

**TOWN OF SOMERS  
CONSERVATION COMMISSION  
600 MAIN STREET  
P.O. BOX 308**

**REGULAR MEETING MINUTES  
WEDNESDAY, DECEMBER 7, 2011  
Town Hall Lower Level Conference Room 7:00 P.M.**

**I. CALL TO ORDER**

The meeting was called to order by Secretary Candace Aleks at 7:00 p.m and seated Lise Wood for Joan Formeister. Chairman Todd Whitford arrived at 7:05; Joan Formeister arrived at 7:07. Commissioners in attendance were, Henry Broer, Karl Walton, Dan Fraro, Greg Genlot and Lisa Wood. Also present: Wetlands Agent, David Askew. Joan Formeister noted that Ms. Wood could not vote as an alternate, since the complete membership was present.

Mr. Askew requested an addition to the agenda. The expansion of a parking lot at 349 Main Street.

*Greg Genlot made motion to add the expansion of parking lot at 349 Main Street to the agenda.  
Karl Walton seconded. All were in favor, motion approved.*

**II. EXECUTIVE SESSION: DISCUSSION WITH TOWN ATTORNEY RE: HINCKLEY VS. CONSERVATION COMMISSION**

**Karl Walton made a motion to meet in a separate room for Executive Section and to include Mr. Askew. Greg Genlot seconded. Motion passed. Members left the room and returned at 7:20.**

Chairman Whitford asked the Town Attorney, Carl Landolina, to summarize the Executive Session. Attorney discussed the stipulation in Hinckley vs. Conservation Commission. The attorney will sign it and will present it to Plaintiff's Counsel and get their signatures and then present it to court. The court will have a hearing on the stipulation. The Commission will then have to hold a public hearing to allow public comment on conditions of approval. A copy of the stipulation will be put on file in the Town Clerks office. Chairman Whitford signed the stipulation.

*Motion was made by Karl Walton to authorize the Chairman to sign the stipulation. Greg Genlot seconded. All were in favor, motion approved.*

**III. OLD BUSINESS**

**1. Discussion/Decision Application #649: Re-grading within upland review area of wetland.  
439 Billings Road, Cronan.**

Mr. Askew stated that the application was submitted before the November meeting so it was automatically received on the date of meeting. Because it is received, the Commission can make a decision at the December meeting.

Mike Mocko represented the landowner. The property encompasses a gravel deposit bordering a stream and wetlands. What is proposed is to lower the knoll in back and re-grade the side and front yard.

Mike Mokko further reported the plan is to maintain silt fences along the property until it is well vegetated. Temporary and permanent seeding is proposed, depending on when the project is completed. Seeding with Winter Rye in December is not out-of-the-question and germination is possible during the winter season.

Chairman Whitford asked about the nature of the wetlands. Mike Mokko responded that it is flat and subject to flooding. From the stream the topography rises about 1 ½ feet and then comes up steep in the upland area.

Mr. Askew mentioned the stream discharges out of pond at the golf course. Mike Mocko said the stream tends to be a little flashy. Flooding is typically restricted to the immediate area of the wetlands. An undisturbed buffer between the wetland and the proposed area of work will be maintained. If the weather holds up, the contractor anticipates this being a two-day job.

Mr. Askew suggested putting a double line of silt fence or a silt fence backed by haybales where there is a depression being filled close to the wetland. Mr. Askew does not anticipate that there will be any wetland impacts as long as it is done according to the plan.

*Motion was made to approve Application #649 by Karl Walton at 439 Billings Road for re-grading, providing there is a pre-construction meeting with Mr. Askew and two lines of sediment barrier in the area being filled adjacent to the wetland. Lisa Wood seconded. All were in favor, motion carried.*

#### **IV. NEW BUSINESS**

##### **1. Application #650. 2-lot sub-division, septic and single family residence within upland review area. Kumiega**

Mike Mokko discussed the site plan. This is a 2-lot subdivision at 111 Scully Road and will go before the Planning Commission and is subject to subdivision. What is proposed is maintaining the existing home/lot, creating one new lot (proposed lot #2) which will be 2.12 acres. The new residence will be partially located within the upland review area. The home will be in the center of the lot and a 50-foot undisturbed area will be maintained. The proposed construction area has been maintained as pasture for many years. The wetland supports mixed shrub and tree growth. The buffer zones will be provided between the work and grading area of the lot.

Mr. Askew recommended putting a limit of disturbance on the map for the next submission since it is in the pasture area.

##### **2. Expansion at 349 Main Street, LLC and associated parking lot**

Tim Koon and Jonathan Murray discussed the site plan and reported on 349 Main Street LLC. As part of application what is being proposed is an addition to the existing snack bar. It is just basically closing in the area. The second part is going to be a 6,840 square foot L-shape building between mini golf. Third part will be an additional tent. According to Zoning there will be a need to increase parking spaces.

The new parking lot will look similar to the existing parking lot. Catch basins will be equipped with filter inserts to provide stormwater treatment.

Approximately 30,000 sq.ft wetlands will be filled for the parking area. Mitigation is proposed by excavating 11,200 sq. ft of upland for flood storage and wetland creation. The existing wetland is currently maintained as grass and the Project Soil Scientist characterizes the wetlands as generally “low value” with primary functions of groundwater recharge.

Jonathan Murray reported that there has not been further discussion on development on the other side of the parcel. They have not moved that far forward with it and feel it can possibly grow but not they are not at that potential yet. They are just trying to keep up with their customers. It has been a very successful operation and has provided jobs.

Mr. Askew commented that the land use office has encouraged the owners to develop a long term comprehensive plan for the parcel, including the adjacent land to the east. A comprehensive plan will assist the Commission to make determinations about alternatives to filling wetlands on the site. He also stated that the wetland to be altered is considered low-value wetland. All wetland soils have a potential to renovate storm water and that needs to be addressed in a narrative. The storm water plan has to be in compliance with the CT Storm Water Regulations and Mr. Askew recommends that the applicant address stormwater issues in the functional assessment.

Jonathan Murray mentioned the building will match the rest.

## **REVIEW AND APPROVE 2012 MEETING DATES**

Mr. Askew distributed the Proposed Dates for Conservation Commission Meetings for 2012.

*Motion was made to approve the 2012 Meeting Dates by Karl Walton. Greg Genlot seconded. All were in favor, motion carried.*

## **V. AUDIENCE PARTICIPATION (none)**

## **VI. STAFF/COMMISSION REPORT**

Mr. Askew handed out the Wetland Agent’s Report. He has been working with Somers High School on a plan to renovate the small vernal pool/stormwater wetland that has been used by the school in the past for education purposes.

Mr. Askew wrote a letter to Grower Direct requesting submission of an as-built plan for recent improvements.

*Motion was made to accept the Wetland's Agent's Report by Karl Walton. Dan Fraro seconded it. All were in favor, motion carried.*

## **VII. CORRESPONDENCE AND BILLS**

Mr. Askew received three bills from The Journal Inquirer. The bill amounts are \$55.09, \$70.83 and \$62.96.

*Motion was made to accept the bills as stated by Karl Walton. Dan Fraro seconded it. All were in favor, motion carried.*

## **VIII. MINUTES APPROVAL: OCTOBER 5, 2011**

*Motion was made to approve the October 5, 2011 Conservation Commission Meeting Minutes as written by Dan Fraro. Karl Walton seconded it. All were in favor, motion carried.*

## **IX. ADJOURNMENT**

*Motion was made to adjourn the Conservation Commission Meeting at 8:04 p.m. by Karl Walton. Dan Fraro seconded it. All were in favor, motion carried.*

Respectfully submitted,

Regina C. Robinson

**MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING**