

Conservation Commission Regular Meeting – November 20, 2008

Members present: Chairman Ed Schwartz, Tom Failla, Joseph Pachman and Jed Ferdinand

MOTION TO CONTINUE

Mr. Failla made a motion to continue the public hearing until the December meeting and Mr. Schwartz seconded. All in favor, the motion carried (4-0)

LYONS PLAIN FIREHOUSE

Mr. Failla made a motion to approve the application of the Weston Volunteer Fire Department to redevelop the firehouse located at 234 Lyons Plain Road as shown on plans prepared by Stearns & Wheler dated 11/20/08, 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. During the construction sequence, town agents will review the installation of the sedimentation and erosion controls before any demo work is commenced. After the first two steps of the sequence regarding temporary controls, the Conservation Planner will visit the site and review to ensure that everything conforms to the plans.

K. There will be maintenance of the hydrodynamic separator on a semi-annual basis.

Mr. Schwartz seconded the motion. All in favor, the motion carried (4-0).

VOLLRATH – 11 TIFFANY LANE

Continued.

SPRATT BUILDERS – 65 NEWTOWN TURNPIKE – CEASE & DESIST

MOTION TO LIFT CEASE & DESIST ORDER

Mr. Ferdinand made a motion to lift the Cease & Desist Order, effective 11/20/08. Mr. Schwartz seconded. The motion was voted on and carried (3-0 [Pachman abstain]).

SPRATT BUILDERS – 65 NEWTOWN TURNPIKE – EXTENSION OF EXISTING GRAVEL DRIVE

MOTION FOR APPROVAL

Mr. Failla made a motion to approve the application of Spratt, 65 Newtown Turnpike for site development as shown on a plan prepared by LandTech Consultants and dated 2/11/08, #077326-01, revised 11/17/08, 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. There will be a non-disturbance line as drawn by LandTech 50 ft. off the wetlands to the south and west and extending in all directions to the property lines for Lot 2. A revised plan will be submitted indicating that line.

K. The planting buffers will be removed from wetlands edge to driveway curtain drain edge.

Mr. Schwartz seconded the motion. All in favor, the motion carried (4-0).

MASON -27 CEDAR HILLS – NOTICE OF VIOLATION

Mr. Failla made a motion to continue the Notice of Violation and Mr. Schwartz seconded. All in favor, the motion carried (4-0).

COMMISSION BUSINESS

MOTION

Mr. Failla made a motion to give the Conservation Planner more discretion in whether or not to apply standard condition D. when giving an administration approval to a project and Mr. Pachman seconded. All in favor, the motion carried (4-0).

APPROVAL OF MINUTES

Mr. Ferdinand made a motion to approve the minutes from October 16, 2008 and Mr. Pachman seconded. All in favor, the motion carried (4-0).

MOTION TO ADJOURN

Mr. Pachman made a motion to adjourn the meeting and Mr. Ferdinand seconded. All in favor, the meeting adjourned at 9:45 p.m.