

COLCHESTER CONSERVATION COMMISSION
Regular Meeting Wednesday, February 12, 2014
Town Hall, 127 Norwich Avenue, Room 3
Minutes of Meeting

MEMBERS PRESENT: Falk von Plachecki, Chairman; Kurt Frantzen, Vice Chairman; Moe Epstein, and Sue Bruening; Staff: Environmental Planner/ Wetlands Enforcement Officer: Jay Gigliotti and Gail Therian, clerk.

MEMBERS ABSENT: Darrell York; Alternates: Ericka Fuery and Andrew George

A. Call to Order and Open Public Hearing

- A. **W2013-2963-** Application to revise the Town of Colchester's Inland Wetland and Watercourse Regulations. Revisions to the regulations are the suggested Regulation and Legislation Advisories as published by the CT DEEP.

Chairman von Plachecki called to order the Continuation of the Public Hearing at 7:00 p.m.

J. Gigliotti read the additional items into the Public Hearing record: Item P) Minutes of the December 11, 2013 Colchester Commission Meeting; Item Q) Public Hearing Continuation Notice for #W2013-2963; Item R) Colchester Conservation Commission Revisions to Regulations dated February 10, 2014.

Chairman von Plachecki said that the corrections including typographical errors have been made. He thanked Kurt Frantzen and Erika Fuery for their work on the updating of Inland Wetlands and Watercourse Regulations.

Speaking in Favor: No one spoke

Speaking in Opposition: No one spoke

Motion by M. Epstein, seconded by K. Frantzen to close the Public Hearing on W2013-2963. **Motion carried unanimously.**

Public hearing ended at 7:03 p.m.

B. **CALL REGULAR MEETING TO ORDER**

Chairman von Plachecki called the Regular Meeting to order at 7:03 p.m.

C. **ADDITIONS TO AGENDA -**

Chairman von Plachecki asked that an Item C be added under "Item F – Pending applications" - **W2013-2963-** Application to revise the Town of Colchester's Inland Wetland and Watercourse Regulations. Revisions to the regulations are the suggested Regulation and Legislation Advisories as published by the CT DEEP.

Motion by K. Frantzen, seconded by E. Fuery to add under "Item F – Pending Applications - W2013-2963- Application to revise the Town of Colchester's Inland Wetland and Watercourse Regulations." **Motion carried unanimously**

D. **APPROVAL OF MINUTES** – Meeting Minutes of December 11, 2013 and January 8, 2014.

Minutes of December 11, 2012

Motion by K. Frantzen, seconded by S. Bruening to approve the Amended Minutes of the Colchester Conservation Commission meeting of December 11, 2013 as written. **Abstentions:** M. Epstein All others in favor **Motion carried.**

Minutes of January 8, 2014

Motion by K. Frantzen, seconded by M. Epstein to approve the Minutes of the Colchester Conservation Commission meeting of January 8, 2014 as written. **Abstentions:** S. Bruening All others in favor **Motion carried.**

E. **PUBLIC COMMENT - None**

F. **PENDING APPLICATIONS**

- A. **W2013-2968-** Rodney Goldberg, Goldberg Road, Resubdivision of lots 11 & 12 located at the end of Goldberg Road, the Road has not currently been accepted. *DRD 2/14/13*

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J. Gigliotti said that nothing has changed with the application since the January meeting and the Staff Reviews were included in the Commissioner's packets. He said that there are no impacts to the wetlands or the Upland Review Area. He said that the applicant is proposing to remove a portion of land within the right-of-way at the end of the cul-de-sac, and redistribute this land to lots 11 and 12. By doing this, the applicant is effectively removing the ability to extend Goldberg Road should the abutting property be developed, which is considered a "spite strip". He said that his only concern is that there are wetlands located in the area near the end of the pipe located within the drainage easement. It appears that this pipe should be relocated. It is unclear where the relocated outlet of this drainage pipe would fall in relation to the wetlands and/or the Upland Review Area. He said that the applicant was not present at the meeting.

Charles Dutch, Dutch and Associates, explained the location of the pipe. He said that the pipe was in the wrong spot when the road was constructed; shown on the as-built plan; and that it was not a point of concern until the application to re-subdivide was submitted.

Motion by K. Frantzen, seconded by M. Epstein to approve W2013-2968 Rodney Goldberg, Goldberg Road, Resubdivision of lots 11 & 12 located at the end of Goldberg Road. **Motion carried unanimously.**

- B. W2014-2970- Gints Vitkovskis-Applicant, 63 Shailor Hill Road, Assessor's Map 05-14 Lot # 50-3, Proposed Driveway Construction associated with development of new SFR, Driveway construction shall include installation of 15" Diameter culvert pipe and activity within URA. *DRD 3.14.14*

M. Epstein recused himself.

J. Gigliotti described the location of the property and said that the application is for the construction of a driveway to a new single family residence which will include the installation of a 15" diameter culvert pipe with minimal activity with the Uplands Review Area. He reminded the Commission that the culvert pipe at the front of the driveway was incorrectly shown on the plan at the last meeting. He showed the revised plans with the culvert pipe shown correctly. Discussion followed regarding the proposed Erosion and Sediment Controls to be in place during construction.

