

DATE
APPROVED:

CONSERVATION COMMISSION MINUTES FOR NOVEMBER 2, 2012

PAGE #12-83

MEMBERS PRESENT:

Chairman Ed Schwarz, Vice-Chairman Tom Failla, Chris Spaulding, Robert Turner and Cathy Minter

Meeting on digital recording dated 11/20/12

Mr. Schwarz opened the November 20th Regular meeting of the Weston Conservation Commission at 7:30 p.m.

RECEIPT OF APPLICATIONS

- R. Nimkoff, 50 Fern Valley Road, proposed pool
-

MOTION FOR RECEIPT

Mr. Schwarz made a motion to receive the R. Nimkoff application and Ms. Minter seconded. All in favor, the motion carried (5-0).

DISCUSSION OF APPLICATION CONT.: RUSSELL, 108 GOODHILL, STONE WALL REPAIR AROUND POOL AND DEBRIS REMOVAL

Hem Kona, P.E., presenting for the applicant, came forward and explained that the owners would like to repair the stone wall around the pond and clean out the debris. He noted that the plan is to de-water the pond and then go in and clean up the debris by hand. Mr. Kona explained that the spillway has a pipe going underneath the pond from one side to the other. They can open up the grate and allow the water to drain slowly and drop the water table enough to do the work. Mr. Schwarz questioned where the muck was going and Mr. Kona explained that they will haul it out by hand, dry the material and truck it away in a dump trailer. Discussion ensued regarding controlling the flow rate.

MOTION FOR APPROVAL

Mr. Schwarz made a motion to approve the application for stone wall repair and debris removal as shown on a plan prepared by HKA Associates, dated 11/17/12, 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 applicant is to conform to the Connecticut DEP maintenance of dams, multiple core logs will be placed as needed, which will be pre-approved and coordinated with the Conservation Planner.

Mr. Spaulding seconded the motion. All in favor, the motion carried (5-0).

DISCUSSION OF APPLICATION: ASPETUCK VALLEY COUNTRY CLUB, 43-67 OLD REDDING ROAD, IMPROVE DRIVEWAY ACCESS & DRAINAGE

Pete Romano, from LandTech and Caroline Keptchure, General Manager, from Aspetuck Valley Country Club came forward to discuss the application. Mr. Romano noted that for this particular master plan, it does not appear that it ever went before the Commission. He noted that there was drainage plans prepared by Huntington & Co. a few years ago and on page 2 there was Fred Anderson's stamped signature from 2009. Mr. Romano stated that when they are ready to put the tennis courts in they can return before the Commission. They would like to keep the driveway where it is noting that they have "tweaked" the entrance way for sight improvements and are keeping it running along the existing stone wall. There would be the same parking area and suggest that along the stone wall, between the edge of the new driveway, they plant with a selective seed mixture to improve the quality of any runoff. They have planned infiltrators which discharge into a plunge pool which is vegetated before leaching into the ground. Discussion on drainage ensued. Discussion then continued regarding the parking lot being constructed with pervious pavement.

MOTION FOR APPROVAL

Mr. Schwarz made a motion to approve the application for Aspetuck Valley Country Club for the improved driveway access and drainage only, not for the tennis courts or parking lot, as shown on plans prepared by LandTech Consultants, dated 10/10/12 and revised 11/20/12, 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 decision on having the driveway constructed with pervious material is to be decided by the Conservation Planner and LandTech.

K. The Conservation Planner will review and approve the vegetative buffer.

L. Prior to issuance of the Zoning Permit, the applicant will have to get site specific approval for the tennis courts and parking lot.

Ms. Minter seconded the motion. All in favor, the motion carried (5-0).

DISCUSSION OF APPLICATION: WETZEL, 18 SAUGATUCK RIVER ROAD, NEW
DETACHED 2 CAR GARAGE (ERIC MICHAELS ARCH.)

Eric Michaels, architect and contractor, along with owners, Mr. & Mrs. Wetzel, came forward to discuss the application. Mr. Michaels presented the plans. Mr. Schwarz commented that they saw where proposed garage location when they walked the property and questioned where the catch basins go. Mr. Michaels indicated the location of the pipe that goes into a drywell underneath the asphalt driveway. He noted that there will be no water running into the wetlands area, and any runoff from the garage will tie into the drywell. Mr. Spaulding asked Mr. Michaels to describe the sedimentation controls and he indicated the silt fence locations and stockpile location. Mr. Michaels stated that they would like to begin work as soon as possible so that they could have it completed by Christmas.

MOTION FOR APPROVAL

Mr. Schwarz made a motion to approve the application for Wetzel, 18 Saugatuck River Road, for a new detached 2 car garage as shown on plans prepared by Land Surveying Services dated 8/6/2012, 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:

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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.

Mr. Spaulding seconded the motion. All in favor, the motion carried (5-0).

DISCUSSION OF APPLICATION: COTTER, 140 OLD HYDE, GENERATOR/AIR
CONDITIONING UNIT

Mr. Cotter, owner, came forward to discuss the application. He had a question regarding a new location for his well or alternatively, improvements to his current well by fracking and asked whether it should be made part of this application. The Commission agreed and discussion on a new possible location or well fracking ensued.

Following discussion, Mr. Cotter indicated the location of the generator and propane tanks and also the air conditioning units.

MOTION FOR APPROVAL

Mr. Schwarz made a motion to approve the application for Cotter, 140 Old Hyde Road for a generator and air conditioning unit as shown on a plan prepared by Francis Welsh, Jr, dated 5/8/2007 and revised 11/20/212, 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:

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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 applicant can do fracking on the existing well and can use the proposed location of the new well if fracking is not successful in the existing well.

K. If the location of the well is moved, the applicant must come back before the Commission for a modification.

Mr. Spaulding seconded the motion. All in favor, the motion carried (5-0).

DISCUSSION OF APPLICATION, MILTON DEVELOPMENT, 24 MARTIN ROAD, NEW HOUSE

Marlon Gale from Milton Development came forward to discuss the application. He indicated that the only wetland on the property is the river. Mr. Schwarz questioned how many feet from the closest point of development to the wetlands and Mr. Gale indicated that it is approximately 111.8 feet, outside the 100 foot regulated area. He indicated the siltation and erosion controls as double layer silt fence with hay bales in the middle on the plans.

Following some additional discussion, the following motion was made:

MOTION FOR APPROVAL

Mr. Schwarz made a motion to approve the new house as shown on plans prepared by B&B Engineering dated 7/18/12, revised 8/8/12, 8/31/12 and 11/20/12 by locating the double silt fence, 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:

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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.

Mr. Turner seconded the motion. All in favor, the motion carried (5-0).

APPROVAL OF MINUTES

Mr. Schwarz made a motion to approve the Minutes from the October 16, 2012 meeting and Ms. Minter seconded the motion. All in favor, the motion carried (5-0).

OTHER BUSINESS

Discussion ensued regarding the 2013 meeting schedule and it was decided to meet on the third Thursday of each month, except August.

MOTION TO ADJOURN

Mr. Spaulding made a motion to adjourn the meeting and Ms. Minter seconded. All in favor, the meeting adjourned at 8:48 p.m.

Respectfully submitted,

Delana Lustberg
Recording Secretary