

MEMBERS PRESENT:

Chairman Ed Schwartz, Jed Ferdinand, Robert Turner, David Rosenberg, Tom Failla, Howard Aibel and Cathy Minter

Meeting on tapes dated 1/19/10

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Mr. Schwartz opened the January 19<sup>th</sup> regular meeting of the Weston Conservation Commission at 7:37 p.m.

DISCUSSION OF APPLICATION: KUPOLUS/VALITUTTO (WARDELL) 82 NEWTOWN TPKE, WELL & SHED (PAOLINI)

MOTION FOR APPROVAL

Mr. Failla made a motion to approve the application for a well and renovations to a shed within the same footprint at 82 Newtown Turnpike, as shown on plans prepared by Cioppa and Paolini, dated 12/10/09 and revised 1/18/10, subject to the following conditions:

A. Filing of the contractor's statement.

**B. Implementation of the erosion and sedimentation control plan prior to any site preparation activity.** The plan must meet minimum standards as set forth in Public Act. No. 83-388 (An Act Concerning Soil Erosion & Sediment Control) Effective July 1, 1985.

C. The following language shall appear on the subdivision or deeds to lots which are to be filed on the Weston Land Records'

“No regulated activity as defined in the Public Inland Wetland Watercourse Act of the State of Connecticut Regulations as well as the Town of Weston's Regulations as the same and from time to time as may be amended, shall be permitted in those areas designated and shown as wetlands on the aforementioned maps.” The wetland areas as well as any agreed to “buffer zones” designated on the aforementioned maps shall be established as areas whose natural and indigenous character shall be henceforth preserved and not encroached upon for any use that would alter the natural character of the land”.

D. Upon completion of the work, the developer will submit a certified report from a qualified professional engineer that the property was developed and the work completed as planned.

E. All applicable conditions of the Conservation Commission shall be recorded on the maps or linens of the Weston Land Records which are filed with the Town Clerk.

F. The Conservation Commission reviewed the alternatives to the approved action including a consideration of alternatives which might enhance environmental quality or have a less

detrimental effect, and which could feasibly attain the basic objectives of the activity proposed in the application.

G. Per Public Act 93-305, effective 10/1/93, "Any permit issued under this section shall be valid for five years. Any regulated activity approved by the agency shall be completed within one year from the time such activity is commenced provided the agency may establish a specific time period within which any regulated activity shall be conducted and may require that an activity, once commenced, be completed within a time period of less than one year and further provided the agency extend (1) the time period of the original permit provided such period shall not extend beyond ten years from the date such permit was granted, or (2) the time period within which an activity, once commenced, is required to be completed under this section."

H. Any changes in approved plans shall require notification to the Commission and may require that a new application be made.

I. Applicant agrees, represents and warrants that it will obtain all required federal, state and local permits prior to commencing any work on the site.

J. The Conservation Planner will be on site when the platform for the well is built, after the installation of a double silt fence with hay bales in the middle, to ensure that it is stable.

K. There is to be no heavy equipment around the river and the work is to be done by hand.

Mr. Aibel seconded the motion. All in favor, the motion carried (7-0).

#### DISCUSSION OF APPLICATION: FREITAG, 7 TOBACCO ROAD, FENCE/WALL

##### MOTION FOR APPROVAL

Mr. Schwartz made a motion to approve the plan for a fence and wall at 7 Tobacco Road, prepared by Peter Flynn, dated 8/22/09, subject to the following conditions:

A. Filing of the contractor's statement.

**B. Implementation of the erosion and sedimentation control plan prior to any site preparation activity.** The plan must meet minimum standards as set forth in Public Act. No. 83-388 (An Act Concerning Soil Erosion & Sediment Control) Effective July 1, 1985.

C. The following language shall appear on the subdivision or deeds to lots which are to be filed on the Weston Land Records'

"No regulated activity as defined in the Public Inland Wetland Watercourse Act of the State of Connecticut Regulations as well as the Town of Weston's Regulations as the same and from time to time as may be amended, shall be permitted in those areas designated and shown as wetlands on the aforementioned maps." The wetland areas as well as any agreed to "buffer zones" designated on the aforementioned maps shall be established as areas whose natural and indigenous character shall be henceforth preserved and not encroached upon for any use that would alter the natural character of the land".

