

TOWN OF SOMERS
Conservation Commission
600 Main Street
P.O. Box 308
REGULAR MEETING
WEDNESDAY, August 2, 2017
7:00 PM TOWN HALL

MINUTES

I. **CALL TO ORDER** – Meeting called to order by Joan Formeister, Chairman at 7:00 P.M. Commissioners in attendance were Henry Broer, Daniel Fraro, Greg Genlot, Candace Aleks and Lise Wood, sitting in for Karl Walton. Joanna Shapiro, Wetland Agent, was also in attendance.

II. **OLD BUSINESS – None**

III. **NEW BUSINESS –**

1. **Application #712: 22 Bridle Path Drive.** Septic system and grading in the upland review area, associated with construction of a new house. Richard McCullough.

Mike Mocko from Mocko Environmental presented plans for a new buyer of the property. This was an old lot approved as part of a subdivision, yet the permit had lapsed, with the basic plan remaining relatively the same as the original permit, resulting with no loss of wetlands. The updated plan shows the configuration has remained largely the same and the limit of clearing has remained the same. The wetland area is a mature forest.

Wetland Agent Joanna Shapiro mentioned that the lot is relatively flat, and that work proposed in the upland review area is primarily the septic system and associated grading. Steve Jacobs, Town of Somers Sanitarian, has conditionally approved the septic system plans with some revisions. She pointed out that a condition of the original subdivision approval was to permanently mark the wetland area on the lot, but that may not have been done yet, and would be a potential condition of the new approval. Mike Mocko agreed that this was likely done as each lot was developed, and may still need to be done on this lot.

2. **Application #713: 164 Hampden Road.** Construction of a greenhouse within a delineated wetland and in the upland review area. Sam Smith and Adam Van Wingerden.

Commissioner Broer recused himself from any discussion or actions by the Commission regarding application #713 and did not participate.

Mike Mocko from Mocko Environmental appeared before the Commission to discuss a proposal for a new greenhouse, partially within a delineated wetland. This area was originally approved for and is presently an outdoor growing area. 17 cement walkways have also been installed and are used to navigate and service the growing area. Mr. Mocko and the owners wanted to participate in a dialogue with the Commission to determine how to move forward with the appropriate requirements of building an enclosed greenhouse but maintaining a soil based floor.

Mr. Mocko and Mr. Smith explained that they believed that construction of a greenhouse in a wetland area would fit under the agricultural exemption as an agricultural activity permitted as of right (refer to *The Inland Wetlands and Watercourses Act Connecticut General Statutes Section 22a-40: Permitted Operations and Uses Subsection (a)(1): Farming*). Commissioner Dan Fraro mentioned that he had spoken with Joan Nichols of CT Farm Bureau Association, who said that if the ground was not disturbed and just walls and a roof would be built over the area, then it may fit under the agricultural exemption of the CT wetland statute.

Mr. Mocko estimated that less than one quarter of the area in question had been mapped as a wetland, which was originally created by a prior gravel excavation operation. Mr. Mocko said there are currently 3 walkways in the wetland portion of the outside growing area and 14 outside of the wetlands. The filling done in years past (by permit) was for the creation of a berm, which was mitigated in excess by construction of a pond, but that there may be additional opportunities for mitigation in the upland if required by the Commission. With the current proposal, a greenhouse would be erected, leaving a soil base floor area with the original sidewalks removed and new sidewalks reconfigured. Commissioners posed questions about removal of the existing walkways vs. newly reconfigured walkways, using wooden or metal pallet walkways that would not affect the wetland soils. Mr. Mocko and Mr. Smith discussed exploring the use of pervious concrete walkways and positioning them so as to avoid the wetland area.

Agent Shapiro stated that the existing walkways seemed to go beyond the original permit granted in the 2008. The original intent was for the area to remain a wetland even after it was converted to an outdoor growing area. Impervious materials were specifically excluded from the proposal, based on wetland evaluations completed as part of the 2008 application. Mr. Smith and Mr. Mocko said that with this discussion with the Commission they will now go back to do a redesign of the interior base, particularly the area in the wetlands. Ms. Shapiro recommended that the plan also include a run-off discharge plan that would be protective of the adjacent wetland.

Commissioner Broer rejoined the meeting at this time, after discussion on the application concluded.

Lise Wood made a motion to add an item to the Agenda – to discuss the proposed telecommunications tower at 248 Hall Hill Road. Dan Fraro seconded. All in Favor. Motion passed.

3. **Discussion: 248 Hall Hill Road.** Proposed Telecommunications Tower. Eco-Site, Inc and T-Mobile Northeast, LLC – application to the CT Siting Council.

Chairman Joan Formeister presented a letter from Jen Roy, Zoning Officer regarding the proposal of a new cell tower on property off of Hall Hill Rd. While the jurisdiction for this proposed activity falls to the CT Siting Council, the local Land Use Commissions have the right to formally participate as an intervenor in the hearing process, or otherwise may choose to submit written or oral comments.

Lise Wood made the motion that the Commission did not wish to request formal party or intervenor status. Dan Fraro seconded the motion. All in favor. Motion passed.

IV. AUDIENCE PARTICIPATION - None

V. STAFF REPORT

Wetland Agent Shapiro distributed and discussed the Wetland's Agent Report.

Greg Genlot made the motion to accept the Wetland's Agent Report. Dan Fraro seconded. All in Favor. Motion passed.

VI. CORRESPONDENCE AND BILLS – Bills were presented from the Journal Inquirer for \$51.94 and \$55.09.

Lise Wood made a motion to approve payment of the 2 bills. Greg Genlot seconded. All in Favor. Motion passed.

VII. MINUTES APPROVAL for July 5, 2017

Lise Wood made the motion to accept the minutes as written of July 5, 2017. Henry Broer seconded. All in Favor. Motion passed.

VIII. ADJOURNMENT -

Greg Genlot made the motion to Adjourn. Dan Fraro seconded. All in Favor. Meeting was adjourned at 8:20 P.M.

Respectfully Submitted,

Commissioner Candace Aleks, Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING