regulated activity or activities under the Inland Wetlands and Watercourses Regulations. This Permit shall expire five years from the date of approval. If permitted activity will not be completed by the expiration date, request for Permit Renewal must be submitted prior to that date.

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Application/Permit Number  
Permit Number CC 23-07  
Map 21 Block 1 Lot 81

Date of Approval: April 20, 2023  
Expiration Date: April 20, 2028  
Note: Modification Condition I. Completion  
Date July 15, 2024 approved Dec. 14, 2023

Address of Permitted Property:

9 Calvin

Name of Owner(s):

Kleber and Kerry Quimi  
9 Calvin Road  
Weston, CT 06883

Name of Applicant/Authorized Agent:  
Steve Trinkaus

Address:  
114 Hunters Ridge Road, Southbury, CT  
06488

Activity or Activities: Remove fill, regrade and restore area with native seed mix and plants

Reference:

Wetlands Delineation 12-21-2021 by Otto Theall, Soil Scientist; Wetland Restoration Plan by Trinkaus Engineering 3-7-2023 rev 3-15-2023 rev. 4-20-23

Under the provisions of Connecticut General Statutes Section 22a-36 to 22a-45 and the Town of Weston's Inland Wetlands and Watercourses Regulations, and having reviewed all facts and circumstances bearing on the application, the Commission finds that the proposed activity will have no substantial adverse impact on inland wetlands or watercourses, provided that the approved plan and the standard conditions and any special conditions of this Permit are fully implemented. The duty and obligation to comply with the approved plan and the standards conditions and any special conditions shall rest exclusively with the Applicant and all heirs, successors and assigns. All Permits are subject to the following general conditions:

- A. Prior to the commencement of any work on the site, the Contractor Compliance Agreement must be signed and returned to the Commission's office by the contractor who will perform the permitted activity.



- B. The Conservation Planner reviewed the alternatives to the approved action including a consideration of alternatives which might enhance environmental quality or have a less detrimental effect, and which could feasibly attain the basic objectives of the activity proposed in the application.
- C. **Implementation of the erosion and sedimentation control plan prior to any site preparation activity.** Before construction begins, the Conservation Planner must complete a site inspection of the controls. Erosion controls are to be inspected by the applicant weekly and after rains and all deficiencies must be remediated within twenty-four hours of finding them. The applicant shall maintain such control measures until written permission is received from the Conservation Planner to remove such measures.
- D. Upon completion of the work, the Applicant or the Applicant's Designated Agent shall submit a letter to the Conservation Commission stating that the property was developed and the work completed as permitted.
- E. Per CGS Sec. 22a-42a (d) (2), as amended, "Any permit issued under this section shall be valid for five years. Any such permit shall be renewed upon request of the permit holder unless the agency finds that there has been a substantial change in circumstances which requires a new permit application, provided no permit may be valid for more than 10 years."
- F. Any changes in approved plans shall require notification to the Commission and may require that a new application be made.
- G. Applicant agrees, represents, and warrants that it will obtain all required federal, state and local permits prior to commencing any work on the site.
- H. The deposition and/or removal of any earth, loam, topsoil, humus, sand, gravel, clay, stone, or quarry stone to and from the property shall be subject to Section 240-36 C. of the Zoning Regulations of the Town of Weston.
- I. Work to be started by the end of the current calendar year and verified as completed according to the plan by Trinkaus Engineering, LLC. Civil Engineers.

If you have any questions regarding this decision, please feel free to contact me at (203) 222-2681.

Sincerely,  
Dr. Tom Failla, Conservation Planner

**Weston Conservation Commission**  
24 School Road  
Weston, Connecticut 06883-1028

PERMIT

To conduct a regulated activity or activities under the Inland Wetlands and Watercourses Regulations. This Permit shall expire five years from the date of approval. If permitted activity will not be completed by the expiration date, request for Permit Renewal must be submitted prior to that date.

