

COLCHESTER CONSERVATION COMMISSION
Regular Meeting Wednesday, March 12, 2014
Town Hall, 127 Norwich Avenue, Room 201
Minutes of Meeting

MEMBERS PRESENT: Falk von Plachecki, Chairman; Kurt Frantzen, Vice Chairman (Arrived at 7:19 PM); Sue Bruening (Arrived at 7:11 PM); Moe Epstein, and Darrell York, & Alternates: Ericka Fuery and Andrew George; Staff: Environmental Planner/ Wetlands Enforcement Officer: Jay Gigliotti; Justin LaFountain, Clerk

A. CALL REGULAR MEETING TO ORDER

Chairman von Plachecki called the Regular Meeting to order at 7:01 PM. E. Fuery and A. George were seated as voting members.

B. ADDITIONS TO AGENDA – None

C. APPROVAL OF MINUTES – Meeting Minutes of February 12, 2014.

M. Epstein noted that under the Additions to Agenda section of the minutes it states E. Fuery seconded the motion, although E. Fuery was absent. He said it should be S. Bruening who seconded the motion.

Motion by M. Epstein, seconded by D. York to approve the Minutes of the Regular Meeting of February 12, 2014 as amended. **Abstentions:** E. Fuery and A. George. All others in favor. **Motion carried.**

D. PUBLIC COMMENT – None

E. PENDING APPLICATIONS

- A. **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*

Chairman von Plachecki said that there are comments pending from the Chatham Health District for this application, so the application should be continued until the next meeting. D. York asked what the concerns of the Chatham Health District were, and Chairman von Plachecki answered that the Health District would like to see the area staked out in the field prior to signing off on it. J. Gigliotti stated that the Health District has required the applicant to submit a formal application for the project directed towards the Health District. J. Gigliotti stated that the engineer could not address the Health District's comments due to frozen ground and snow cover.

Motion by M. Epstein, seconded by E. Fuery to table W2014-2972 to the next regularly scheduled meeting. **Motion carried unanimously.**

F. NEW APPLICATIONS

- A. **W2014-2973-** Trowbridge Forest Products-Applicant, Mary Kendzior-Property Owner, Property Location-395 New London Road, Assessor's Map 02-08 Lot 006-000, Selective timber harvest on 46 acre property. Applicant is proposing x2 stream crossings. Harvest application made as an As-of-Right Use.

J. Gigliotti presented information about the application, stating that it was a fairly basic application for a selective timber harvest just past M & J Auto Recycling. John and Tom Trowbridge were in attendance, and stated that their last name is often misspelled as 'Throwbridge,' but in actuality it is 'Trowbridge.' They elaborated on the parcel of land, stating that it is about 46 acres, around 20 of which are currently being harvested. J. Gigliotti stated that there will be two stream crossings utilized, which will be accomplished using portable bridges.

A. George asked for clarification on the location where the trucks will be entering and exiting, and J. Trowbridge stated that they'll be going through M & J. J. Gigliotti stated that this was ideal to limit the impact of the operation.

M. Epstein asked for clarification on who the official applicant is, as Mary Kendzior has passed away. J. Trowbridge stated and J. Gigliotti concurred that it was for the Estate of Mary Kendzior, and Alan Kendzior is co-executor. Chairman von Plachecki asked if the Trowbridges would be willing to submit a letter of Appointment of Fiduciary from the Estate of Mary Kendzior as a condition of approval, and both John and Tom Trowbridge agreed.

Motion by D. York, seconded by M. Epstein, to recognize W2014-2973 as an As-of-Right Activity and required that a letter from the probate court be submitted to J. Gigliotti, appointing Alan Kendzior as executor to Mary Kendzior's estate. **Motion carried unanimously.**

RECEIVED
COLCHESTER, CT
MAR 13 PM 3:40
ANCOY, DRAY
TOWN ENGINEER

Vice-Chairman Frantzen and S. Bruening entered the meeting and were seated as voting members; E. Fuery and A. George were thus back in the role of Alternates.

G. OLD BUSINESS –

A. “Tony’s Junkyard”

J. Gigliotti stated that he put this on the agenda as it had been a while since it was previously discussed. He stated that this is currently on hold for a variety of reasons. As the property is in an \$-60 Zone, the Planning and Zoning Department staff has identified many developmental activities that could potentially occur on the land after it has been cleared up. J. Gigliotti said that the Town is trying to help the applicant, Nunzio Galatro, find a mutually agreeable solution. Chairman von Plachecki asked J. Gigliotti to keep the Commission informed with any new developments.

H. NEW BUSINESS –

A. Bonding

1. New Act

J. Gigliotti informed the Commission that a new act was passed in 2012 which prevents municipalities from bonding anything other than erosion and sedimentation controls. A discussion was had on the process of bonding projects.

2. Timber Harvest

J. Gigliotti stated that an approved timber harvest being conducted by Rod Burgess on Clark Road that has been in operation for some time, but the second approved entrance only started use a few weeks ago. The tracking pad that was part of the applicant’s narrative was only installed on March 11, 2014. The late installation has led to equipment breaking pavement and a tracking of sediment onto the road. In another access location, a stone wall along the road Right of Way was broken through. J. Gigliotti stated a meeting was had between himself, Rod Burgess, Town Engineer Sal Tassone and Public Works Director Jim Paggioli. The Town will require Burgess to fix the road and the stone wall. The tracking pad is now installed, though the Commission still has concerns with the project. Chairman von Plachecki directed J. Gigliotti to contact Burgess and set up a meeting in the field to review the progress. If J. Gigliotti feels that the situation has not been remedied within two weeks, a Special Show/Cause Meeting of the Conservation Commission can be held in two weeks time.

I. ENFORCEMENTS –

A. Clark Road-

Discussed in New Business-Timber Harvest. See above.

B. Taylor Road

J. Gigliotti stated that in 2010, he met with Roger Steele of 192 Taylor Road to discuss a wetlands permit for clearing and dead tree removal. J. Gigliotti said that Mr. Steele has gone above and beyond what was discussed, and J. Gigliotti is now requiring Mr. Steele to put in plantings and maintenance systems. J. Gigliotti said that a conservation easement may be a good idea. Chairman von Plachecki directed J. Gigliotti to keep working with Mr. Steele.

J. CONSERVATION –

A. Commission Endorsement of Proposed Open Space Acquisition

J. Gigliotti gave a memorandum to the Commission (see attached) regarding a possible acquisition of open space at 144 McDonald Road, land of the late Stanley Moroch. The Department of Environmental and Energy Protection has a grant program for land acquisition, which needs an endorsement from the Open Space Advisory Committee, the Planning and Zoning Commission, and the Conservation Commission

Motion: By the Colchester Conservation Commission motion to endorse the submission of an Open Space Land Acquisition Grant application for 144 McDonald Road, Colchester, CT, to the Connecticut Department of Energy and Environmental Protection for consideration of the “Open Space and Watershed Land Acquisition Grant Program.” Moved by D. York, seconded by S. Bruening. **Motion carried unanimously.**

K. CORRESPONDENCE

A. CT DEEP Natural Diversity Database-Purple Milkweed (*Asclepias Purpurascens*)

J. Gigliotti informed the Commission that the Purple Milkweed is a protected plant, according to DEEP.

B. Salmon River Watershed Partnership/Eight Mile River Watershed

J. Gigliotti informed the Commission that he is on a steering committee for the Partnership, and they will be conducting invertebrate testing and public outreach.

C. Route 149 Paper Mill Dam

J. Gigliotti stated the CT DEEP has utilized a left over hurricane fund that should cover the costs associated with the removal of the Paper Mill Dam.

D. Road Salt Use in Connecticut

J. Gigliotti stated he will be attending a class about the concerns of road salt usage, and will keep the Commission updated.

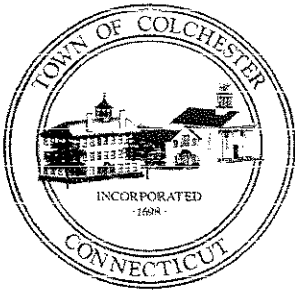
L. ADJOURNMENT

Motion by M. Epstein, seconded by K. Frantzen to adjourn the meeting at 8:09 PM. **Motion Carried Unanimously**

Respectfully submitted,

Justin LaFountain, Clerk

Attachment: Memorandum from J. Gigliotti regarding Open Space Acquisition



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

MEMORANDUM

March 12, 2014

To: Colchester Conservation Commission

From: Jay Gigliotti, Environmental Planner Wetlands Enf. Officer *JRG*

Re: **Connecticut Department of Energy and Environmental Protection, 2014 Open Space and Watershed Land Acquisition Program**

The Planning and Zoning Department is proposing to submit an application for the "Open Space and Watershed Land Acquisition Grant Program" (OSWA) sponsored by the Connecticut Department of Energy and Environmental Protection. The OSWA is a grant program which supplies financial assistance to municipalities, water companies and nonprofit land conservation organizations who are proposing to acquire land for open space or water protection purposes. OSWA applications including proposals and all supporting documents are required to be submitted to the Connecticut Department of Energy and Environmental Protection no later than ***March 31st, 2014.***

The property subject of Colchester's OSWA grant application is entirely within Colchester's Town limits, located at 144 McDonald Road. Consisting of 10.21 acres (6.1ac dry land, 4.1ac of wetlands and 811 linear feet of watercourse), the property is located, approximately 6,400 feet to the Southeast of the Route 2 Eastbound entrance ramp, off of Parum Road (Route 354). The property is bordered by The Town of Colchester's Ruby Elizabeth Cohen Park to the North, McDonald Road to the East, Dutton Road to the South and a single family residential lot the West. By submitting the above detailed grant application for the 144 McDonald Rd property, the Town of Colchester continues implement the Town's Open Space Plan, Plan of Conservation and Development and, if granted, shall add pristine land to our already impressive parks system. Furthermore, the acquisition of a parcel such as this, also conforms to the State of Connecticut's Plan of Conservation and Development, the Southeastern Connecticut Council of Governments Plan of Conservation and Development and the Colchester Land Trust's Corridor system.

An application requirement of CT DEEP's OSWA grant program is the endorsement from the Local Planning and Zoning Commission, Conservation Commission and Open Space Commission. The Open Space Commission has already endorsed this application and the Planning and Zoning Commission shall be presented with the proposal this evening (3/12/14) as well.

Recommended Motion: The Colchester Conservation Commission motion to endorse the submission of an Open Space Land Acquisition Grant application for 144 McDonald Road, Colchester, CT, to the Connecticut Department of Energy and Environmental Protection for consideration of the "Open Space and Watershed Land Acquisition Grant Program"

Attachments:

- 2011 Town of Colchester Open Space Plan
- Property Boundary Plan, 144 McDonald Road