

**TOWN OF SOMERS
CONSERVATION COMMISSION
P.O. BOX 308
SOMERS, CONNECTICUT 06071**

**CONSERVATION MINUTES
REGULAR MEETING
Wednesday, January 4, 2006
7:00 p.m. Town Hall**

I. CALL TO ORDER

Chairman Joan Formeister called the regular meeting to order at 7:00 p.m. Members Joan Formeister, Dan Fraro, Lise Wood and Todd Whitford were present and constituted a quorum. Wetlands Agent David Askew was also present.

II. OLD BUSINESS

a. Discussion/Possible Decision: Wetlands Application #528, 25-lot Subdivision, Battle Street, Leno

Sandy Aeschliman, of Aeschliman Land Surveyors, presented revised plans on behalf of Ric Leno, KRL Builders, which include 25 lots situated on 60 acres located north of Eleanor Lane.

The plans showed both the old and new flood lines. Mr. Aeschliman, at the request of Steve Jacobs and David Askew, has located the October 2005 flood limit lines from the site and included them on these plans. The new lines are quite different from the flood limits designated previously, and are also different from the NRCS Flood Study.

Mr. Askew and Mr. Jacobs wanted a soil scientist to redelineate the wetland along the brook and it should include all alluvial soils. The wetlands along this area are being considered primarily for flood storage value and not for other wetland functions. There is a plus/minus factor existing on the flood line making it impossible at this time to guarantee the accuracy of the flood line. This factor creates even tighter building areas along the Battle Street portion of the application.

Mr. Aeschliman noted that because of this, it is quite possible that there will not be enough continuous buildable area to create 3 lots along Battle Street so the area may need to be reconfigured into 2 building lots.

Lot 16 is still considered to be on the tight side and may contain a vernal pool. The location of

the possible pool is somewhat isolated from the proposed building area, but the home should be situated as close to the 50-foot street line as possible to provide a reasonable area for a back yard and future appurtenant structures.

Mr. Askew agreed that each of the 3 Battle Street lots are very tight and there would be no room available for extra structures or appurtenances. He would prefer the plans showing a 2-lot configuration along Battle Street.

Discussion followed that if the plans were rejected as proposed because of the designation of 3 lots along Battle Street, another application, as well as the usual application fee, would be requested from KRL Builders before the Commission could receive the newly designated 2-lot plan for consideration. It was the consensus that the requested modifications to the plans be set as a condition of approval, and that a requirement be added that the plans be shown to this Commission once modifications are made.

A motion was made by Todd Whitford, seconded by Lise Wood and unanimously voted to approve Wetlands Application #528, 25-lot subdivision, Battle Street, Leno, with the following conditions: that the design noted on the plan for Lot 16 showing the home situated at the front of the lot within the 50 foot street line be kept in place; that the 3 lots shown on Battle Street be revised to designate 2 lots and the revised plans be subject to a favorable review of the Conservation Commission; and that there be a placement of a hydrodynamic separator near Brookside Drive as a pre-treatment to the detention basin.

b. Discussion/Possible Decision: Wetlands Application #529, New House in Upland Review Area, Manse Hill Road (Mickelson-Dera Property) Pioneer Builders of Ellington, Inc.

Todd Whitford recused himself from the meeting at this time. Because there was no longer a quorum, no votes could be taken on this matter. The applicant expressed concern over not receiving a decision at this meeting because her mortgage commitment is expiring January 14, 2006, and the mortgage company is requesting a copy of the final decision. In order to accommodate her, a consensus was made to hold a special Conservation Commission meeting to vote on this application on January 9, 2006 at 7:00 p.m. if a quorum was available.

For purposes of discussion, Jay Ussery, J.R. Russo Associates, presented plans for the applicants. He reviewed that the property is situated at the end of a cul-de-sac included in a previously approved subdivision. The 9-acre lot has frontage along Durkee Road and consists of mostly wetlands affiliated with the Scantic River. The applicant is proposing building a 2,100 square-foot, one-story home and separate garage. A portion of the house is within the upland review area. Mr. Ussery noted that there were no un-addressed issues and Mr. Askew agreed.