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Application/Permit Number  
Permit Number CC 23-05  
Map 21 Block 1 Lot 81

Date of Approval: April 20, 2023  
Expiration Date: April 20, 2028

Address of Permitted Property:

9 Calvin

Name of Owner(s):

Kleber and Kerry Quimi  
9 Calvin Road  
Weston, CT 06883

Name of Applicant/Authorized Agent:  
Steve Trinkaus

Address:  
114 Hunters Ridge Road, Southbury, CT  
06488

Activity or Activities: Remove fill, regrade and restore area with native seed mix and plants

Reference:

Wetlands Delineation 12-21-2021 by Otto Theall, Soil Scientist; Wetland Restoration Plan by Trinkaus Engineering 3-7-2023 rev 3-15-2023 rev. 4-20-23

Under the provisions of Connecticut General Statutes Section 22a-36 to 22a-45 and the Town of Weston's Inland Wetlands and Watercourses Regulations, and having reviewed all facts and circumstances bearing on the application, the Conservation Planner finds that the proposed activity falls within the scope of the Commission's Minimal Impact Administrative Review Permit process and will have no substantial adverse impact on water resources provided that the conditions of this Permit are fully implemented. All Permits are subject to the following general conditions:

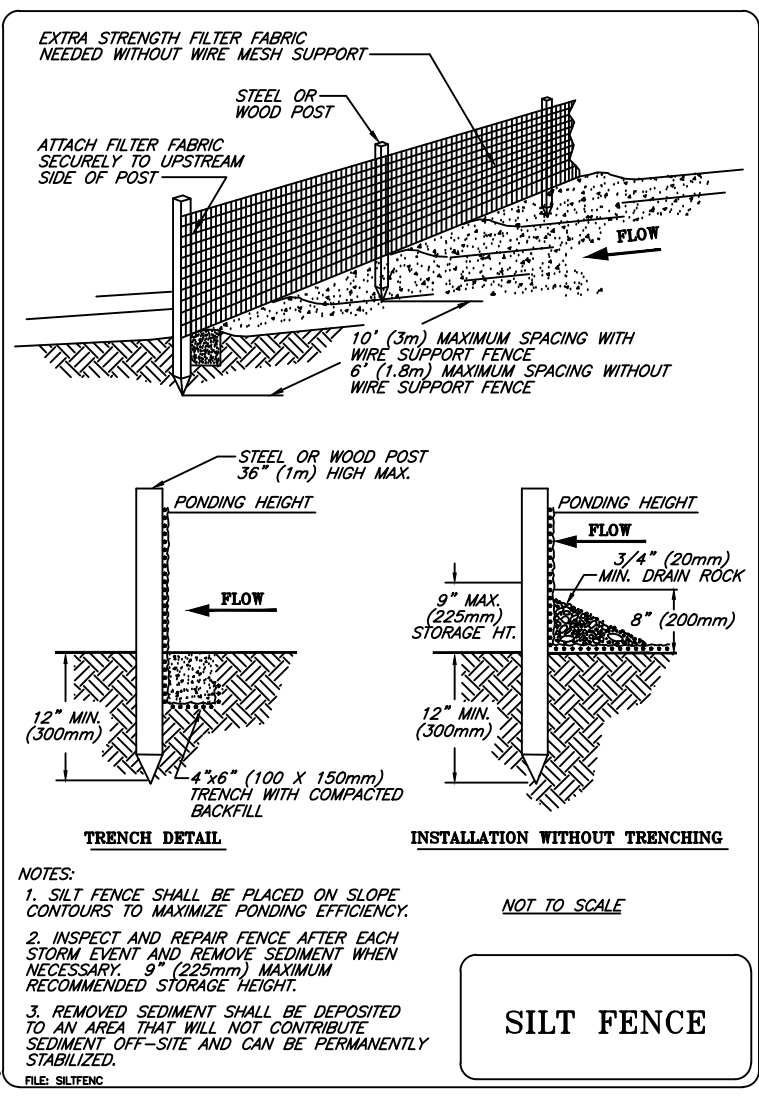
- A. Prior to the commencement of any work on the site, the Contractor Compliance Agreement must be signed and returned to the Commission's office by the contractor who will perform the permitted activity.
- B. The Conservation Planner reviewed the alternatives to the approved action including a consideration of alternatives which might enhance environmental quality or have a less detrimental effect, and which could feasibly attain the basic objectives of the activity proposed in the application.

