

DATE
APPROVED:

CONSERVATION COMMISSION MINUTES FOR AUGUST 1, 2013 PAGE #13-52

MEMBERS PRESENT:

Vice Chairman Tom Failla, Catherine Minter, Chris Spaulding, Robert Turner, Michiel Zegers and Ted von Rosenvinge

ALSO PRESENT:

David Pattee, Acting Conservation Planner and Tracy Kulikowski, Land Use Director

Meeting on digital recording dated 8/1/13

Mr. Failla opened the August 1st Special meeting of the Weston Conservation Commission at 7:30 p.m.

DISCUSSION OF APPLICATION: FISCHER, 9 DEEPWOOD ROAD, REPLACEMENT SEPTIC SYSTEM (J. EDWARDS & ASSOC.)

Larry Edwards came forward explained that the application is to construct a new septic system which was already installed in July without obtaining permit from the Commission. They have now submitted the application to cover the work. System is designed in accordance with State Health Code and was a repair/upgrade of the existing system. The system is in the same general area and Mr. Edwards indicated a drainage ditch and pond which are to the south of the house and the large rock outcropping which prevented location of the system anywhere else on the property. He explained how the system was installed and the erosion and sedimentation controls that were used during construction. Discussion ensued.

Mr. Failla asked Mr. Edwards to explain how the new operating system works and Mr. Edwards explained that for the Commission. He also noted that there is no reserve, as it was not required for a repair. Mr. Failla questioned why they repaired the system without any Conservation permit being applied for. Ms. Fischer came forward and explained that it was their understanding that their professional installer knew what permits needed to be pulled. Discussion ensued regarding coordinating with the Health Department on notification when a septic system is to be repaired or installed within the regulated area.

Ravi Mohan, 3 Deepwood Road, adjoining neighbor, came forward and stated that he is concerned that the way the system is documented that it does not appear to meet state code. He also noted that the intermittent stream runs onto his property.

MOTION FOR APPROVAL

Mr. Spaulding made a motion to approve the application of 9 Deepwood Road for a replacement septic system as shown on plans prepared by J. Edwards & Associates, final revision dated 7/8/2013, 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. Hay bales need to be inspected and approved by the Conservation Planner within the next 30 days.

K. A copy of the As-built drawing is to be re-issued and submitted to the Conservation Planner with the change of the pipe and abandonment of the old system noted.

Ms. Minter seconded the motion. All in favor, the motion carried (6-0).

DISCUSSION OF APPLICATION: JANSON, 73 LORDS HIGHWAY, POOL, PAVILION & PARTIAL SEPTIC RELOCATION (R. ALTMAN)

Richard Altman and Pete Romano from LandTech came forward and explained that the application is for a pool and cabana. He indicated the proposed area for the pool and noted that they needed to relocate a small portion of the septic system and indicated that area. He stated the new septic system is 25 ft. from the wetlands. Discussion ensued.

Mr. Romano then indicated the limit of disturbance line and Mr. Failla stated that they would like to see that area remain as a vegetative buffer. Mr. Romano also indicated the location of the sedimentation and erosion controls. Discussion on a rain garden ensued and it was decided that they would need to come back to the Commission to review the plan for the rain garden.

MOTION FOR APPROVAL

Mr. Zegers made a motion to approve the application for 73 Lords Highway as shown on plan prepared by LandTech and dated 6/13/2013 revised 6/27/2013, 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 temporary stock pile is to be relocated 50 feet east of the wetland line.
- K. The limit of disturbance line is to be maintained post-construction with a vegetative buffer.

Ms. Minter seconded the motion. All in favor, the motion carried (6-0).

DISCUSSION OF APPLICATION: HENSINGER, 24 LAUREL LAKE WEST, NEW BARN TO REPLACE EXISTING GUEST COTTAGE (PARKER)

No one was in attendance to present the application. The site will be walked on the September walk.

MOTION TO ADJOURN

Mr. Spaulding made a motion to adjourn the meeting and Mr. Schwarz seconded. All in favor, the meeting adjourned 10:25 p.m.

Respectfully submitted,

Delana Lustberg

Recording Secretary