- D. Upon completion of the work, the developer will submit a certified report from a qualified professional engineer that the property was developed and the work completed as planned.
- E. All applicable conditions of the Conservation Commission shall be recorded on the maps or linens of the Weston Land Records which are filed with the Town Clerk.
- F. The Conservation Commission reviewed the alternatives to the approved action including a consideration of alternatives which might enhance environmental quality or have a less detrimental effect, and which could feasibly attain the basic objectives of the activity proposed in the application.
- G. Per Public Act 93-305, effective 10/1/93, "Any permit issued under this section shall be valid for five years. Any regulated activity approved by the agency shall be completed within one year from the time such activity is commenced provided the agency may establish a specific time period within which any regulated activity shall be conducted and may require that an activity, once commenced, be completed within a time period of less than one year and further provided the agency extend (1) the time period of the original permit provided such period shall not extend beyond ten years from the date such permit was granted, or (2) the time period within which an activity, once commenced, is required to be completed under this section."
- H. Any changes in approved plans shall require notification to the Commission and may require that a new application be made.
- I. Applicant agrees, represents and warrants that it will obtain all required federal, state and local permits prior to commencing any work on the site.
- J. The Conservation Planner will decide whether they need to put plywood or other protection to ensure that no mud or other erosion or silt goes into the protected waterway and stream. If machinery is to be used, the applicant must go before the Commission for approval.

Mr. Failla seconded the motion. All in favor, the motion carried (7-0).

SARFAZ, 41 NORFIELD WOODS ROAD, UNCONTROLLED SILTATION TO POND AT 41 HIDDEN MEADOW

MOTION FOR APPROVAL

Mr. Schwartz made a motion to approve the plan prepared by Grumman Engineering dated 12/04/09 for permanent stabilization of the Sarfaz property at 41 Norfield Woods Road, subject to the following conditions:

- A. Filing of the contractor's statement.
- B. Implementation of the erosion and sedimentation control plan prior to any site preparation activity.** The plan must meet minimum standards as set forth in Public Act. No. 83-388 (An Act Concerning Soil Erosion & Sediment Control) Effective July 1, 1985.
- C. The following language shall appear on the subdivision or deeds to lots which are to be filed on the Weston Land Records'

“No regulated activity as defined in the Public Inland Wetland Watercourse Act of the State of Connecticut Regulations as well as the Town of Weston’s Regulations as the same and from time to time as may be amended, shall be permitted in those areas designated and shown as wetlands on the aforementioned maps.” The wetland areas as well as any agreed to “buffer zones” designated on the aforementioned maps shall be established as areas whose natural and indigenous character shall be henceforth preserved and not encroached upon for any use that would alter the natural character of the land”.

D. Upon completion of the work, the developer will submit a certified report from a qualified professional engineer that the property was developed and the work completed as planned.

E. All applicable conditions of the Conservation Commission shall be recorded on the maps or liens of the Weston Land Records which are filed with the Town Clerk.

F. The Conservation Commission reviewed the alternatives to the approved action including a consideration of alternatives which might enhance environmental quality or have a less detrimental effect, and which could feasibly attain the basic objectives of the activity proposed in the application.

G. Per Public Act 93-305, effective 10/1/93, “Any permit issued under this section shall be valid for five years. Any regulated activity approved by the agency shall be completed within one year from the time such activity is commenced provided the agency may establish a specific time period within which any regulated activity shall be conducted and may require that an activity, once commenced, be completed within a time period of less than one year and further provided the agency extend (1) the time period of the original permit provided such period shall not extend beyond ten years from the date such permit was granted, or (2) the time period within which an activity, once commenced, is required to be completed under this section.”

H. Any changes in approved plans shall require notification to the Commission and may require that a new application be made.

I. Applicant agrees, represents and warrants that it will obtain all required federal, state and local permits prior to commencing any work on the site.

J. The applicant has agreed to put a swail on the south side of the property in order to run the water away from the Gelfand and Marez properties.

K. The applicant shall hire a civil engineer to monitor the construction and provide the Commission with a copy of the signed contract within 2 weeks through the Conservation Planner.

L. If for any reason the test results are not satisfactory and the soils if found to be unsafe, the applicant will have to come back before the Commission with plans to remove the fill or a portion of the fill.

Mr. Failla seconded the motion. All in favor, the motion carried (7-0).

APPROVAL OF MINUTES

Mr. Schwartz made a motion to approve the minutes from the December 17, 2009 meeting and Mr. Ferdinand seconded. All in favor, the motion carried (7-0).

MOTION TO ADJOURN

Mr. Schwartz made a motion to adjourn the meeting and Mr. Failla seconded. All in favor, the meeting adjourned at 9:50 p.m.

Respectfully submitted,

Delana Lustberg  
Recording Secretary