

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

**CONSERVATION MINUTES
REGULAR MEETING
WEDNESDAY, October 1, 2008
TOWN HALL – 7:00 P.M.**

I. CALL TO ORDER

Joan Formeister called the regular meeting to order at 7:04 p.m. Members Candace Aleks, Henry Broer, Dan Fraro, Joan Formeister, Karl Walton, Todd Whitford, and Alternate Lise Wood were present and constituted a quorum. Also present was Erosion Control/Wetland Enforcement Officer, David Askew.

II. OLD BUSINESS

a. DISCUSSION/POSSIBLE DECISION: WETLANDS APPLICATION #600: CONSTRUCTION OF MINIATURE GOLF COURSE, PARKING & DRAINAGE IN UPLAND REVIEW AREA & WETLAND, DRIVING RANGE 349 MAIN STREET LLC

Tim Coon, J.R. Russo & Associates, presented a revised map of the miniature golf course application submitted and reviewed by the Conservation Commission on September 3, 2008 by Driving Range 349 Main Street LLC. The revised plan includes plantings in the mitigation area recommended by the Conservation Commission on September 3, 2008 and a dumpster pad area has been added which was recommended by the Planning and Zoning Commissions.

Mr. Coon stated that deferment of 30 parking spaces has been well received by both the Planning and Zoning Commissions. The 30 parking spaces require filling of wetland. As requested by the Commission at the prior meeting, construction of the spaces will not be completed unless they are required based on use of the facility once it is in operation. In response to a question from Mr. Coon, Mr. Askew stated that the parking spaces would need to be constructed within the 5-year life of the permit or a permit renewal would be required.

A motion was made by Karl Walton, seconded by Dan Fraro and unanimously voted to approve Driving Range 349 Main Street LLC's Wetlands Application #600 for construction of a miniature golf course, parking and drainage in an upland review area and wetland as presented with the condition that the mitigation construction commence at the time of all other construction.

b. DISCUSSION/POSSIBLE DECISION: WETLANDS APPLICATION #601: FILL IN WETLANDS & UPLAND REVIEW AREA FOR A SINGLE LOT, HOUSE, DRIVEWAY & SEPTIC SYSTEM, 19 MANSE HILL ROAD, MCCULLOUGH

Note: Agenda Item b. was amended as follows: remove "fill in wetlands" because the application does not include any fill in wetlands.

The Conservation Commission reviewed the planting plan for the enhanced buffer zone on the Manse Hill property. Mr. Askew recommended that the plantings be completed prior to issuance of a certificate of occupancy and that the wetland be permanently delineated with the standard wetlands tags.

A motion was made by Karl Walton, seconded by Candace Aleks and unanimously voted to approve McCullough's Wetlands Application #601 for fill in an upland review area for a single lot, house, driveway and septic system at 19 Manse Hill Road as presented at the September 3, 2008 Conservation Commission meeting with the condition that the plantings as proposed by the applicant be in place prior to the applicant's application for a certification of occupancy is submitted and that the area be permanently delineated with the standard wetlands area markers provided by the town.

Todd Whitford recused himself from this portion of the meeting and Lise Wood was seated in his place.

c. DISCUSSION/POSSIBLE DECISION: WETLANDS APPLICATION #602: GARAGE IN UPLAND REVIEW AREA, 95 SKYRIDGE DRIVE, WHITFORD

Mr. Whitford stated that since his presentation to the Conservation Commission on September 3, 2008 he has had an engineer look at the drainage situation involved with the construction of a garage on his property. The engineer did not identify any drainage issues.

Property owner, David Peck, whose property abuts Mr. Whitford's property, expressed concern about where the drainage from the structure would go. Mr. Whitford explained that the water from the garage roof would be captured and be directed into the culvert. Mr. Peck expressed concern about what would happen if the culvert backs up as it has done in the past. Based on statements from Mr. Whitford and Mr. Askew, the Commission concluded that drainage problems affecting Mr. Peck's property were unlikely, provided that existing grades were not substantially changed along the property line.

A motion was made by Karl Walton, seconded by Lise Wood and unanimously voted to approve Whitford's Wetlands Application #602 for a garage in an upland review area at 95 Skyridge Drive as presented at the September 3, 2008 Conservation Commission meeting with the condition that a preconstruction meeting be scheduled to insure that existing topography is not radically altered.

Todd Whitford rejoined the meeting at this point and Lise Wood was unseated.

d. OTHER – There was no other Old Business.

III. NEW BUSINESS

a. WETLANDS APPLICATION #603: RETAINING WALL & EMERGENCY REPAIR OF STREAMBANK (ATI), 449 STAFFORD ROAD, LARRABEE

Mr. Askew reported that emergency repairs were initiated (ATF Application) at 7 Old Hampden Road following the recent storm in September that caused the area to flood. Flooding occurred at this same site during the October 2005 storm. The culvert under the road is under-sized and water from Thrasher Brook overtops the road and has repeatedly washed out portions of the road and the area around Mr. Larrabee's garage.

