

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

**CONSERVATION COMMISSION MINUTES
REGULAR MEETING
MARCH 2, 2011
TOWN HALL – 7:00 pm**

I. CALL TO ORDER:

Chairman Todd Whitford called the regular meeting of the Conservation Commission to order at 7:05 pm. Members present included: Joan Formeister Henry Broer, Candace Aleks, and Greg Genlot. Alternate member Lise Wood was seated for Karl Walton, constituting a quorum. Also present: David Askew, Wetland Agent, and a few interested citizens.

II. PUBLIC HEARING:

a. (Request to Withdraw). Wetland Application #637: Culvert and fill within 60 feet of intermittent stream to create lawn. 27 Suncrest Drive, Carlton Mappin.

Chairman Whitford opened the Public Hearing on Wetland Application #637 open at 7:05 pm. Mr. Askew read the Legal Notice for the application into the record. Mr. Whitford then asked if the Applicant was present and wanted to address the Commission. David Palmberg, of Palmberg & Sons, came forward as the representative of the Applicant.

Mr. Palmberg opened by stating that Mr. Mappin had received a Cease & Desist Order from Mr. Askew on December 10, 2010. Mr. Askew corrected him, stating it was a Notice of Violation.. Mr. Palmberg said that, due to snow cover they were unable to conduct site work in order to comply with the requirements of an application. Mr. Palmberg stated that tonight, they are seeking to withdraw the application, and will re-submit at a later date.

Paul Slomsky, (abutting neighbor) in the audience, stood and stated his interest in showing the Commission what has taken place on the property. Mr. Whitford explained that the Applicant has withdrawn his application. He added that Mr. Slomsky was welcome to speak, but that the Commission would not be able to address his comments tonight, as this application would be back in front of them in at a later date. Mr. Slomsky told members that the culvert from Mr. Mappin's property is emptying onto his own. Mr. Whitford said the Application would require another Public Hearing with the re-submittal of his Application, and he encouraged Mr. Slomsky to attend that meeting.

A motion was made by Ms. Aleks to close the Public Hearing of March 1, 2011 at 7:08 pm. The motion was seconded by Ms. Formeister, followed by a unanimous vote as approved.

III. OLD BUSINESS:

a. Possible Discussion/Decision Application #638: Electric Go-Kart track and new parking lot within wetland and upland review area. Driving Range 349 Main St. LLC

Mr. Askew explained that this application was received prior to the canceled February meeting (thus Old Business), and members can choose to make a decision or postpone a decision this evening.

Tim Coon, of J.R. Russo Associates, addressed members as representative for the applicant. He set out a Site Plan of the property, and explained their intent to add an electric go-kart track on the northern portion of the site,

and expand the parking at the existing business, which contains: mini-golf, driving range, batting cages, and a snack shack. He added they currently have an 80 space parking lot and are looking to add 32 spaces.

Referring to a Site Map, Mr. Coon pointed out the Scantic River on the northern edge of the property, an intermittent stream on the eastern property line, and the wetland area in the northeastern corner; where the proposed parking extends into. He indicated where an old culvert (farm drum) was situated on the southeastern edge of the property, and told members they would be replacing it with a new one, and runoff would be to a newly installed catch basin. He told members he had submitted a Wetlands Assessment to Mr. Askew.

Mr. Coon also showed a rendering of the proposed track; 1,023 the proposed spectator seating, as well as the locations of a pit building and a maintenance building. He stated it would be a concrete track pitched inward; water would be collected in a central drain, discharged to the wetlands, via a covered discharge pipe. Mr. Askew said he would like to see the discharge pipe moved back. Mr. Coon agreed to look into that as an alternative.

Mr. Coon addressed what they offer as wetland mitigation. He discussed planned excavation on both sides of the intermittent stream. He explained that essentially they will be creating a new wetlands of approximately 10,500 sq to offset the 4,300 sq wetland fill. Mr. Coon concluded by stating there will be no negative wetlands impact.

Mr. Whitford asked members for any questions. Mr. Askew asked about the 2 catch basins, whether they would have filters. Mr. Coon responded they would have filter inserts.

Ms. Formeister addressed Mr. Askew and asked about filling a 2nd area on this property and questioned the nature of the new wetlands. Mr. Askew answered that the new wetlands would be as good, if not better, for storage issues and wild life, in his opinion. Ms. Formeister asked about the mitigation area being part of another piece of property. Mr. Coon said both properties had the same owner.

A motion was made by Candace Aleks to approve Application #638, with the stipulation that piping from the track drain be pulled back; seconded by Dan Fraro, followed by a unanimous vote as approved.

IV. NEW BUSINESS:

a. Application #639: Inground swimming pool with upland review area. 715 Springfield Road, Roda.

The Applicant was represented by Brian Juliano, of Juliano's Pools who addressed the Commission. He stated that there is a 100 foot buffer, and that half of the proposed pool is in the wetland area. He added that silt fencing will be installed during construction.

Mr. Askew informed members that the property is part of a 5 lot sub-division, is relatively flat, basically an old farm field. He added that the original application had been submitted in December of 2010, but the fee had not been paid. The representative from Juliano's Pools stated that Mr. Roda had put the job on hold then, but was now interested in moving forward. He said he would submit the fee this evening.

Mr. Askew told him the receipt date of the Application would be tonight, and members aren't able to vote on this application until the April meeting.

b. Application #640: New building and septic system, grading within upland review area. Woodcrest Elderly Housing, Somers Housing Authority

Mark Peterson addressed the Commission, representing the Applicant. He told members, this application is part of phase II of the Woodcrest Elderly Housing Development. He said they are proposing to add a new 34 unit building, and 14 single home structures, on the rear 1.7 acre parcel, within the wetland area.

Harvey Edelstein, Real Estate Diagnostics, Inc., also representing the Applicant, told members that The Office of Appropriate Development had asked them for a study of endangered species in the wetland area. Mr. Edelstein said the study, conducted by Dr. Klemens, found soils to be supportive of the spayed foot toad, a species of concern. Mr. Edelstein said based on the study, they decided to reduce the number of units, and overall size of the project. The study also noted vernal pools; which ought to be protected.

Mr. Askew asked about specific recommendations from the study. He told members that there were some stormwater impacts to the vernal pools resulting from Phase I of the project and wanted to know what recommendations by Dr. Klemens would be implemented.

c. Proposed Budget 2011-2012

Mr. Askew distributed copies of the proposed 2011/2012 Conservation Commission budget.

A motion was made by Joan Formeister to approve the 2011/2012 Conservation Commission budget; seconded by Lise Wood, followed by a unanimous vote as approved.

V. DISCUSSION

a. Public Notice DEP Diversion Permit for Grower Direct

Mr. Askew reminded members that Grower Direct, a gravel operation, is seeking the permit to draw 290 gallons of water per day on their site, from the aquifer. Mr. Broer stated he had attended the information session and was told of neighboring wells would not be impacted. Ms. Formeister stated her concern regarding the amount of water being drawn from the aquifer; which serves the entire Town. Mr. Askew suggested she write a letter to the DEP.

Ms. Formeister cited the Commission's responsibilities from the Conservation Commission **handbook**, to protect the natural resources. She added that with the environmental impact, it was within the purview of the Commission. She agreed to draft a letter to the DEP.

b. Enforcement Procedures

Mr. Askew told members that whereas he has the authority to write a Cease & Desist Order on a violation, his preference has been to involve the Commission and bring the land-owner in for more direct discussion with them.

A motion was made by Karl Walton to nominate Todd Whitford as Chair; Joan Formeister as Vice-Chair, and Candace Aleks as Secretary; seconded by Lise Wood, followed by a unanimous vote as approved.

VI. AUDIENCE PARTICIPATION:

None.

VII. STAFF/COMMISSION REPORT:

Mr. Askew distributed copies of the Wetland Agent's February 2011 Report.

A motion was made by Joan Formeister to accept the Wetland Agent's February 2011 report; seconded by Candace Aleks, followed by a unanimous vote as approved.

VIII. CORRESPONDENCE AND BILLS:

Mr. Askew submitted the following invoice for payment:

Journal Inquirer	\$267.58
Journal Inquirer	\$173.14

A motion was made by Lise Wood to pay the invoices; seconded by Dan Fraro, followed by a unanimous vote as approved.

IX. MINUTES APPROVAL: 1/5/2011

Mr. Whitford asked the members for comments or corrections on the 12/01/2010 Minutes. None were brought forth.

A motion was made by Joan Formeister to approve the 1/5/2011 Minutes as written; seconded by Candace Aleks, and then unanimously voted as approved by the members.

X. ADJOURNMENT:

A motion to adjourn was made by Joan Formeister; seconded by Lise Wood, and unanimously approved to adjourn the March 2, 2011 Regular meeting of the Conservation Commission at 8:43 pm.

Respectfully submitted,

Candace Aleks, Secretary

Kimberly E. Dombek, Recording Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.