

DATE
APPROVED:

CONSERVATION COMMISSION MINUTES FOR JUNE 20, 2013 PAGE #13-36

MEMBERS PRESENT:

Vice Chairman Tom Failla, Catherine Minter, Chris Spaulding, Robert Turner and Theodore von Rosenvinge

ALSO PRESENT:

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

Meeting on digital recording dated 6/20/13

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

SET WALK DATE

The walk date was set for Saturday July 6, 2013. The members will meet at Town Hall at 7:30 a.m.

RECEIPT OF APPLICATIONS:

- McGrade, 17 Twin Walls, pool (Meehan & Ramos Pools LLC)
- Swidergal, 7 Brookwood Lane, remediate plan to remove fill from regulated areas and restore wetlands per 2/4/2013 N.O.V.

David Pattee, Conservation Planner reported that both applications are complete and appropriate for receipt.

MOTION FOR RECEIPT

Mr. Failla made a motion to receive the application of McGrade, 17 Twin Walls and Mr. von Rosenvinge seconded. All in favor, the motion carried (5-0).

MOTION FOR RECEIPT

Mr. Failla made a motion to receive the application of Swidergal, 7 Brookwood Lane and Mr. von Rosenvinge seconded. All in favor, the motion carried (5-0).

STATUS REPORT: IMPLEMENTATION OF APPROVED REMEDIATION PLAN, COBBS MILL INN, 12 OLD MILL ROAD, REMOVAL OF BRIDGE, PATHS AND ELECTRICAL CONDUITS

David Pattee came forward and noted that the last page of the status report is the report of his inspection done on Tuesday, June 18 at 4:30 and he also pointed out pictures that were taken on the June 16. He explained that he saw that the wooden ramp sitting on the old concrete foundation was removed and placed in an area that Pete Romano had said is out of the wetlands and floodplain. Also, the bridge has been disassembled and removed. Mr. Pattee also explained that he was told that the concrete blocks were to have been removed on 18th. The paths are still mulched and the hay bales are still in place. He recommended that they leave the concrete pillars alone for now.

Ms. Minter expressed concern that debris on site is in wetland soil and Mr. Pattee explained that it was Mr. Romano's opinion that it was all out of the wetlands. Mr. Failla stated that they have finally got some compliance and hopes that the owner comes in with an application for future work so that the Commission can do a proper review.

DISCUSSION OF APPLICATION: TOWN OF WESTON – MAINTENANCE OF 4 BRIDGES (1) DAVIS HILL ROAD BRIDGE OVER THE SAUGATUCK RIVER (2) OLD REDDING ROAD BRIDGE OVER THE ASPETUCK RIVER (3) RIVER ROAD BRIDGE OVER THE SAUGATUCK RIVER AND (4) CAVALRY ROAD BRIDGE OVER THE WEST BRANCE OF THE SAUGATUCK RIVER (TOWN ENGINEER)

John Conte, Town Engineer and Tom Landry, Town Administrator came forward to present the application for the maintenance of the four bridges. Mr. Conte noted that the Town shares 2 bridges with other towns, Old Redding with Easton and Calvary with Westport. The town lines run down the middle of the bridges and while they have good cooperation w/Westport, they have to work things out with Easton. They have approached Easton to share work on the bridge but they have indicated that they would like to work on their side and we work on our side. Since that is not practical, they will have to get together to work out details.

Davis Hill Bridge: Mr. Conte explained that the maintenance would consist of replacing the wood posts while maintaining the existing wood rails. A lot of the rails along the bridge and entrance have rotted and need to be replaced and they will need to be maintained in the future as well.

Mr. Conte noted that the State inspects bridges every 2 years and the recommendations before the Commission are based on those reports from the State Bridge Inspector. There are 6 bridges with a span greater than 20 feet in town, Cartbridge and Valley Forge have already been replaced but the other 4 do not have to be replaced, just repaired.

Mr. von Rosenvinge commented that it is basically a railing replacement job and Mr. Conte agreed.

Old Redding Road Bridge: Mr. Conte explained that between the dam and bridge, there is a stone island and when the water comes off the dam, it circulates around the island and causes

erosion. They did a study years ago which indicated that the island should be removed, but it cost prohibitive. They want to replace the guardrails and anchors and take care of the scour. He described gabions which would be used and cause less disturbance and would be easy to install, basically hand work. Mr. Conte noted that they are asking the Commission for approval of the concept; the contractor must come back with a specific plan on how they will protect the rivers.