Mr. Askew explained that he met with an engineer at the site last summer and discussed options to stabilize the area, however, the September storm happened before an application could be submitted. The emergency repairs (a retaining wall and fill) began right after the storm. The project is completed. Mr. Askew stated that these repairs will help keep Old Hampden Road and the surrounding area from washing out again. Mr. Askew requested that the project engineer stamp the project plan and submit it to the land use office.

Wetlands Application #603 will be voted on at the November 5, 2008 Conservation Commission meeting.

The Conservation Commission will recommend to the town that recommendations from the Thrasher Brook flood study, prepared by the Natural Resources Conservation Service, be implemented in the watershed. The study recommends the replacement of a number of undersized culverts along Thrasher Brook. Flooding has caused substantial damage to infrastructure and instream sedimentation from road wash-outs. A letter for Joan Formeister's signature will be prepared by Mr. Askew and submitted to the First Selectman and copied to the Board of Finance.

b. MODIFICATION OF WETLAND PERMIT #579: GRADING IN UPLAND REVIEW AREA, 31 SOUTH ROAD, SHADY LAKE LLC

Dan Avery presented modifications to Wetland Permit #579: Shady Lake Estates Active Adult Community.

The modifications include changing from duplex to single units, changing three units along Shady Lake to walkout basements, and restoration of a beach area along the shoreline. Mr. Askew met with Mr. Avery prior to the meeting and noted some areas of emergent vegetation along the proposed beach area. Mr. Avery has agreed to leave these areas undisturbed. He has met with his landscaper and they are developing a plan for a beach and park area consistent with Mr. Askew's recommendations. The active beach area will be reduced in size compared to what was originally envisioned.

The original plan for 32 units has been modified to 29 units. The duplex units have been changed to single units.

Modification to the original grading plan have been made along the beach and shoreline will allow walk out basement for units 7, 8, and 9. Mr. Avery and Mr. Askew walked the area and reviewed the clearing and grading plan. Generally, trees along the shoreline will not be cut. Mr. Askew stated that plans for lot 9 have not been finalized. Building the unit with a traditional basement will reduce disturbance along the shoreline and may be more appropriate.

Mr. Avery will present a landscape plan at the November 3, 2008 Conservation Commission meeting.

c. REVIEW/ADOPT MEETING DATES – 2009

A motion was made by Dan Fraro, seconded by Candace Aleks and unanimously voted to adopt the 2009 Conservation Commission meeting dates as presented.

d. OTHER

Joan Formeister reported receipt of a notice of a joint meeting with the Board of Finance, the Zoning Commission, the Planning Commission and the Conservation Commission on October 6, 2008 at 7:30 p.m. in the Town Hall Auditorium. The purpose of the meeting is to discuss where everyone stands on planning and development.

IV. AUDIENCE PARTICIPATION – There was none.

V. DISCUSSION: PLAN OF CONSERVATION & DEVELOPMENT

a. REVIEW OF PROPOSED RIDGELINE REGULATIONS – REFERRAL FROM ZONING COMMISSION

The members reviewed and discussed the Ridgeline Regulations referred from the Zoning Commission. Each member will send their comments on the regulations to Patrice Carson.

VI. STAFF/COMMISSION REPORT

Wetland Agent, David Askew, presented his October report.

Mr. Askew reported that the early September storm caused localized flooding and in-stream erosion in a number of brooks; however, all the NRCS restoration projects held up well.

Mr. Askew reported that Stebbins Road washed out again. The Commission discussed flooding in town and noted that a number of under-sized culverts caused roads to washout. NRCS flood studies have been completed on a number of streams and the studies include specific recommendations for improvements. Mr. Askew will reference these studies in

the letter that the Commission is sending to the First Selectman and the Board of Finance regarding flooding on town roads.

Contractors and developers with existing projects were contacted and advised that they prepare their sites for winter with temporary fall seeding.

A motion was made by Karl Walton, seconded by Todd Whitford and unanimously voted to accept the Agent's Staff Report dated October 1, 2008 as presented.

VII. CORRESPONDENCE AND BILLS

Mr. Askew presented a bill from the *Journal Inquirer* in the amount of \$173.14.

A motion was made by Dan Fraro, seconded by Karl Walton and unanimously voted to approve payment of the bill from the Journal Inquirer in the amount of \$173.14.

b. Mr. Askew distributed the following correspondence:

- *The Habitat* newsletter.
- *Connecticut Town & City* publication.
- *Connecticut Association of Conservation & Inland Wetlands Commissions* notice of the November 8, 2008 Annual Meeting & Environmental Conference.

VIII. MINUTES APPROVAL: September 3, 2008

A motion was made by Dan Fraro, seconded by Karl Walton and unanimously voted to approve the meeting minutes of the September 3, 2008 Regular Meeting as presented.

IX. ADJOURNMENT

A motion was made by Karl Walton, seconded by Dan Fraro, and unanimously voted to adjourn the October 1, 2008 Conservation Commission meeting at 8:58 p.m.

Respectfully submitted,

Joan Jaquith
Recording Secretary

Candace Aleks
Commission Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING