

TOWN OF SOMERS
Conservation Commission
600 Main Street
P.O. Box 308
Somers, Connecticut 06071

REGULAR MEETING MINUTES
Wednesday, June 1, 2011
Town Hall 7:00 pm

- I. CALL TO ORDER – Meeting was called to order by Chairman Todd Whitford at 7:01 pm.
Commissioners in attendance were Henry Broer, Greg Genlot, Dan Fraro, Karl Walton, and Lise Wood.

II. PUBLIC HEARING

- 1. Application #642 After-the-fact installation of culvert and filling of 60 feet of stream and associated wetland. 27 Suncrest Drive. Carlton Mappin.**

David Palmberg, the applicant's surveyor, provided a summary of the project. He discussed details of the engineers report, indicating that water ponds on the upstream parcel. He indicated that he was not sure of the extent of the ponding. However, he indicated that the ponding should have a relatively short duration. Mr. Palmberg informed the Commission of alternate options which included using a larger pipe. Soil Scientist Joseph Theroux added his findings, indicating that several wetland functions were eliminated within the small area of stream and wetland filled (< 1000 square feet).

Chairman Whitford then asked if there was anyone who would like to speak in favor of the project.

A neighbor of Mr. Mappin's voiced his support for the project. He said that 90% of the year there is no water within the stream.

Carlton Mappin explained to the Commission why he did this project. He stated it was for a safety issue and to improve the property.

Paul Slomsky (abutting neighbor) informed the Commission that he is upset because the water is backing-up on his property. He explained that he was the former owner of the property and went through the subdivision and wetlands application process to create the lot now owned by Mr. Mappin. He discussed all the steps he went through to make sure that procedures were done properly when he sold the property. He supplied pictures to the Commission showing the result of the pipe being put in. He also indicated that water was ponded on his property, upstream from

the culvert for several weeks during the spring. He is asking that the stream be restored to the way it was originally.

David Palmberg disputed Mr. Slomsky's statement that there was ponding for a significant duration and indicated to the Commission that the water was not backed up when he did his work. The grade in the area is flat and will always have some ponding.

Karl Walton motioned to close the Public Hearing for application #642 27 Suncrest Drive, Carlton Mappin. Dan Fraro seconded.

Chairman Whitford indicated that the public hearing was closed.

2. Application #643. New single family residence, driveway, and septic in upland review area. 35 Theresa Drive. Hinkley.

Mike Mocko of Ward Engineering described the project to the Commission. This is a single family home and septic in the side yard within the upland review area. Commission members had several questions about the lot and basic layout of the house and septic.

Chairman Whitford asked if anyone would like to speak in favor of the application. There was no one. He then asked for comments against.

Gloria Reis, 39 McCulloch Drive spoke against the property being developed. Her concerns included her well, the wildlife and preserving the wetlands. She would like to know what type of house would be built? Would a deck be added which would impact the wetlands? They had approached the owners previously and offered to purchase the property but the price was too high for what was previously deemed an unusable parcel. She then asked who is responsible if there is a problem with the water after the home is built.

A number of other residents spoke again the lot being developed. Their concerns included:

- Adjacent property at lower elevation with a lot of water runoff.
- At times the stream is a raging river and water is very deep.
- The lack of area (13') between the corner of the house and the wetland and the likelihood of wetland disturbance during construction.
- More water in other basements if this is built.
- Issues with the location of the flood line and flooding.
- Damage cannot be reversed once it happens.

Mike Mocko addressed concerns from the audience. He said there is a 3' undisturbed area between grading around the house and the wetland, and there is sufficient area for construction equipment. The home will include a walkout basement. Fill will be provided for the front yard and septic system. The wetlands will be left intact. Mr. Mocko indicated that the 100 year flood elevation has been shown on the plan and there will be no fill within the floodplain. Mr. Mocko indicated that the project was denied previously because at the time, the Town has a restrictive wetland buffer. The state statute has changed since then.

Chairman Whitford asked for a motion to close the public hearing. David Askew informed the Commission that the Public Hearing will have to be kept open if the Commission members would like to walk the property.

Karl Walton motioned to continue the public hearing until the next meeting so that the Commission can walk the property. Greg Genlot seconded. All were in favor, motion carried.

OLD BUSINESS

1. Application #641: Jurisdictional determination for temporary bridge. Timothy Welch.

Timothy Welch, 168 Mountain Road, explained the purpose for his application. He would like access to the other side of his property which is split by a stream. The bridge would be used to make access for wood removal. Discussion followed.

Chairman Whitford asked for a vote on the determination that this is a matter as an exempt activity, as an -use-incidental to residential use. All were in favor.

2. Discussion/Possible Decision Application #642 After-the-fact installation of culvert and filing of 60 feet of stream and associated wetland. 27 Suncrest Drive. Carlton Mappin.

David Askew advised the Commission of how long they have to make a decision and provided standard language for motions. Discussion followed.

Karl Walton motioned to deny the application #642 After-the-fact installation of culvert and filing of 60 feet of stream and associated wetland to direct the applicant restore the area to the original condition. It is the opinion of the Commission that there is no feasible alternative.. Commission members discussed their reasons for denial, indicating that the additional ponding of water within the wetland on the adjacent property is the main reason. Henry Broer seconded. All were in favor, motion carried.

3. Discussion/Possible Decision Application #643. New single family residence, driveway, and septic in upland review area. 30 Theresa Drive. Hinkley. – Tabled until public hearing concluded.

III. NEW BUSINESS

1. Jurisdictional determination; new pond and roadway within wetland and upland review area. 168 Hampden Road. Grower Direct.

Leonard VanWingerden owner of Grower Direct explained to the Commission the reason for the changes. Mike Mocko of Ward Engineering showed the Commission the site map and where the changes would be made. Discussion followed. David Askew advised the Commission of the regulations.

Chairman Whitford asked for all those in favor of determining that the jurisdictional determination as presented to allow for the relocation of a pond and relocation of the roadway within the wetland and upland review area, and construction of a storm water pond at 168 Hampden Road is an exempt activity under the Permit-Use-of Right provision for farming activities. All were in favor.

2. Jurisdictional determination logging operation 174 Bilton Road. Applicant Stephen McEwen.

Henry Broer recused himself from the discussion.

David Askew presented the project to the Commission.

Chairman Whitford asked that all those in favor of approving the application as an approved operation as of rite. All were in favor.

3. Conservation Project for 2011

David Askew explained to the Commission the project, which involves improvement of a parking area at the McCann Land Trust Property.

Karl Walton motioned to utilize our conservation fund to assist the Land Trust in stabilizing the parking lot on the McCain property by giving them a \$500 award. Greg Genlot seconded. All were in favor, motion carried.

IV. AUDIENCE PARTICIPATION – None

V. STAFF/COMMISSION REPORT

David Askew, Wetland Agent submitted his Wetlands Agent Report.

Lise Wood motioned to approve accept the Wetland Report. Dan Fraro seconded. All were in favor, motion carried.

VI. CORRESPONDENCE AND BILLS

Habitat Magazine was distributed

VII. MINUTES APPROVAL: May 4, 2011

Karl Walton motioned to approve the minutes with the following amendment. Dan Fraro seconded. All were in favor, motion carried.

Remove the w from Mr. Broer's name.

VIII. ADJOURNMENT

Chairman Whitford called the meeting at 10:00 pm.

Respectfully Submitted,
Debra Hlobik
Recording Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.