

TOWN OF SOMERS

CONSERVATION COMMISSION

P.O. BOX 308

SOMERS, CT 06071

CONSERVATION MINUTES

REGULAR MEETING

WEDNESDAY, JUNE 4, 2008

TOWN HALL – 7:00 P.M.

**I. CALL TO ORDER**

Karl Walton called the meeting to order a 7:03 pm. Members Candace Aleks, Henry Broer, Dan Fraro, Todd Whitford, Lise Wood and Karl Walton were present and constituted a quorum. The meeting was paused until 7:05 when Joan Formeister arrived and took her position as Chairman. Also present was Erosion Control/Wetland Enforcement Officer, David Askew.

**II. OLD BUSINESS**

**a. DISCUSSION/POSSIBLE DECISION: WETLANDS APPLICATION #591: 6-LOT RESUBDIVISION IN UPLAND REVIEW AREA, 266 GEORGE WOOD ROAD, CAMEROTA**

Sandy Aeschliman of Aeschliman Land Surveying spoke on behalf of the applicant. He explained that there are two outfalls into the wetlands that will be protected by hydrodynamic separators. He stated that the project will not be affecting the wetlands but will be in the upland review area to get the new swale down to the existing swale.

Mr. Askew added that the outfalls discharge into an old swale that has become a functioning vernal pool that is contiguous to the larger wetlands area. He stressed that extra water quality renovation is necessary. The project engineer will review the swale to see if improvements can be made to the design.

Mr. Aeschliman discussed the drainage pattern into the vernal pool and explained that sand and other runoff will be remedied with a separator. The design of the swale will further ensure cleanliness of the water. He also pointed out that the wetlands violation by Frank Camerota affects a portion of the property to be subdivided. He offered that the lot line could be altered to remove the violation portion from the new subdivision if this would help for an approval.

Mr. Askew stated that a letter of extension is needed for Friday, June 6, 2008, when the 65 days are up. He would like the applicant to field locate the road easement to ensure that it is not close to a wetland on the adjacent property. He stated that he would walk the site Tuesday June 10<sup>th</sup>.

**b. DISCUSSION/POSSIBLE DECISION: WETLANDS APPLICATION #592:  
15-LOT SUBDIVISION IN UPLAND REVIEW AREA, 399 FOUR BRIDGES ROAD,  
TWO J'S LLC**

Mr. Aeschliman represented Jeff Lipton of Two J's LLC. He explained that the only wetlands on the 25-acre site are from a manmade drainage swale.

The proposed project will have two retention ponds, one would be on-site and one off-site on the other side of the road. The current swale will be redone and under drainage has been recommended as the site has a high water table.

Mr. Askew stated that he has no problem with reconstruction of the swale since it had been manmade and the plans make sense from a drainage point of view.

*A motion was made by Karl Walton, seconded by Todd Whitford and unanimously voted to approve Two J's LLC's Wetlands Application #592 for a 15-lot subdivision in upland review area at 399 Four Bridges Road with the stipulation that they have a preconstruction meeting with Mr. Askew and that silt barriers are in place in any sensitive areas before construction begins.*

**c. DISCUSSION/POSSIBLE DECISION: WETLANDS APPLICATION #593:  
WETLAND CROSSING TO ACCESS REAR LAND, 179 PARKER ROAD,  
DEPTULA**

Mr. Askew presented the lot map of the site and described it. He explained that the applicant wants to install a gravel road with a 24" pipe to handle the seasonal brook, so he can access his back pasture.

A motion was made by Dan Fraro, seconded by Karl Walton and unanimously voted to approve Deptula's Wetland Application #593 for a wetland crossing to access rear land at 179 Parker Road.

**d. DISCUSSION/POSSIBLE DECISION: WETLANDS APPLICATION #594: FILL  
IN WETLANDS AND UPLAND REVIEW AREA FOR SINGLE LOT, HOUSE,  
DRIVEWAY AND SEPTIC SYSTEM, 19 MANSE HILL ROAD, MCCULLOUGH**

Mr. Askew explained that although the application was not accepted at the last Conservation Commission meeting the Commission did not have that authority. The application is automatically accepted because per statute it had the completed application form, map and fee. The commission explained their rationale for not accepting the application.

Mike Mocko clarified the discrepancies that the Commission had found on the site plan based on field review by Steve Jacobs and Mr. Askew. The revised plan has been corrected.

Mr. Mocko explained the layout of the 4-acre lot. Construction of the proposed 1500 square foot home with attached garage is boxed in by the wetlands line, the 25' setback and the 50' setback from the road. There is only one location on the site where the septic system can be installed because of its design requirements.

The applicants also request to install a 3½' high rock retaining wall and fill in about 85 square feet of the wetlands. The fill is required to provide the grading necessary for the garage. The wetland area had been disturbed during the 1980's as a result of road construction. Reconfiguring the placement of the garage was discussed. Mr. Mocko explained why the grading prevented placement of the garage under the home.