River Road bridge: Mr. Conte explained that this bridge will be more expensive, they have to do guiderail work, the high beams holding up the deck and rusted, they have to de-rust, get them cleaned, primed and re-painted and it is important to know how the contractor will prevent hazardous materials from getting into the river.

Calvary Road Bridge: Mr. Conte reported that this bridge also needs new guiderails and has scour problem on one side of bridge and they will use the same type of gabions as on Old Redding Road. Debris will have to be removed from past flooding incidents and Westport has indicated that since they have a larger work force, they may be performing a lot of the work themselves. He also noted that the only other issue is the pipe into the river from the Weston side and they will talk to the Public Works department.

MOTION FOR APPROVAL

Mr. Failla made a motion to approve the concept for the maintenance/repair of the 4 bridges 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. A site specific plan for each bridge will have to be presented for review by the Commission when the contractors have been hired to ensure that no adverse interference or debris entering the rivers.

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

DISCUSSION OF APPLICATION: BERG, 166 STEEPHILL, ADDITION

Mrs. Berg and architect, Ann Day, came forward to present the application. Ms. Day explained that they would like to put a one-story addition off the back of the house and the regulated line falls through a portion of the addition. She noted that they plan on putting in rechargers and siltation and erosion fences prior to construction. She also explained that the existing boulder wall will be interrupted and will be moved. In response to questions posed by Mr. Failla, Ms. Day pointed out the proposed rain water rechargers which will be 6 – 8 inches below grade. Mr. Failla noted that they will need an anti-mud tracking pad and they will need to keep the soil stockpile covered with hay bales around the bottom.

MOTION FOR APPROVAL

Ms. Minter made motion to approve the application for Berg, 166 Steephill Road as shown on a plan prepared by Day & White Architects, LLC dated 5/9/13, with the plan modified to show the extension of the boulder wall plus relocation of the 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:

“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. Double silt fencing with hay bales in between are to be used and the soil stockpile is to be covered and secured.

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

DISCUSSION OF APPLICATION: FAILLACE, 306 LYONS PLAIN ROAD, DECK AT REAR ENTRANCE

Mr. Faillace came forward to present the application. He stated that his tenants had asked if he could put a deck on at the rear entrance to accommodate their elderly mother. It would be a 12

ft. x 16 ft. deck outside the back door along the back side of the house and it would be open with no roof, just railings. Discussion ensued on the on location of siltation and erosion controls.

MOTION FOR APPROVAL

Mr. von Rosenvinge made a motion to approve the plan for a deck as shown on a plan dated 1/23/10 by Leonard Surveyors, revised 5/2012 showing the deck addition, 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.

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

DISCUSSION OF APPLICATION: FAILLACE, 306 LYONS PLAIN ROAD, FINISH CONSTRUCTION OF COTTAGE

Mr. Failla explained that this was an approved dwelling, initially denied by the Planning & Zoning Commission and overruled by the Zoning Board of Appeals. He explained that the work to be done is mostly fitting out the interior, it is already tied into the septic system but there is also an approval for a new septic system from the Health Department. Discussion ensued.

MOTION FOR APPROVAL

Mr. Failla made a motion to approve the application to finish the construction of the cottage as shown on a plan dated 2/24/10 prepared by Chioppa and Paolini, 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. Post construction, the disturbed area is to be reseeded.

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

DISCUSSION OF APPLICATION: STEIN, 18 GOODHILL ROAD, FREE STANDING GARAGE

Mr. Stein owner came forward to present the application. He noted that the Commissioners had brought up questions on the walk regarding the curb cut which he discussed with the Town Engineer and he does not have any concerns. Dave Pattee noted that they had raised questions regarding looking at an alternative location. Following discussion, it was decided that the applicant will come back with an engineered plan on how to handle the runoff if they keep it in the proposed location or they will try to place the garage somewhere else on the property. The discussion was continued to the next scheduled meeting.

MOTION TO APPROVE MINUTES

Mr. Failla made a motion to approve the May 16 Regular Meeting and May 9 Special Meeting Minutes and Ms. Minter seconded. All in favor, the motion carried (6-0).

MOTION TO ADJOURN

Mr. Spaulding made a motion to adjourn the meeting and Mr. von Rosenvinge seconded. All in favor, the meeting adjourned at 9:43 p.m.

Respectfully submitted,

Delana Lustberg
Recording Secretary