

COLCHESTER CONSERVATION COMMISSION
Regular Meeting Wednesday, May 8, 2013
Town Hall, 127 Norwich Avenue, Room 1
Minutes of Meeting

MEMBERS PRESENT: Falk von Plachecki, Chairman; Kurt Frantzen, Vice Chairman; Moe Epstein, Darrell York and Sue Bruening; Alternate: Erika Fuery and Andrew George; Jim Ford, Board of Selectmen Liaison Staff; Wetlands Enforcement Officer: Jay Gigliotti and Clerk: Gail Therian;

MEMBERS ABSENT: None

A. CALL REGULAR MEETING TO ORDER

Chairman von Plachecki called the Regular Meeting to order at 7:08 p.m.

B. ADDITIONS TO AGENDA - None

C. APPROVAL OF MINUTES - Meeting Minutes of April 11, 2013

Motion by K. Frantzen, seconded by S. Bruening to approve the Minutes of the April 11, 2013 meeting as written.

Abstentions: A. George All others in favor **Motion carried unanimously.**

D. PUBLIC COMMENT - None

E. NEW APPLICATIONS - None

- A. W2013-2956 - GAIA Colchester, LLC, 12 Balaban Road, Assessor's Map #4W-05, Lot #17-000, Installation of a Sub Surface disposal system for water filter backwash water. Proposed system encroaches into Upland Review Area**

J. Gigliotti said that a copy of the plan to install a DEEP compliant Sub-surface disposal system for water filter backwash water at the GAIA apartments at 12 Balaban Road was included in the Commissioner's packets. He said that a portion of the sub surface disposal system will be located within the 100 foot Watercourse Upland Review Area and a portion will be in the 75 foot wetlands Upland Review Area.

James Erickson, Professional Engineer from Lenard Engineering, representing the applicant explained that the installation of the sub surface disposal system was to address long standing issues regarding high iron levels and the filtering of the water. The proposed installation of the sub-surface disposal system had been recommended by CT DEEP. Discussion followed regarding the swale on the property and the location of the galleries.

Motion by K. Frantzen, seconded by M. Epstein to accept the application as presented and to table for statutory review for W2013-2956, GAIA Colchester, LLC, 12 Balaban Road. **Motion carried unanimously.**

F. PENDING APPLICATIONS

- A. W2013-2955 Nunzio Galatro - Old Amston Road, Assessor's Map #6-6, Lot 17, Application for removal of Junk vehicles stored within Wetlands/Watercourse and Upland Review Area**

J. Gigliotti told the Commission that revised plans have been received for this application. He invited any Commission member who has not visited the site to contact him and he will arrange to accompany them on the site visit. He reminded that Commission that this application is for the removal of junk vehicles and debris stored within the Wetlands/Watercourse and Upland Review Area. He stated that the two phases of the removal are: 1) Removal of vehicles in the Upland Review Area; 2) Vehicles in the Wetlands/Watercourse area. He said that several updates to the Narrative were submitted and distributed copies of the document to the Commission members.

Clint Webb, C. Webb & Associates, reviewed each of the updates to the Narrative in response to the Commission's comments at the last meeting.

Discussion followed regarding these updates. The Commission requested that the name of the Qualified Environmental Professional (QEP) be submitted and approved before the permit is issued. They also requested that the language on how often the QEP will submit reports be included. J. Gigliotti informed Mr. Webb that the Conservation Commission has a standard Environmental Site Monitor form that outlines the requirements for reporting by the Site Monitor or QEP. J. Gigliotti will email this form to Mr. Webb and Ms. Clarke. It was suggested that a sign in sheet and a log be kept for those who attend the daily meetings, which the QEP will keep track of and submit with his reports. Several typographical errors and mistakes were pointed out on Page-7 of the plan which should be corrected.

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COLCHESTER, CT
2013 MAY 10 AM 8:55
NANCY A. BRAY
TOWN CLERK
Nancy A. Bray

The Commission discussed the scheduling of a Special Meeting to deliberate on this application. A tentative date of Wednesday, May 29, 2013 was set. J. Gigliotti will meet with Clint Webb and Kimberley Clarke, Eolas Environmental, LLC, prior to this meeting to discuss this evening's revisions. J. Gigliotti will confirm this date with the Commission members via email.

Motion by K. Frantzen, seconded by S. Bruening to table application W2013-2955, Nunzio Galatro, Old Amston Road, for further consideration and to consider a Special meeting to be held on or about May 29, 2013. **Motion carried unanimously.**

G. NEW BUSINESS – None

H. OLD BUSINESS –

A. Continued Discussions of Proposed Revisions to Inland Wetland & Watercourse Regulations

J. Gigliotti distributed a copy of Proposed Revisions to the Inland Wetland & Watercourse Regulations prepared by K. Frantzen and one prepared by E. Fuery. He said that the proposed Regulations are based on regulatory and legislative advisories of the CT DEEP.

Chairman von Plachecki asked that the Commission members review both versions of the proposed Regulations and a discussion will be held at the June meeting of the Commission. He asked for a motion to table discussion of the proposed regulations for consideration at the next meeting.

So moved, by K. Frantzen, seconded by S. Bruening. **Motion carried unanimously.**

I. ENFORCEMENTS –

A. 13 Rudden Lane

J. Gigliotti informed the Commission that Mr. Mark Fanelli of 13 Rudden Lane had responded to the Notice of Violation when he returned from a vacation. The Notice of Violation had been issued for the construction of a pond on his property without permits. J. Gigliotti said that with Mr. Fanelli's permission he was able to view the pond. He explained the pond's location on the property and said that he had concerns regarding the construction of the berm around the pond. He said he would like to see Erosion and Sediment Controls installed as soon as possible to prevent further sedimentation of the wetlands and help prevent the berm from eroding down gradient.

Mr. Mark Fanelli, property owner, told the Commission that he constructed this pond about a year ago to beautify his property and he was not aware a permit was required for this work.

Discussion followed. The Commission offered Mr. Fanelli two options: 1) to apply for a permit for the pond; or 2) to remediate the area. Chairman von Plachecki explained that if he seeks a permit, he will be required to have the wetlands flagged by a Certified Soil Scientist, a survey of his property including the delineation of the wetlands, and an Engineer's report on the construction of the berm. The Commission informed Mr. Fanelli that he is to work with J. Gigliotti, Wetlands Enforcement Officer, to install immediately and correctly the E & S Controls.

Motion by K. Frantzen, seconded by M. Epstein to request that Mr. Fannelli submit applications with all the appropriate supporting documentation within thirty (30) days for additional consideration of the Commission.

Discussion followed regarding the installation of Erosion and Sediment Control immediately.

Motion by K. Frantzen, seconded by M. Epstein to amend the original motion to include immediate placement of Erosion and Sediment Controls and stabilization of the Upland Review Area to prevent further sedimentation of the wetlands. **Motion carried unanimously.**

Vote was taken on the original Motion as amended. **Motion carried unanimously.**

J. CONSERVATION -

A. "Jack Nizdon Preserve" at White Oak Subdivision

J. Gigliotti showed pictures of the plaque installed at the Jack Nizdon Preserve at the White Oak Subdivision.

K. CORRESPONDENCE - None

L. ADJOURNMENT

Motion by S. Bruening, seconded by K. Frantzen to adjourn the meeting at 8:48 p.m.

Respectfully Submitted,

Gail N. Therian, Clerk .