

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

**REGULAR MEETING MINUTES**  
**Wednesday, July 6, 2011**  
**Town Hall 7:00 pm**

- I. CALL TO ORDER – Meeting was called to order by Chairman Todd Whitford at 7:05 pm. Commissioners in attendance were Henry Broer, Greg Genlot, Candice Aleks, and Joan Formeister. Alternate member Lise Wood was seated for Karl Walton, constituting a quorum. Also present, David Askew, Wetlands Agent.
- II. PUBLIC HEARING CONTINUED
1. **Application #643. New single family residence, driveway, and septic in upland review area. 35 Theresa Drive. Hinkley.**

Chairman Whitford informed the Commission that the public hearing was continued so that the Commission members could walk to property. Henry Broer said that he went to the property and understands that it's an approved lot, but there is a steep drop-off from the road and does not understand how the lot will accommodate a single family residence with a septic system.. Because he was afraid of falling he was not able to walk the lot.. David Askew pointed out the grading on the map.

Chairman Whitford asked for public comments.

Gary Gardner, 52 Therese Drive commented that the property is the lowest spot in the development. . He spoke again later about having to pay FEMA Flood insurance and his house being 15' higher in elevation. He also commented on wildlife on the lot..

*Chairman Whitford commented that the jurisdiction of this Commission is limited to assessing impacts to wetlands and asked that public comments be limited to wetland issues.*

Jim Botellio, Chairman of the WPCA informed the Commission that WPCA has not approved anything on this property. He informed the Commission that in February the lot was flooded and Blue Ridge Road was damaged by floods.. He voiced a concern about the Town's liability for future flood damage if the house is approved.

Mr. Vamos, 112 Wriights Brook asked what will happen to the water if they build.

Gloria Reis, 39 McCulloch Dr. voiced her concerns with the filling needed to build a house and t commented on the functions of the wetland and possible impacts to the wetlands..

Mike Mocko, the applicant's Environmental Consultant, asked to address issues raised by the public.. He stated that the house will be elevated above the flood zone and that the minor increase in runoff from the property, which he estimated at 20-25%, depending on impervious cover, will not be significant and will have no impact on downstream flooding. There will be 80' of undisturbed ground the house side of the stream, which will absorb most of the runoff under most conditions.. Concerning wildlife, the wetland area will not be disturbed. There will be a modest upland buffer zone between the actual wetlands line and the silt fence. This was approved as a building lot 20 years ago. The house size is in keeping with other houses in the neighborhood.

Mr. Askew addressed the Commission and indicated changes in the statute in the last several years to the statute that limits the Commission's role in regulating wildlife. He explained that the main function of the Commission is to determine if there are adverse chemical or physical alterations to the wetland.

Chairman Whitford asked for a motion to close the public hearing

*Joan Formeister motioned to close the public hearing. Lise Wood seconded. All were in favor, motion carried.*

a. OLD BUSINESS

b.

- I. Discussion/Possible Decision Application #643 new single family residence, driveway and septic in upland review area. 35 Theresa Dr.

*Joan Formeister motioned to approve application #643 35 Theresa Drive. Candice Aleks seconded.*

*Discussion followed:* Mrs. Formeister commented that she expects that there will be impacts to the wetland from development of the house and septic system and believes that future impacts to the wetland from typical residential additions, like sheds and pools, are inevitable. Mr. Whitford stated that there are no direct impacts to the wetland proposed and that he is not persuaded that there will be impact to the wetland. *Mr. Whitford called for a vote. Voting to approve the application: Wood, Genlot, Whitford. Voting not to approve: Formeister, Aleks, Broe. The vote resulted in a tie: motion failed.*

### III. NEW BUSINESS

1. Application #644 Stream crossing and gravel access drive. 349 Main St. 349 Main LLC.

Jay Ussery, JR Russo & Associates represented the Somers Golf Center. He described the project for the Commission. They would like to make the construction driveway across the intermittent stream permanent, which would also give them emergency access. Discussion followed.

The application will be decided at the next meeting.

IV. AUDIENCE PARTICIPATION – None

V. STAFF/COMMISSION REPORT

An anonymous call was received that someone was dumping brush in a pond at 536 Main St. Mr. Askew spoke with the contractor who was doing the work. The contractor will remove all the brush by August 30<sup>th</sup>. The issue was handled as a verbal compliance issue, given the contractor's cooperation and the owner's health issues.

He also met with Mr. Mappin. They reviewed the restoration plan, which includes removal of the pipe and fill to the original grade and planting shrubs along the stream corridor. All other areas will be stabilized with grass. The owner will have it done by August 30<sup>th</sup>.

VI. CORRESPONDENCE AND BILLS

Mr. Askew submitted the following bills for payment:

\$220.36 & \$55.09 Journal Inquirer

\$50.00 CACIWC

*Lise Wood motioned to pay the bills. Greg Genlot seconded. All were in favor, motion carried.*

VII. MINUTES APPROVAL: June 1, 2011

*Joan Formeister motioned to approve the minutes with the following amendment. Lise Wood seconded. All were in favor, motion carried.*

Page 2, Last sentence before bullets, should read: A number of other residents spoke against the lot being developed.

VIII. ADJOURNMENT

*Lise Wood motioned to adjourn the meeting at 8:13 pm. Joan Formeister seconded. All were in favor, motion carried.*

Respectfully Submitted,

Debra Hlobik  
Recording Secretary

Candace Aleks  
Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.