- C. **Implementation of the erosion and sedimentation control plan prior to any site preparation activity.** Before construction begins, the Conservation Planner must complete a site inspection of the controls. Erosion controls are to be inspected by the applicant weekly and after rains and all deficiencies must be remediated within twenty-four hours of finding them. The applicant shall maintain such control measures until written permission is received from the Conservation Planner to remove such measures.
- D. Upon completion of the work, the Applicant or the Applicant's Designated Agent shall submit a letter to the Conservation Commission stating that the property was developed and the work completed as permitted.
- E. Per CGS Sec. 22a-42a (d) (2), as amended, "Any permit issued under this section shall be valid for five years. Any such permit shall be renewed upon request of the permit holder unless the agency finds that there has been a substantial change in circumstances which requires a new permit application, provided no permit may be valid for more than 10 years."
- F. Any changes in approved plans shall require notification to the Commission and may require that a new application be made.
- G. Applicant agrees, represents, and warrants that it will obtain all required federal, state and local permits prior to commencing any work on the site.
- H. The deposition and/or removal of any earth, loam, topsoil, humus, sand, gravel, clay, stone, or quarry stone to and from the property shall be subject to Section 240-36 C. of the Zoning Regulations of the Town of Weston.
- I. Work to be started by the end of the current calendar year and verified as completed according to the plan by Trinkaus Engineering, LLC. Civil Engineers.

If you have any questions regarding this decision, please feel free to contact me at (203) 222-2681.

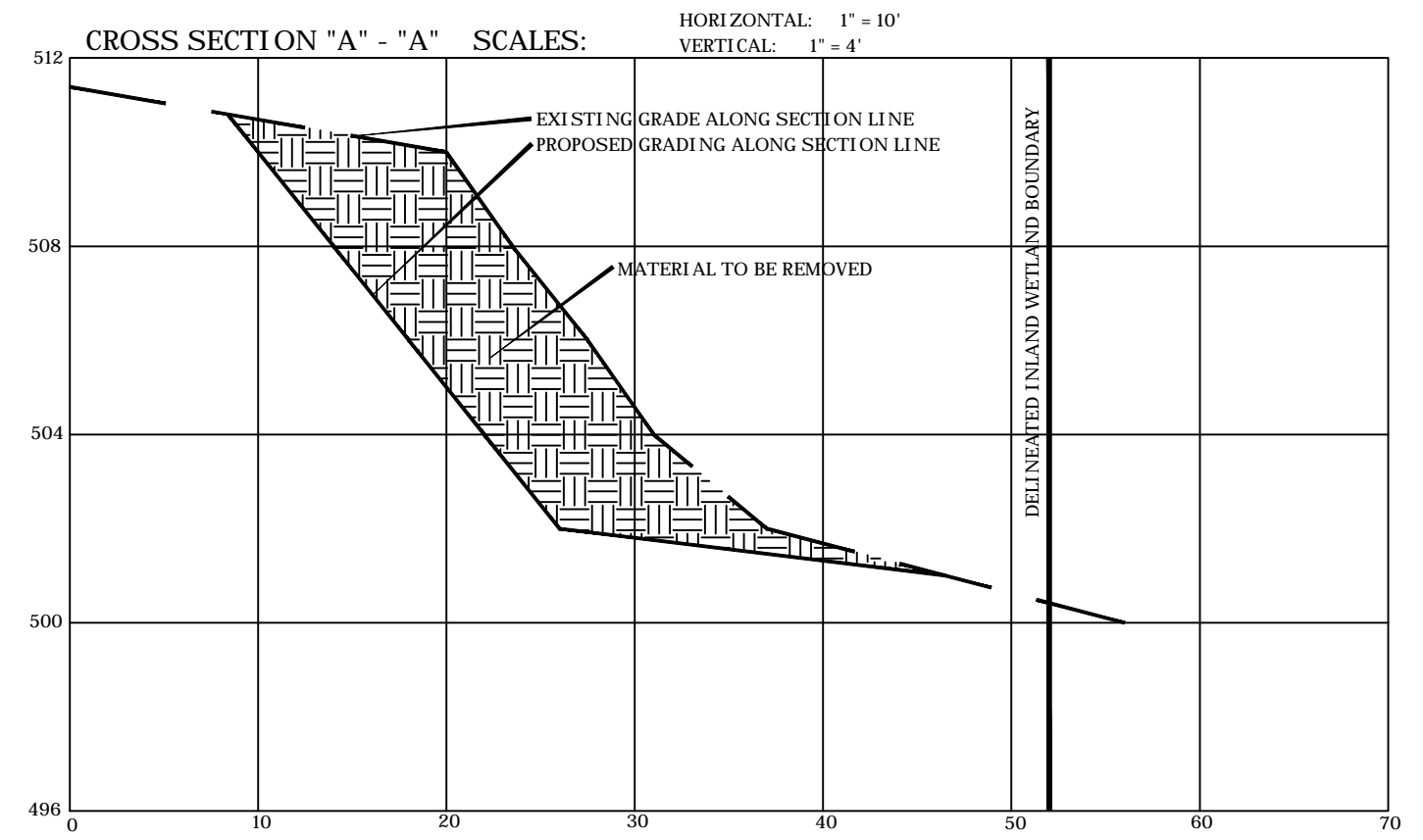
Sincerely,  
Dr. Tom Failla, Conservation Planner





