

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

**CONSERVATION MINUTES  
REGULAR MEETING  
WEDNESDAY, October 3, 2007  
TOWN HALL – 7:00 P.M.**

**I. CALL TO ORDER**

Joan Formeister called the regular meeting to order at 7:00 p.m. Members Candace Aleks, Henry Broer, Joan Formeister, Karl Walton, Dan Fraro, Todd Whitford and Alternate Lise Wood (seated) were present and constituted a quorum. Also present was Erosion Control/Wetland Agent, David Askew.

*A motion was made by Mr. Walton; seconded by Ms. Wood, and unanimously voted to take the agenda out of order addressing item VI. STAFF/COMMISSION REPORT first.*

**VI. STAFF/COMMISSION REPORT**

Mr. Askew informed the Commission of the CACIWC conference that will be held on November 10, 2007, and noted that the third segment of the D.E.P. Training session will be held in October for any Commission members who wish to attend; there is a free voucher, and distributed the Wetland Agent Report.

Included in his report were photos depicting the Schneider Road project (completion) and the CT Water Company Plymouth Road Drive site.

*A motion was made by Mr. Walton; seconded by Ms. Wood and unanimously voted to accept the Wetland Agent's Report of October 3, 2007.*

*The Commission voted unanimously to add August 6<sup>th</sup>, 2008 as a meeting date to the Conservation Commission regular meeting schedule calendar for 2008. This would allow for a meeting to be held every month.*

**II. OLD BUSINESS**

**a. Wetlands Application #580, Fill & Excavation Within wetland, 164 Hampden Road, Grower Direct Farms**

Mr. Mike Mocko, environmental consultant was present and spoke in regards to the application. He noted that at the last meeting he attended the Commission requested a flood profile. He presented schematics for a new mud growing field, which will be protected from flooding by construction of berm along Thrasher Brook. The question arose (at the previous meeting) as to whether an existing home close to the site

would be harmed by flood waters as a result of filling in the floodplain. A cross-section was done at that point and it was found that the berm and stream (for the 100 year flood) would be “well below the lowest entry point to the basement of the home” in question. Mr. Mocko stated that there would be 6 feet of vertical protection, and 120 feet of horizontal protection.

Mr. Askew mentioned that there was concern about flooding of the home, but the main concern was with the loss of floodplain storage and increased flood elevations resulting from the filling. He then read a letter from Somers Floodplain Coordinator, Steve Jacobs, to Mr. Mocko, requesting additional information regarding project impacts. The letter requested 5 different items, including: the existing flood plain hazard area, calculations of the flood storage loss by creation of the berm, revised flood hazard zone, plans and calculations signed and sealed by an engineer, and a requirement to obtain a LOMR from FEMA.

Mr. Askew recommended to the Commission that evaluation of the project be based on impacts to wetland functions resulting from the project, with an emphasis on flood storage and conveyance functions. Furthermore, that mitigation be provided for any lost or diminished functions and values.

In December 2005, part of the mitigation requirement was that the applicant provide a mitigation plan to compensate for over 27,000 of lost wetland area. As that time one of the considerations for the plan was for compensatory flood area. A mitigation plan has not been submitted to date even though the deadline was June 2006. In short, there is still some mitigation required for the last permit.

Mr. Mocko stated that a FEMA application regarding flood plains will be provided to FEMA and that the basic demonstration of loss of flood storage is referred to as a “Flood Plan Modification Permit”. With that modification, the applicant is demonstrating that there is no loss of floodable land. This permit has not been obtained, according to Mr. Mocko.

The cleaning of the pond that had been silted in has been completed. Dredge spoils are being relocated onto the slopes of the completed gravel operation and about  $\frac{3}{4}$  of an acre has been completed with loam seed and hay mulch. Mr. Mocko noted that although this procedure is not part of mitigation, it is tied to the overall conservation plan to protect wetlands and water quality.

Mr. Mocko described the revised plan: fill has been placed within the new growing area and that volume of fill will be compensated for by removing an existing berm adjacent to west side of the greenhouse. Mr. Walton asked if the existing access lane will be removed completely as noted on the plans provided. Mr. Mocko confirmed. Mr. Askew recommended that calculations be submitted to verify the amounts of materials added to and removed from the floodplain.

The Commission inquired whether the applicant had reviewed NRCS’ flood elevations. Mr. Mocko responded that they had not. Mr. Askew noted that the information was based on field data and should be used in Mr. Mocko’s calculations.

Mr. Mocko mentioned that there is an area in the northeast section of the new pit where ground water seeps and the applicant is proposing a pond at this location. The applicant was under the impression that they owed approximately 5,000 square feet of mitigation. In review of the December 6, 2006 meeting

minutes it is noted that 27,000 square feet of mitigation/renewed wetlands are needed. The Commission and Mr. Askew reviewed expectations for the mitigation plan: that it replace lost wetland functions and values; and that it fit it in with existing conditions of the property. Mr. Askew noted that typically mitigation areas are close to remaining wetlands so existing wetland functions are enhanced.

From a preliminary point, it was the Commissions view that the applicant look elsewhere on the property for mitigation. Mr. Askew was willing to meet with Mr. Mocko and the applicant on October 4, 2007 to review the plans further.

The Commission requested a letter of extension from the Applicant until next month's meeting.

**b. Other** – There was no other Old Business.

### **III. NEW BUSINESS**

**a. Other** – There was no other New Business.

### **IV. AUDIENCE PARTICIPATION – There was none.**

### **V. DISCUSSION: PLAN OF CONSERVATION & DEVELOPEMENT**

A meeting on September 27<sup>th</sup>, 2007 was called to hear from the top three (narrowed down from 7) selected applicants/developers who submitted RFPs to the town regarding the Somersville Mill. Both Mr. Walton and Ms. Carson were in attendance.

Mr. Walton explained that there were three different proposals with various approaches; funding approaches-bonding, investors, aesthetic approaches, and usage. All three developers agreed on a mixed use for the first floor with amenities for those individuals, i.e., common room, exercise room, coffee shop, office use etc.; with the largest percentage of the living quarters being above the first floor. Somers staff is currently checking references of the three applicants and it is very likely that a decision will be made within the next three weeks according to Mr. Walton.

### **VII. CORRESEPDENT AND BILLS**

*A motion was made by Mr. Walton; seconded by Mr. Whitford and unanimously voted to pay the Journal Inquirer bill in the amount of \$62.90*

### **VIII. MINUTES APPROVAL: September 5, 2007 & September 19, 2007**

*A motion was made by Mr. Walton; seconded by Mr. Whitford and unanimously accepted the meeting minutes of September 5, 2007 as presented by a vote of 5 in favor, 0 opposed and 1 abstention (Wood).*

***September 19, 2007 corrections:***

II. OLD BUSINESS item a.

“A motion was made by Karl Walton, seconded by *Todd Whitford*...” Additional verbiage to be added to paragraph which reads as follows; “*Applicant was instructed by the Commission to install markers and have the grade not exceed 30 ft from the edge of the wetland.*”

III. ADJOURNMENT

“A motion was made by Karl Walton, seconded by *Lise Wood*...”

*A motion was made by Mr. Walton; seconded by Ms. Wood and unanimously voted to accept the September 19, 2007 meeting minutes as amended.*

IX. ADJOURNEMENT

*A motion was made by Karl Walton; seconded by Dan Fraro and unanimously voted to adjourn the October 3, 2007 Conservation Commission meeting at 7:55 p.m.*

Respectfully submitted,

Jennifer D. Boudreau  
Recording Secretary

Candace Aleks  
Commission Secretary

***MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING***