

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

**CONSERVATION COMMISSION MINUTES
REGULAR MEETING
MAY 5, 2010
TOWN HALL – 7:00 pm**

I. CALL TO ORDER:

Chairman Todd Whitford called the regular meeting of the Conservation Commission to order at 7:01 pm. Members: Candace Aleks, Henry Broer, Daniel Fraro, Joan Formeister and alternate members: Lise Woods and Karl Walton were seated. Also present: David Askew, Wetland Agent

II. NEW BUSINESS:

a. Wetland Application #626. New house and septic system within upland review area. 391 Watchaug Road. Paul Girard

Mike Mocko addressed the Commission as the Applicant's representative. He stated that the Applicant has owned the property for 6-8 years, had simply postponed any building plans until now. Soil tests had been done approximately 10-12 years ago and had been approved for septic. The house site is 12-15 feet from the wetland. The wetland consists of a hay field/wet meadow and intermittent stream. Mr. Mocko stated there will be minimal grading done, silt fencing will be used during construction and he expects no alteration of the wetland area. Mr. Askew commented that potential impacts from construction in the upland review area are typically limited to impacts from sedimentation and stormwater. This wetland has a large area of grass buffer protecting the central intermittent stream, so potential impacts to surface waters are limited.

b. Wetland Application #627: New driveway crossing of stream and addition within upland review area. 45 Lindell Drive. Fred and Kathleen Spielman.

Mr. Mocko, representing the Applicants, reviewed the application for a new driveway and construction of an in-law apartment. Wetlands surround the home on 3 sides, with a stream on the 4th side. The new driveway crossing of the stream should reduce flooding impacts on the property by providing a large box culvert that will pass the 100 year flood. The existing culvert was washed out in the October 2005 flood and was reconstructed at that time. The existing crossing will be removed and Mr. Mocko has developed a detailed plan for the removal. He also commented that installation of a box culvert requires minimal stream impacts. Regarding construction of the in-law apartment, he stated that silt fencing will be used and the site re-vegetated.

c. Jurisdictional Determination. Expansion of horse paddock in upland review area and associated minor grading within wetland. 170 Parker Road. Pamela Deptula.

Mr. Askew stated this property was purchased over a year ago and the Applicant wants to expand the horse paddock area to the edge of the wetlands. He added it would be a small area of expansion, only 3-4 trees would be cut, minimal grading done.

- *A motion was made by Candace Aleks to accept the jurisdictional determination as a Permitted Use As of Right for the Town; seconded by Candace Aleks. A unanimous vote followed.*

d. Wetland Application #628. Sediment removal within stream at culvert on Harvest Hill Lane. Town of Somers.

Mr. Askew stated this is essentially a long-term maintenance issue, cleaning out the inlets and outlets of culverts. The wetland statute exempts this activity if the pipe was in place in 1974. This culvert was installed in the late 90's or early 2000's. Mr. Askew has consulted with the DEP fisheries biologist and has reviewed procedures with the town highway foreman.

e. Jurisdictional Determination. Sediment removal associated with town culverts and detention pond maintenance. Several locations. Town of Somers.

Mr. Askew distributed copies of a memo he'd received from Todd Roland, Deputy Director of Public Works, requesting approval to remove debris from Town waterways. Waterways specified included 5 detention ponds and 8 inlet/outlets. The DEP typically recommends that towns regulate detention basins if they meet the criteria for wetland. Generally, Mr. Askew is in favor of allowing maintenance provided that public works and wetlands staff review each basin and address any potential issues. If the Commission allows maintenance without a permit, he will consider it as town policy, but will report on any scheduled maintenance proposed by public works. One of the basins being considered has some wood frog egg masses. Sediment removal will avoid this area of the basin and the work will be scheduled for later in the summer.

- *A motion was made by Joan Formeister to accept the jurisdictional determination as a Permitted Use As of Right and unregulated activity for the Town; seconded by Daniel Fraro. A unanimous vote followed.*

III. OLD BUSINESS:

a. Discussion/Decision Wetland Application #624. Inground pool within upland review area, 682 Springfield Road. Juliano's Pools (Applicant).

Mr. Askew explained the Applicant's request as a change of the pool's originally stated location from the side-lot, to behind the home. Wetlands area is alongside of the property. Mr. Askew requested a meeting with Juliano's Pools to lay out construction limitations and placement of silt fencing. Mr. Walton suggested use of permanent markers.

- *A motion was made by Daniel Fraro to approve the inground pool with the following conditions: that permanent markers be installed along the wetland boundary and that a preconstruction meeting take place between Mr. Askew and Juliano's Pools; seconded by Candace Aleks. In the vote that followed, only Ms. Formeister voted as opposed. The motion was passed.*

b. Discussion/Decision Wetland Application #625. Inground pool within upland review area, 77 Sokol Road Road. Juliano's Pools (Applicant).

The only issue raised with this application was the fact that work was started prior to permit approval and the homeowner had asked the contractor to clear up some brush

along the wetland boundary, which should not have been done. Mr. Askew stated that these issues were discussed with the contractor.

- *A motion was made by Daniel Fraro to approve the inground pool with the condition that permanent marker be installed along the wetland boundary; seconded by Candace Aleks. A unanimous vote followed.*

IV. AUDIENCE PARTICIPATION:

None.

V. STAFF /COMMISSION REPORT:

David Askew distributed his Wetland Agent's Report, dated 5/5/2010.

VI. CORRESPONDENCE & BILLS:

None.

VII. MINUTES APPROVAL (4/7/10):

As members had not received a copy of the Minutes, it was decided to table any discussion of the 4/7/10 Minutes until the next Regular WPCA meeting.

VIII. ADJOURNMENT:

A motion to adjourn was made by Dan Fraro; seconded by Joan Formeister, and unanimously approved to adjourn the May 5, 2010 Regular Meeting of the Conservation Commission at 8:21 pm.

Respectfully submitted,

Candace Aleks, Secretary

Kimberly E. Dombek, Recording Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.