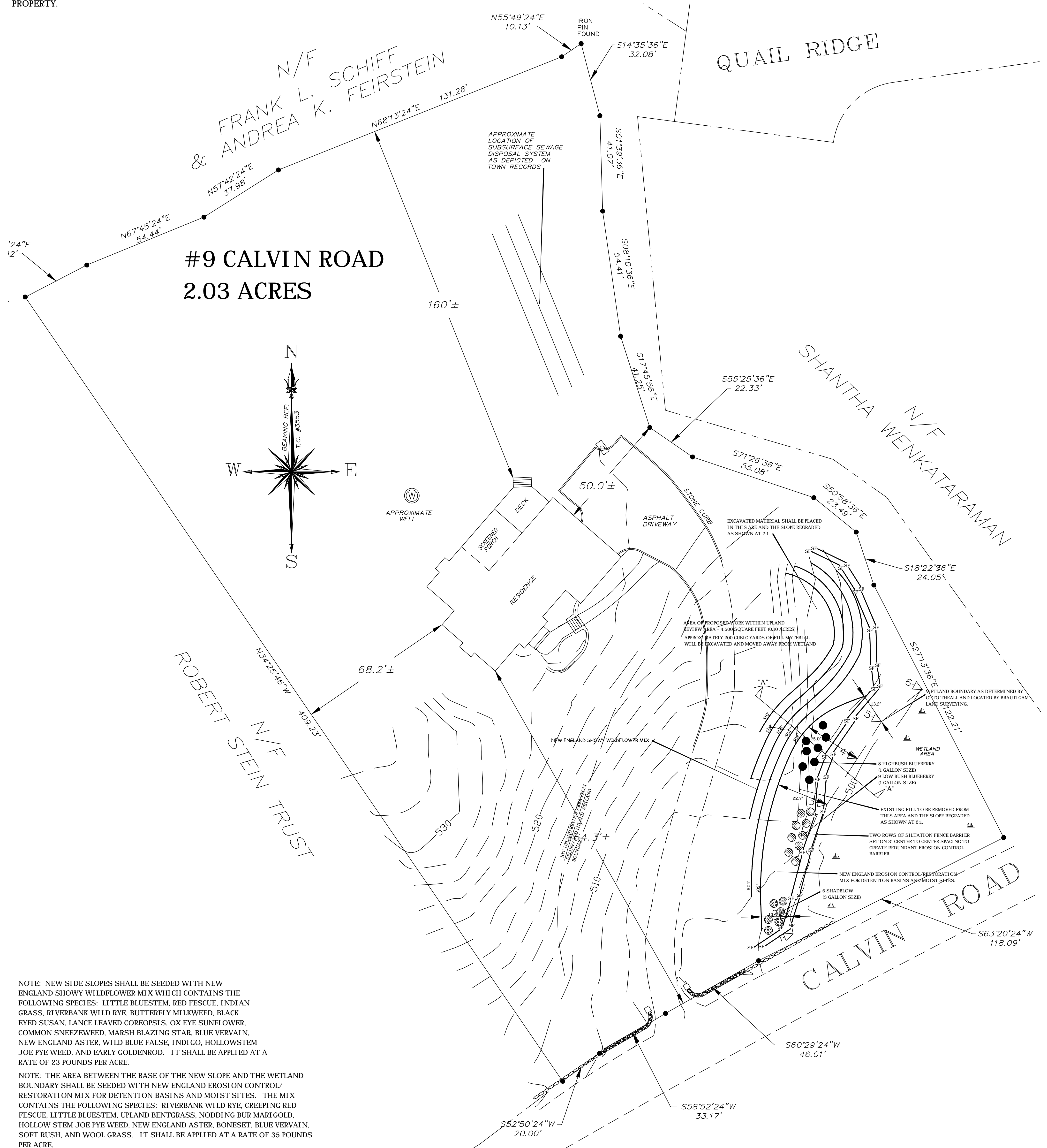
**PROJECT NARRATIVE:**

1. The current driveway previously had a steep drop off along the right hand side of the driveway, which was not a safe condition for the movement of vehicles. The owners excavated an area at the rear of the house and placed the fill along the right hand side of the driveway to make it safer. The limit of the fill extended down the slope to the limit of a wetland area which was not known at the time of the work being done.
2. When the owners were notified that a permit for this work was necessary, they retained Otto Theall, Soil Scientist to delineate the wetland boundary as shown on this plan. They also contacted a surveyor who after six months did not show up to do the survey work. They then contacted Brautigam Land Surveying who did a topographic survey and location survey of the site.
3. The work shown on this plan will remove fill which is right up to the delineated inland wetland boundary and place it higher on the slope away from the wetlands. The regraded "mostly flat bench" as the bottom of the new slope will be seeded with a native mix of wetland and upland plant species as well as highly wetland shrubs planted just outside the wetland line.
4. All work will be done using an excavator from the area off the driveway to remove the fill, lightly scarify the original ground prior to the planting of the shrubs and seed mixture. Two parallel rows of siltation fence will be placed as shown prior to any work being done on the site. Excavated material will be moved and placed uphill as shown on the plan. The upper filled area and new side slopes will be seeded with a native wildflower mix.
