

**TOWN OF SOMERS**  
**Conservation Commission**  
**600 Main Street**  
**P. O. Box 308**  
**Somers, CT 06071**  
**REGULAR MEETING**  
**Wednesday, August 3, 2016**  
**6:30 p.m. Town Hall**

**MINUTES**

**I. CALL TO ORDER:**

Meeting called to order by Chairman, Joan Formeister at 6:35 P.M.

Commissioners in attendance were Chairperson, Joan Formeister, Daniel Fraro, Greg Genlot, Candace Aleks, Karl Walton and Henry Broer. Alternate Lise Wood is seated for Todd Whitford.

Also in attendance, Joanna Shapiro, Somers Wetlands Agent, Jennifer Roy, Recording Secretary

**II. PUBLIC HEARING:**

**Application #700: 589 Main Street.** John Hendel, President of Hendel Inc. presented rendering of proposed convenience store and filling station. Mr. Hendel commented that they have been in business since 1949, and they currently have 40 stations throughout Connecticut.

Matthew Ducsay, Engineer and Peter Shea, Lead Environmental Scientist from the firm of Milone and MacBroom presented information about the proposed 4000 square foot convenience store and filling station at the former site of the Bank of America. Mr. Ducsay pointed out that this property is not in an aquifer protection area, soil testing has been done, and they have received approval from the Sanitarian for the septic system. Mr. Ducsay pointed out a key component of the proposal is the storm water management system. The system is designed so the storm water will not enter the wetland area. This includes the canopy itself, with a drainage system that diverts run off away from the dispensing area. The dispensing area is slightly elevated from other areas which prevents storm water runoff in that area.

Mr. Shea commented that a wetlands delineation and impact assessment report has been submitted. Initial assessment included in part, compiling geospatial data from the Natural Resource Conservation Commission, state and town mapping of wetlands, and aerial photo history. A site walk was also performed in April 2016 by Mr. Shea, and included the Certified Soil Scientist and Professional Wetlands Scientist both with the firm of Milone and MacBroom. Army Corps of Engineer methods was followed.

Mr. Ducsay added that the applicant has internal spill prevention procedures; which he submitted a copy for the record.

Mr. Hendel spoke about underground leak protection. The tanks are now made of double wall fiberglass; also there are sumps under each tank and on top of pumps, with electronic monitoring sensors.

Greg Genlot asked which standards are followed, EPA or State?

Mr. Hendel advised that they follow State standards as they are typically more rigorous.

Presentation complete, floor opened for public comments.

The following citizens spoke:

James Radziewicz, 237 Gulf Road – expressed concerns  
Marie Burnette, 82 Rye Hill Circle – expressed concerns  
Rick Skidenski, Moderator, Somers Cong. Church, 599 Main Street – expressed concerns  
Linda LaCasse, letter from Cynthia Berger, 3 Bugbee Lane – expressed concerns  
Sarah Bollinger, 13 Robert Street – expressed concerns  
Linda LaCasse, text from Richard Tynan, 48 Michele Drive – expressed concerns  
Lauren Atwood, Somers Co-op Preschool – expressed concerns  
Ed Gorski, 144 South Road – expressed concerns  
Patricia Loftus, 12 Northwest Drive – expressed concerns  
John Cutter, 14 Olmsted Manor Drive – expressed concerns  
Linda LaCasse, 87 Main Street – expressed concerns  
Robert Pecus (sp), Somersville – expressed concerns  
Marie Burnette, 82 Rye Hill Circle – expressed concerns  
Linda Louise, 87 Main Street – expressed concerns  
Barbara Loubier (sp), 167 Sokol Road – expressed concerns  
Robert Mihancki, 432 Hall Hill Road – expressed concerns  
Tracy Eisenman, 85 Michele Drive – expressed concerns

At this time, Chairperson, Joan Formeister stated the public hearing will be continued to their September 7, 2016 meeting at 6:30p.m.

Attorney Carl Landolina stated the applicant should be given the opportunity to answer questions if they feel it's the appropriate time. Also, that if the commission will be utilizing the ordinance requesting the applicant fund a professional review, it should be stated at this meeting, then referred to the Board of Selectman.

Ms. Shapiro stated that she has reviewed the plans, made suggestions and the engineer has made those revisions. Ms. Shapiro stated that her review was primarily focused on treatment of surface water runoff prior to discharge to the wetland and that the state regulates fuel storage. If the commission has concerns beyond what she has already reviewed, this would be outside her area of expertise.

