

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

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

**I. CALL TO ORDER:**

Chairman Todd Whitford called the regular meeting of the Conservation Commission to order at 7:03 pm. Members present included: Henry Broer, Joan Formeister, Karl Walton. Also present: David Askew, Wetland Agent.

**II. OLD BUSINESS:**

**a. Discussion/Decision Wetland Application #627. New Driveway crossing of stream and addition within upland review area. 45 Lindell Drive. Fred and Kathleen Spielman.**

Mike Mocko, the owner's Environmental Consultant, addressed the Commission and explained the plans, which had been revised since the June meeting. The revised plans include more detail, showing the proposed driveway crossing of the stream and removal of the existing culverts and driveway. The new stream crossing will be done with a box culvert which requires little alteration to the existing streambed or stream banks. The project will cause no net loss of wetland or alteration of the stream bank. The new culverts will allow passage of the 100 year storm event. The 2005 flood over-topped the existing driveway, eroding portions of the driveway, crossing, and adjacent lawn. The proposed addition is within the upland review area. There is a substantial area of lawn between the proposed addition and the wetland. Erosion controls will be used to protect the stream and wetland from sedimentation.

Mr. Whitford asked Mr. Askew's opinion regarding the neutral impact to the wetland and stream. Mr. Askew agreed with Mr. Mocko that the replacement driveway represents no additional loss of stream or wetland and that mitigation is being provided by removal of the existing driveway and crossing.

- *A motion was made by Joan Formeister to approve Wetland Application #627- New driveway crossing of stream and addition within upland review area with the condition that Mr. Askew, the contractor, and Mr. Mocko have a pre-construction meeting; seconded by Karl Walton. A unanimous vote followed.*

**b. Wetland Application #629. Fill in wetland for pasture preparation. Main Street and Hurlburt Road, Lindy Farms.**

Darlene Chapdelaine addressed the Commission as the applicant's representative. She distributed copies of a binder of documents relating to the Application to Commission

members. She re-stated the applicant's intent to fill in the wetland area in order to expand a pasture.

Mr. Whitford reminded Ms. Chapdelaine that at the June meeting, the Commission had asked her to present alternatives to filling the wetlands.

Ms. Chapdelaine responded that the landowner wants to fill in the wetland; they did not come up with an alternative. She indicated that the wetland would most likely be farmed, as permitted under that state statute. Ms. Chapdelaine also asserted that the area to be filled in is an old irrigation ditch, and was man-made. Both the soil scientist and engineer hired by Lindy Farms attested to that.

Mr. Askew disagreed that this was originally an irrigation ditch or that it was entirely man-made. He displayed aerial photos from 1934, 1965, 1970, and a recent aerial, all of which showed the area wooded. There has been a farm road around the wetland since 1934, but the wetland area was not actively farmed. The 1970 aerial appears to show a pond, which was probably dug out of the original wetland. Such a pond excavation explains the presence of pre-existing stockpiles around the perimeter of the wetland. Mr. Askew explained that the wetland may be an old meander channel of the river, given its location within the floodplain and general form.

Mr. Askew explained that the wetland currently functions to discharge groundwater to the Scantic River and asked for clarification regarding the exact location of the fill relative to the existing farm road crossing. Ms. Chapdelaine showed the area to be filled on the site plan and indicated that fill would not extend up to the crossing. As proposed, there will be approximately 20-25 feet of channel from the edge of the fill to the culvert. Mr. Askew stated that this alleviates his concerns regarding maintenance of the existing discharge. He then questioned whether the proposal would meet project goals previously discussed and suggested that, if approved, the Commission could specify that some modifications in the proposal could be made during construction, such as shaping the swale to make it safer for livestock.

Ms. Formeister stated she was concerned by the lack of any presentation of alternatives. In the past, applicants usually offer reasonable alternatives when that information is requested.

Mr. Whitford asked members for additional comments or questions, and then asked for a motion.

- *A motion was made by Karl Walton to allow the fill in of wetland within the area cross hatched on the site plan, contingent upon a pre-construction meeting with Mr. Askew; seconded by Henry Broer. In the vote that followed: Mr. Walton and Mr. Broer voted in favor; Mr. Whitford and Ms. Formeister voted against. The motion does not carry.*

### **III. NEW BUSINESS:**

None

### **IV. AUDIENCE PARTICIPATION:**

None

**V. STAFF/COMMISSION REPORT:**

David Askew distributed his Wetland Agent's June & July Report, dated 7/7/2010.

*A motion was made by Todd Whitford to accept Wetland Agent's June & July report; seconded by Karl Walton. A unanimous vote followed.*

**VI. CORRESPONDENCE AND BILLS:**

David Askew submitted the following invoice for payment:

Journal Inquirer	\$118.05
------------------	----------

*A motion was made by Karl Walton to approve this invoice for payment; seconded by Henry Broer, then unanimously approved by the members.*

**VII. MINUTES APPROVAL: 4/7/2010, 5/5/2010, 6/16/2010**

**a. April 7, 2010**

Mr. Whitford asked the members for comments or corrections on the 4/7/2010 Minutes. None were brought forth.

- *A motion was made by Karl Walton to approve the 4/7/2010 Minutes as written; seconded by Todd Whitford, and then unanimously voted to approve by the members.*

**b. May 5, 2010**

Mr. Whitford asked the members for comments or corrections on the 5/5/2010 Minutes. None were brought forth.

- *A motion was made by Karl Walton to approve the 5/5/2010 Minutes as written; seconded by Joan Formeister, and then unanimously voted to approve by the members.*

**c. June 16, 2010**

Mr. Whitford asked the members for comments or corrections on the 6/16/2010 Minutes. An error was found on page 2, New Business, a, -- the final sentence of the third paragraph should read: "Any decision regarding fill in the wetland should consider wetland functions."

- *A motion was made by Karl Walton to approve the 6/16/2010 Minutes as amended; seconded by Joan Formeister, and then unanimously voted to approve by the members.*

# **VIII. ADJOURNMENT:**

*A motion to adjourn was made by Henry Broer; seconded by Joan Formeister, and unanimously approved to adjourn the July 7, 2010 Regular meeting of the Conservation Commission at 7:55 pm.*

Respectfully submitted,

Candace Aleks, Secretary

Kimberly E. Dombek, Recording Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.