David Askew presented a letter received from Duncan Reid, 52 Manse Hill Road, which included comments regarding the small size of the cul-de-sac and the difficulties currently resulting from this with respect to mail deliveries, school busses and other large vehicles and equipment as well as the issue of snow plowing and snow removal. Mr. Reid also included a request that the Commission consider access to the site by way of Durkee Road as an alternative to a Manse Hill Road driveway.

Mr. Askew noted that the issues included in the letter really cannot be addressed by this Commission because they are not associated with any impact to the wetland.

Mrs. Formeister received an email from another abutter, Judy and Bill Jamroz, 55 Manse Hill Road, which also mentioned concern over the current size of the cul-de-sac and what impact another driveway would have on current conditions. She responded to the email by saying that the Conservation Commission can really only make decisions regarding wetlands issues, but their letter would be discussed, and that driveway access from Durkee Road has been considered and would impact wetlands a lot more.

Todd Whitford rejoined the meeting at this time.

c. Other - No other Old Business was presented.

III. NEW BUSINESS

a. Wetlands Application #530, New House in Upland Review Area & Driveway Crossing Wetlands, 120 Florida Road, Ferro

Stacy and Greg Ferro and Steve Barnes presented preliminary plans for a new home proposed for the lot at 120 Florida Road. Because at this time they are only seeking the Commission's input as to the feasibility of the project, formal plans have not yet been prepared for presentation.

The site will take a septic system, Mr. Barnes noted, but needs wetland approval because the driveway as proposed will need to cross the wetlands. Mr. and Mrs. Ferro commented that they chose this site because it is very wooded and they expect to keep the site in as natural a state as possible.

It was noted by David Askew that this site may currently be included on a map of endangered species because of a past sighting of a spadefoot toad. He also added that the lot includes some very steep areas and he would definitely need to see a plan including the topography of the area for a comprehensive review.

The site includes wooded wetlands and vernal pools which are ecologically sensitive. A Supreme Court decision recently stated that you need to have physical impact on the wetlands in order to deny an application based on habitat issues, and this applicant is not proposing any such impact, only seeking to cross a small area of wetland and stream.

There is a small wetland area on the site which appears to be man-made. The Commission requested that Mr. and Mrs. Ferro seek alternatives to filling that area.

Mr. Askew asked that both a grading plan and clearing limits be included on the plans.

b. 2006/2007 Budget

Mr. Askew presented copies of the proposed 2006/2007 budget for review. A motion was made by Lise Wood, seconded by Dan Fraro and unanimously voted to approve the budget as presented.

c. Other - No other New Business was presented.

IV. AUDIENCE PARTICIPATION - There was none.

V. DISCUSSION: PLAN OF CONSERVATION AND DEVELOPMENT

There was no new information to present.

VI. STAFF/COMMISSIONER REPORTS

David Askew presented the Wetland Agent's Report for review. After brief discussion, a motion was made by Joan Formeister, seconded by Todd Whitford and unanimously voted to approve the Report as presented.

VII. CORRESPONDENCE AND BILLS

There was no correspondence but a bill was presented from the Journal Inquirer in the amount of \$47.22 for a public notice. A motion was made by Lise Wood, seconded by Dan Fraro and unanimously voted to pay the bill.

VIII. MINUTES APPROVAL

The following changes were made to the December 7, 2005 minutes: Page 2, last paragraph, first line, "Lockwood" was changed to "Loughlin". Page 3, third paragraph, first line, "Dan" was

changed to “Dann”.

A motion was made by Lise Wood, seconded by Dan Fraro and unanimously voted to approve the minutes of the December 7, 2005 meeting as amended.

IX. ADJOURNMENT

A motion was made by Lise Wood, seconded by Dan Fraro and unanimously voted to adjourn the January 4, 2006 Conservation Commission meeting at 8:25 p.m.

Respectfully submitted,

Lise Wood, Secretary
Secretary

Robin Timmons, Recording

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.