

DATE
APPROVED:

CONSERVATION COMMISSION MINUTES FOR FEBRUARY 9, 2010

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MEMBERS PRESENT:

Chairman Ed Schwartz, Jed Ferdinand, Robert Turner, David Rosenberg, Howard Aibel and Cathy Minter (7:45)

Meeting on tapes dated 2/9/10

Mr. Schwartz opened the February 9th regular meeting of the Weston Conservation Commission at 7:35 p.m.

WALK DATE

The walk date was set for Saturday, March 13, 2010. The commissioners will meet at Town Hall at 8:00 a.m.

RECEIPT OF APPLICATIONS:

- Colin, 53 Buttonball Lane, pool replacement (LandTech)
- Soares, 29 Cartbridge – septic grading (R. Bennett, P.E.)

Mr. Anderson reported that the Colin and Soares applications were complete and appropriate for receipt.

MOTION FOR RECEIPT

Mr. Schwartz made a motion to receive the Colin and Soares applications and Mr. Rosenberg seconded. All in favor, the motion carried (5-0).

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

Discussion to be added.

MOTION TO ENTER EXECUTIVE SESSION:

Mr. Schwartz made a motion to enter executive session and Ms. Minter seconded. All in favor, the motion carried (6-0). The Commission entered executive session at 7:58 p.m.

MOTION TO RE-ENTER REGULAR SESSION:

Mr. Schwartz made a motion to re-enter regular session and Mr. Turner seconded. All in favor, the motion carried (6-0). The Commission re-entered regular session at 8:25 p.m.

Continued discussion to be added.

DISCUSSION OF APPLICATION: GELFAND, 41 HIDDEN MEADOW ROAD, POND
REMEDICATION PLAN (GRUMMAN ENGINEERING)

MOTION:

Mr. Schwartz made a motion that if the testing of the siltation and pond for heavy metals or other pollutants is not done within 10 days from tomorrow, February 10, 2010, the Conservation Planner is to hire an expert to do those tests at Dr. Sarfaz' expense. Mr. Aibel seconded the motion. All in favor, the motion carried (6-0).

DISCUSSION OF APPLICATION CONT.: MCMILLAN, 9 PENT ROAD, POOL HOUSE

Mr. Anderson explained that the applicants are not ready so the Commission will need to deny the application and the applicants can re-apply.

MOTION TO DENY

Mr. Aibel made a motion to deny the application of McMillan, without prejudice, and Mr. Schwartz seconded. All in favor, the motion carried (6-0).

DISCUSSION CONT.: ADDING PESTICIDE/FERTILIZER REGULATION TO INLAND
WETLAND REGULATIONS

Attorney Pat Sullivan came forward and explained that the Commission would not be able to enforce a pesticide and fertilizer regulation. There is no case law saying what will happen if a Town says no to pesticides. She noted that the Commission's jurisdiction is to restrict impact on the wetlands, and if there was a wetland that had damage from pesticides, the Commission could address that, but they would have to find the causal connection. Attorney Sullivan explained that they really don't need a regulation regarding the pesticides because if it is found in a wetland, the Commission already has jurisdiction. Discussion ensued and will continue at the next meeting.

DISCUSSION CONT.: DRAFT REVISIONS TO INLAND WETLAND REGULATIONS
PREPARED BY H. AIBEL

The Commissioners will review the changes and discuss at the next meeting.

APPROVAL OF MINUTES

Mr. Aibel made a motion to approve the minutes from the January 19, 2010 meeting and Mr. Ferdinand seconded. All in favor, the motion carried (6-0).

MOTION TO ADJOURN

Ms. Minter made a motion to adjourn the meeting and Mr. Schwartz seconded. All in favor, the meeting adjourned at 9:30 p.m.

Respectfully submitted,

Delana Lustberg
Recording Secretary