

DATE APPROVED: 9/17/2015

CONSERVATION COMMISSION MINUTES FOR AUGUST 6, 2015 PAGE #15-12

MEMBERS PRESENT:

Chairman Ed Schwarz, Vice-Chairman, Catherine Minter, Robert Turner, Chris Spaulding, Ted von Rosenvinge and James Smith

Mr. Schwarz opened the August 6th meeting of the Weston Conservation Commission at 7:30 p.m.

SET WALK DATE:

There are no receipts so there will be no scheduled walk date.

DISCUSSION OF APPLICATION: MAIS, 19 CALVIN ROAD, RE-GRADING REAR PROPERTY

Mr. Mais, owner, Ralph Gallagher, P.E. and Kevin McSwiggan, Contractor, came forward and explained their re-grading proposal. Mr. Spaulding questioned where they would be coming in with machinery and Mr. McSwiggan explained that they would go straight up the driveway and the going down the slope. He also stated that no machinery will be going past the 50 ft. line. Dave Pattee, Conservation Planner stated that a couple of trees have fallen that they want to remove and they will be able to use a boom. Discussion turned to the planting buffer and it was suggested that they extend the planting buffer to 25ft. Mr. von Rosenvinge posed a question regarding the gravity retaining wall and discussion ensued.

Hearing no further discussion, the following motion was made:

MOTION FOR APPROVAL

Mr. Schwarz made a motion to approve the application for 19 Calvin Road as shown on plans prepared by R. J. Gallagher Associates, dated 7/13/15, subject to the Standard Conditions A-I and J. The proposed planting buffer shown at 10 ft. is to be extended to 20-25 ft.; K. The applicant needs to provide specifications on erosion and sedimentation controls and a cross section added showing the zones of filter fabric and crushed stone. Mr. Spaulding seconded the motion. All in favor, the motion carried (6-0).

MEHTA, 43 WALNUT LANE (W. GLENN MAJOR, ATTORNEY) WETLANDS PERMIT NO. 2006-43 – APPROVED 5/1/07; 1A. MODIFICATION OF THE CONDITION 1 FOR LIFTING THE CEASE & DESIST FROM THE SEPTEMBER 18, 2008 CONSERVATION COMMISSION HEARING, TO ALLOW EXISTING STONE RETAINING WALL TO REMAIN AS CONSTRUCTED.; 1B.AFTER APPROVING THE ABOVE MODIFICATION, LIFT THE CEASE & DESIST ORDER; 1C.GRANT AN EXTENSION OF THE 5/1/2007 APPROVAL FOR 5 YEARS, UNTIL 5/1/2021; 2. A MODIFICATION OF THE 5/1/07 APPROVAL TO REMOVE RETAINING WALL CLOSEST TO DWELLING, CONSTRUCT A SWIMMING POOL AND AMEND THE REGRADING PLAN.

Glenn Major came forward and presented the Health Department approval on the septic system and a revised plan showing additions requested at site walk. Roger Webb, septic designer, explained that the change from original design is that this new one is 6 inches taller. The

approval is for the same location, it just requires different grading. Attorney Major presented a letter from the new engineer regarding the retaining wall. After reviewing the letter, Mr. Schwarz stated that it doesn't answer the Commission's concern that it wasn't constructed properly. Mr. von Rosenvinge stated that the letter is not strong enough, it is not a certification that the wall is OK. Discussion ensued.

Following discussion, Mr. Schwarz informed the applicants that they have the burden of showing that the plans are safe and they have to certify that meets it meets the standards.

The meeting was continued to the September meeting.

DISCUSSION OF APPLICATION: SEIDENBERG, 200 GOODHILL ROAD, NEW HOUSE (TERHAAR BUILDERS LLC)

Larry Terhaar, G.C. came forward to present the plans. He explained that all the work is in excess of 100 ft. from wetlands. He noted that the soil controls are shown on plan and the silt fence is above 100 ft. limit. Following a question posed by Mr. Schwarz, Mr. Terhaar explained that they plan to pick up the runoff into an existing culvert for drainage. Mr. Spaulding asked Mr. Terhaar to add double silt fence with hay bales in between and he agreed.

Following some additional discussion, the following motion was made:

MOTION FOR APPROVAL

Mr. Spaulding made a motion to approve the application for 200 Goodhill Road as shown on plans prepared by J. Edwards and Associates dated 7/1/15, subject to the Standard Conditions A-I, and J. The silt fence is to be double silt fence with hay bales in between. Ms. Minter seconded the motion. All in favor, the motion carried (6-0).

DISCUSSION/DECISION: CEASE & DESIST ORDER, 15 SOUNDVIEW FARM ROAD, SITE WORK, REGRADING AND FILL (CHIKUNI)

Tom Ryder, Senior Biologist with LandTech came forward and explained that he was hired yesterday. He went to the site and spoke with the client and the situation is that they wanted their backyard to be level and wanted fill put in. They hired a contractor and he brought in lot of fill, 1. without a fill permit, and 2. without a wetlands permit. Mr. Ryder stated that the fill is full of concrete and brick and traditional construction debris. There is erosion control at the base of the tow, a double silt fence with hay bales in between and the wetlands have been flagged. Mr. Ryder also noted that the survey is being done now. Discussion ensued regarding putting down a geotextile matting on top of the fill to further protect the area.

It was then agreed that discussion will continue at the next meeting and the Commissioners will walk the property on September 12, 2015.

MOTION:

Mr. Schwarz made a motion to uphold and continue the Cease & Desist Order with the exception of allowing the property owner to put in an emergency stabilization plan. Ms. Minter seconded the motion. All in favor, the motion carried (6-0).

APPROVAL OF MINUTES

Mr. Schwarz made a motion to approve the May 21, 2015 and July 16, 2015 Minutes and Mr. Spaulding seconded. All in favor, the motion carried (6-0).

MOTION TO ADJOURN

Mr. Von Roseninge made a motion to adjourn the meeting and Mr. Spaulding seconded. All in favor, the meeting adjourned at 9:00 p.m.

Respectfully submitted,

Delana Lustberg
Recording Secretary