5. All erosion control measures will remain in place and in effective condition until a permanent vegetative cover has been established on all of the regraded areas.



NOTE: SURVEY LOCATION AND TOPOGRAPHIC SURVEY WAS DONE BY BRAUTIGAM LAND SURVEYING.

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO CALL "CALL-BEFORE-YOU-DIG" AT 1-800-922-4455 AT LEAST TWO WORKING DAYS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION FOR THE LOCATION OF ANY UNDERGROUND UTILITIES ON THIS PROPERTY.



NOTE: NEW SIDE SLOPES SHALL BE SEED WITH NEW ENGLAND SHOWY WILDFLOWER MIX WHICH CONTAINS THE FOLLOWING SPECIES: LITTLE BLUESTEM, RED FESCUE, INDIAN GRASS, RIVERBANK WILD RYE, BUTTERFLY MILKWEED, BLACK EYED SUSAN, LANCE LEAVED COREOPSIS, OX EYE SUNFLOWER, COMMON SNEEZEWEED, MARSH BLAZING STAR, BLUE VERVAIN, NEW ENGLAND ASTER, WILD BLUE FALSE, INDI GO, HOLLOWSTEM JOE PYE WEED, AND EARLY GOLDENROD. IT SHALL BE APPLIED AT A RATE OF 23 POUNDS PER ACRE.

NOTE: THE AREA BETWEEN THE BASE OF THE NEW SLOPE AND THE WETLAND BOUNDARY SHALL BE SEED WITH NEW ENGLAND EROSION CONTROL/ RESTORATION MIX FOR DETENTION BASINS AND MOIST SITES. THE MIX CONTAINS THE FOLLOWING SPECIES: RIVERBANK WILD RYE, CREEPING RED FESCUE, LITTLE BLUESTEM, UPLAND BENTGRASS, NODDING BUR MARI GOLD, HOLLOW STEM JOE PYE WEED, NEW ENGLAND ASTER, BONESET, BLUE VERVAIN, SOFT RUSH, AND WOOL GRASS. IT SHALL BE APPLIED AT A RATE OF 35 POUNDS PER ACRE.

PREPARED FOR  
KLEBER & KERRY QUIMI  
9 CALVIN ROAD  
WESTON - CONNECTICUT

**WETLAND RESTORATION PLAN**

PROJECT #018-2023  
SCALE: 1"= 20'  
DATE: 3/7/23



TRINKAUS ENGINEERING, LLC  
CIVIL ENGINEERS  
114 HUNTERS RIDGE ROAD  
SOUTHURY, CONNECTICUT 06488  
203-264-4558 (office), 203-525-5153 (mobile)  
Email: strinkaus@earthlink.net  
Website: <http://www.trinkaengineering.com>