Charles Dutch, Dutch and Associates, representing the applicant, said that there is minimal impact to the wetlands or Uplands Review Area.

Motion by K. Frantzen, seconded by S. Bruening to approve W2014-2970 –"Gints Vitkovskis-Applicant, 63 Shailor Hill Road, Assessor's Map 05-14 Lot # 50-3, Proposed Driveway Construction associated with development of new SFR." **Motion carried unanimously.**

- C. W2013-2963- Application to revise the Town of Colchester's Inland Wetland and Watercourse Regulations. Revisions to the regulations are the suggested Regulation and Legislation Advisories as published by the CT DEEP.

M. Epstein returned as a voting member.

Motion by K. Frantzen, seconded by M. Epstein to approve W2013-2963 –"Application to revise the Town of Colchester's Inland Wetland and Watercourse Regulations" with an effective date of April 1, 2014. **Motion carried unanimously.**

G. NEW APPLICATIONS

- A. W2014-2971- Selective Timber Harvest, Scotland Hardwoods LLC c/o Rod Burgess-Applicant, Gary & Patricia Gallucci-Property owners, Property Location-Taylor Road, Assessor's Map 02-14 Lot #'s 004-000 & 04A-001, 2-property selective harvest includes use of x3 existing wetlands/stream crossings; skid trails, several areas of harvest and x2 landing areas proposed location within URA. As-of-Right Activity.

J. Gigliotti explained the location of the activity and the proposed location of the crossings and landing areas using a power point presentation. He said that one of the two landing areas is located off the unapproved portion of Usher Swamp Road opposite the Ashland Family Trust property, where a timber harvest is also taking place. The second landing area is in the O'Connell Road area. He said that there are no big issues, and he hopes that they will use less than the three (3) crossings.

Motion by K. Frantzen, seconded by M. Epstein to approve W2014-2971- Selective Timber Harvest, Scotland Hardwoods LLC c/o Rod Burgess-Applicant, Gary & Patricia Gallucci-Property owners, Property Location-Taylor Road, Assessor's Map 02-14 Lot #'s 004-000 & 04A-001, as an As-of-Right Activity, using the minimum wetlands and stream crossing not to exceed three (3) crossings. **Motion carried unanimously.**

- B. W2014-2972- Reconstruction of Existing Pond, Rob Hellstrom-Applicant, Mark Fanelli-Property Owner, Property Location- 13 Rudden Lane Assessor's Map 05-06 Lot #009-001, Application for pond reconstruction within wetlands & URA, application submitted in response to 4/3/13 Notice of Violation, made to achieve compliance with Regulations & Rescind Violation. *DRD 4/18/14*

J. Gigliotti said that this application was in response to a Notice of Violation.

Wes Wentworth, Engineer and Soil Scientist, presented a proposed plan showing the reconstruction of the pond. He said that the wetlands disturbance is less than 2,000 square feet. The pond will be 8 to 10 feet at its deepest. He explained the process of relocating the pond, which will be a straightforward pond construction. Mr. Wentworth had received S. Tassone, Town Engineer's comments and he explained how he addressed eight (8) of the ten (10) comments. He said the last two (2) comments will be addressed very easily. Discussion followed regarding the location of the leaching field in relationship to the pond, the berm design, and erosion and sediment control measures.

Motion by K. Frantzen, seconded by M. Epstein to accept and to table W2014-2972 "Reconstruction of Existing Pond, Rob Hellstrom-Applicant, Mark Fanelli-Property Owner, Property Location- 13 Rudden Lane Assessor's Map 05-06 Lot #009-001." for statutory requirements. **Motion carried unanimously.**

H. NEW BUSINESS – None

I. OLD BUSINESS – None

J. ENFORCEMENTS – None

K. CONSERVATION - None

L. CORRESPONDENCE

J. Gigliotti distributed copies of the "Habitat" to Commission members.

Chairman von Plachecki reminded the Commission that the Planning and Zoning Commission meeting to be held on Wednesday, February 19, 2014 at 7:00 at the Town Hall is for a discussion on the updating of the Plan of Conservation and Development. He encouraged the Commission members to attend and participate in the discussion.

M. ADJOURNMENT

Motion by M. Epstein, seconded by S. Bruening to adjourn the meeting at 8:01 p.m. **Motion Carried Unanimously**

Gail N. Therian, Clerk