Additional public comments:

Sarah Bollinger, 13 Robert Street – concerned about the time/ability of internal review  
Linda LaCasse, 87 Main Street – expressed concerns  
Donald Smith, 103 Parker Road – expressed concerns  
Ed Moylan, 19 Colton Road – expressed concerns  
Tom Sherman, 88 Sokol Road – expressed concerns  
Robert Dwight, 36 Deerfield Drive – expressed concerns  
Ross Porter, 65 Lance Drive – questioned the Town Engineers credentials

Mr. Hendel stated to the public that the leaky tanks are from the 1970-80's, when they were single wall steel tanks. Now the tanks are double wall fiberglass.

Attorney Leonard Jacobs, representing Hendel Inc., stated they would like to prepare responses to the public's concerns and share this at the next public hearing on September 7, 2016.

Discussion was held regarding referral from the commission for peer review. The commission unanimously agreed to request peer review. This will be presented to the Board of Selectman for approval at the next BOS meeting.

### **III. OLD BUSINESS:**

1. **Application #697: 22 Lovers Lane.** Construction of a shed within the upland review area. Michael Mocko present for the applicant. Joan Formeister mentioned to the commission that the driveway had needed to be added to the permit application. Mr. Mocko presented an updated application and revised plan, dated July 27, 2016 showing limits of clearing and silt fence.

Discussion was held.

Karl Walton made a motion to approve the application with its revisions; Candace Aleks seconded, motion carried by unanimous vote.

2. **Application #698: 196 King Road.** New house, septic, and associated grading in the upland review area, with direct wetland crossing for driveway. Preston Oliver present, with Rachel Dearborn from Landmark Surveyors. This is an existing lot of record, and they have received the Sanitarian's approval. On the revised plans, the house and the septic have been moved outside of the upland review area.

Discussion was held.

Greg Genlot made a motion to approve the application, with the stipulation that if the farming on the lot ceases, the wetlands must be permanently delineated and markers placed on the property. Candace Aleks seconded, motion carried by unanimous vote.

3. **Application #699: 27 Suncrest Road.** In-ground pool in the upland review area. Juliano's Pools, Jamie Herrick presented plans which reflect the requested plantings. Ms. Shapiro confirmed the planting have been done. The pool will be 24' from the delineated wetlands. Haybales and silt fencing will be installed. Ms. Shapiro distributed a narrative prepared by the applicant, dated July 6, 2016, outlining the measures that will be taken to protect the watercourse during construction and long term.

Karl Walton made a motion to approve the application. Lise Wood seconded, motion carried by unanimous vote.

4. **Application #700: 589 Main Street.** Convenience Store and Filling Station with associated parking and utilities in upland review area. Greg Genlot made a motion to table the application until the next public hearing and meeting to be held September 7, 2016. Karl Walton seconded, motion carried by unanimous vote.

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

1. **Application #701: 36 Deerfield Road.** Grading and construction of a gravel parking pad with retaining wall in upland review area. Robert & Kathleen Dwight. Ms. Shapiro commented that

she did visit the site and presented view of the lot. Mr. Dwight explained he'd like to construct parking 14' off the garage. Application accepted.

**2. Jurisdictional determination/possible application:** 154 Maple Street. John Belskie from Lindy Farms presented the request. They would like to dredge one of the ponds on the property. Ms. Shapiro visited the site with Mr. Belskie; she cautioned him about putting the dredged materials into wetlands, and Mr. Belskie identified an upland field in which the soils will be used. The pond is currently very low, which is ideal for completing this work. Constructing a farm pond is an "as of right" activity, and this request is to maintain an existing farm pond.

Discussion was held.

Lise Wood made a motion that this is a permitted use "as of right" farming activity. Greg Genlot seconded, motion carried by unanimous vote.

**V. AUDIENCE PARTICIPATION:** none

**VI. STAFF/COMMISSION REPORT:** Ms. Shapiro distributed and discussed the Wetland's Agent Report. Lise Wood made a motion to accept the Wetland's Agent report. Candace Aleks seconded, motion carried by unanimous vote.

**VII. CORRESPONDENCE AND BILLS:** Ms. Shapiro presented correspondence and bills. Candace Aleks made a motion to accept the Correspondence and pay all required bills. Henry Broer seconded, motion carried by unanimous vote.

**VIII. MINUTES APPROVAL:** for the July 6, 2016 meeting. Candace Aleks made a motion to approve the minutes. Daniel Fraro seconded, motion carried by unanimous vote.

**VIII. ADJOURNMENT:** Candace Aleks made the motion to Adjourn. Lise Wood seconded, motion carried by unanimous vote. Meeting was adjourned at 9:00 P.M.

Respectfully Submitted,  
Jennifer Roy, Recording Secretary

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