Mr. Mocko pointed out that the original plan was for four bedrooms but was scaled back to three bedrooms. This would be the smallest house in the neighborhood but the applicant believes the style and size to be in keeping with the neighborhood. Typical homes in the neighborhood are 3,000 square feet and the zoning minimum is 1,500 square feet.

Mr. Mocko suggested that a conservation easement could be placed on the back 3½ acres of the land. He also suggested that the applicant could provide enhancement plantings along the edge of the work area when finished. Mr. Mocko further offered the possibility of wetlands replication for the 85 square foot wetland that would be filled.

Mr. Askew expressed his concerns regarding a conservation easement because it would set the Town up for a conflict with the homeowner in the future. He requested that the applicant submit in writing an alternative assessment including consideration of a smaller house, and elimination of the garage. He also recommended a detailed buffer planting plan for the area along the wetland boundary.

A motion was made by Karl Walton, seconded by Dan Fraro and unanimously approved to take the agenda out of order and go to New Business

### **III. NEW BUSINESS**

#### **a. WETLANDS APPLICATION #595: NEW HOUSE, DRIVEWAY & SEPTIC SYSTEM IN UPLAND REVIEW AREA, 32 MASON LANE, KRL BUILDERS**

Mr. Askew explained that because the project differs regarding the wetlands area from what was previously approved by the Commission, he wants the Commission to review the plan. He showed how the placement of the home on the lot has changed but may affect the wetland more favorably than the original plan.

The applicant mentioned that his building permit was stopped and questioned if he needed to wait until the next meeting before proceeding. The Commission agreed to consider a special meeting.

**b. OTHER** – There was no other New Business.

### **II. OLD BUSINESS (continued)**

#### **e. DISCUSSION: NOTICE OF VIOLATION, 238 GEORGE WOOD ROAD, FRANK CAMEROTA**

Mr. Camerota was not in attendance. The Commission reiterated that Mr. Camerota had been told to seek professional guidance and to be prepared to report back to the Commission regarding a remediation plan. A discussion ensued regarding the grass clippings that have been dumped

into the stream on the Camerota property and the problems caused by this. There have been four complaints filed with the Wetlands Office about the dumping.

The Commission suggested that Mr. Askew send a letter notifying Mr. Camerota of the need to hire a professional to assess the damages.

The Commission agreed to convene a Special Meeting on Thursday, June 19, 2008, to view the Camerota property and to vote on KRL Builders Wetlands Application #595.

**IV. AUDIENCE PARTICIPATION** – There was none.

**V. DISCUSSION: PLAN OF CONSERVATION & DEVELOPMENT** – No discussion

**VI. STAFF/COMMISSION REPORT**

Mr. Askew presented a report regarding Andrew Tingley at 567 Main Street. Mr. Tingley removed shrubs and cleaned out his brook, which accumulates much sand from Route 83. Although a permit was required to do the work, Mr. Askew said that Tingley did do a good job with the clean-up.

The Commission agreed that a standard notice of violation should be sent to Mr. Tingley with conditions as Mr. Askew deems appropriate, i.e., replant dogwoods.

Warren, Main Street – During permit application review for a house drive and septic within the upland review area, Mr. Warren had assured Mr. Askew and the Commission that he understood the 25' limit. However his fill has been place within 18' to 22' from wetland boundary. Mr. Askew is holding Warren's certificate of occupancy until he is in compliance.

*A motion was made by Karl Walton, seconded by Dan Fraro and unanimously voted to accept the Wetlands Agents report as written.*

**VII. CORRESPONDENCE AND BILLS**

Mr. Askew distributed copies of *The Habitat* to the Commission.

**VIII. MINUTES APPROVAL:** April 2, 2008 & May 7, 2008

*Minutes of May 7, 2008 to be corrected as follows:*

*Item I. second line, delete "Todd Whitford" and replace with "Lise Wood seated for Todd Whitford".*

*Item II. b. second paragraph, delete "Todd Whitford" and replace with "Lise Wood".*

*Item III. c. after paragraph five insert the following paragraph: "A Commissioner asked if his property is the same where the grass clippings were thrown in the brook. Mr. Camerota said that*

*he had told his wife to have the landscaper stop doing that. The Commission would like to see this rectified.”*

*A motion was made by Dan Fraro, seconded by Karl Walton and unanimously voted to approve the minutes of May 7, 2008 as amended.*

*A motion was made by Dan Fraro, seconded by Candace Aleks and unanimously voted to approve the minutes of April 2, 2008 as written.*

**IX. ADJOURNMENT**

A motion was made by Dan Fraro; seconded by Karl Walton, and unanimously voted to adjourn the June 4, 2008 Conservation Commission meeting at 8:36 p.m.

Respectfully submitted,

Jeanne Reed

Candice Aleks

Recording Secretary

Commission Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT