

COLCHESTER CONSERVATION COMMISSION
Regular Meeting Wednesday, April 8, 2015
Town Hall, 127 Norwich Avenue, Room 1
Minutes of Meeting

MEMBERS PRESENT: Falk von Plachecki, Chairman; Sue Bruening, and Andrew George; Staff: Wetlands Enforcement Officer: Jay Gigliotti and Gail Therian, Clerk;

MEMBERS ABSENT: Moe Epstein, Darrell York; Alternates: Erika Fuery and Rebecca Meyer and Board of Selectmen Liaison; Kurt Frantzen.

A. CALL REGULAR MEETING TO ORDER

Chairman von Plachecki called the Regular Meeting to order at 7:11 p.m.

B. ADDITIONS TO AGENDA – None

C. APPROVAL OF MINUTES – Meeting Minutes of March 11, 2015.

Motion by S. Bruening, seconded by A. George to approve the minutes of the Colchester Conservation Commission Regular meeting of March 11, 2015 as written. **Motion carried unanimously.**

D. PUBLIC COMMENT – None

E. PENDING APPLICATIONS -

- A. **W2015-2986-** Goldi-Locks Mini Storage, LLC-Applicant/ owner, 359 Lebanon Avenue, Assessor's Map 06-06 Lot #021-002, Application for Construction of Storage Building #5 located in the rear of the property, closest to the Northern Property Line, Proposed construction includes minimal Upland Review Area Impacts- DRD 4/17/05

Chairman von Plachecki read a letter from Charles Dutch, Dutch and Associates dated March 11, 2015 requesting a 65-day extension for a decision on this application. The new Decision Required Dated will be June 12, 2015.

Motion by S. Bruening, seconded by A. George to accept the letter of extension. **Motion carried unanimously.**

J. Gigliotti told the Commission that revised plans for the application had been received this afternoon, and have not been reviewed by Staff. He showed the location of the existing building and the proposed additional building and the location of the existing storm water basin using a Power Point presentation. He explained that the storage building doors will be on the front only and no doors will be located on the back of the building facing abutting properties.

Charles Dutch, Dutch and Associates, representing the applicant, explained the proposed storm water basin. Discussion followed regarding drainage. J. Gigliotti told the Commission that a drainage easement will be needed for the discharge to the applicant's abutting piece of property. A draft of the easement language will need to be submitted for Staff review.

Motion by A. George seconded by S. Bruening to table W2015-2986 to the next Regular meeting to await receipt of comments from Staff. **Motion carried unanimously**

- A. **W2015-2987** Robert Gustafson – Applicant/Owner, 151 Taylor Road, Assessor's Map 02-14 Lot 003-002, Proposed 2-Lot Resubdivision, Minimal Upland Review Area Impacts only DRD 5/15/2015

J. Gigliotti told the Commission that this is a 2 lot Resubdivision located at 151 Taylor Road. He said that this is a family resubdivision and that the applicant will be asking for an Open Space waiver from the Planning and Zoning Commission. The resubdivision is being requested in order to cut out a four (4) acre lot for a family member. The only impacts to the Upland Review Area are the driveway and the house. He said that he would like to see the creation of a rain garden to deal with the increase of runoff from the property. Chairman von Plachecki said that he would like to see a Conservation Easement placed on the property to prevent further disturbance to the area. J. Gigliotti explained the purpose and the restrictions of a Conservation Easement to the applicant.

Rob Hellstrom, Surveyor, told the Commission that the applicant has asked the abutting property owner for a drainage easement to address the runoff issue. If the easement is not granted, he will work with Staff to create a rain garden. He also said that the applicant is willing to place a Conservation Easement on the property.

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Motion by S. Bruening, seconded by A. George to table W2015-2987 pending notification of the acceptance of the easement and revised plans showing the Conservation Easement, if no easement is granted, the rain garden area for the run off protection should be shown. **Motion carried unanimously.**

F. NEW APPLICATIONS

- A. W2015-2988**- Modification of Approved Conservation Commission Permit# **W2015-2985**-Rodney Goldberg- Applicant, 214 Bull Hill Road, Assessor's Map 05-19 Lot# 008-000, Proposed 11-Lot Subdivision with municipal Improvements

J. Gigliotti distributed a copy of the proposed plan for application W2015-2985 and the proposed plan for W2015-2988. He said that the new application is for the creation of lot #10, which was part of lot #9 and that lot #5 has been enlarged.

Charles Dutch, Dutch and Associates, representing the applicant, said that the Town did not want the Open Space offered because of the location and that the land was then incorporated into Lot #5. Discussion followed regarding environmental protection measurements for the steep slopes of lot #5.

Motion by S. Bruening, seconded by A. George to approve W2015-2988 and that the recommendation to the Planning and Zoning Commission regarding the Conservation Easement being placed on the Preservation area be the same as with the prior approval of W2015-2985. **Motion carried unanimously.**

G. OLD BUSINESS – None

H. NEW BUSINESS – None

I. ENFORCEMENTS –

A. Updates –

J. Gigliotti updated the Commission on the enforcement action on Rudden Lane. He said that after the last meeting he reviewed the permit on this enforcement and found that there is still one year left on the permit. This will allow the homeowner to begin the remediation of the pond. The permit shall expire on April 9, 2016.

J. Gigliotti told the Commission that according to the Town Ordinance a fine could be required for the enforcement action on 16 & 36 Dr. Foote Road. Discussion followed.

Motion by S. Bruening, seconded by A. George to start the fine process after ten (10) days of mailing a certified letter for the continuance of the Cease and Desist due to none response. No vote was taken.

Motion by S. Bruening, seconded by A. George to withdraw the previous motion. **Motion carried unanimously.**

Motion by S. Bruening, seconded by A. George that regarding 16 and 36 Doctor Foote Road, a letter be sent to inform that if we do not hear from them the process of charging penalties for the offense, which can be up to \$1,000 a day, be pursued. **Motion carried unanimously**

J. Gigliotti will inquire about how the collection of fines is handled. He also showed pictures of the site.

Motion by S. Bruening, seconded by A. George to continue the Show Cause Hearing to the next regularly scheduled meeting. **Motion carried unanimously.**

J. CONSERVATION – None

A. Land Acquisition

K. CORRESPONDENCE - None

A. Construction, Projects & Issued Permit Updates – None

L. ADJOURNMENT

Motion by S. Bruening, seconded by A. George to adjourn the meeting at 8:15 p.m. **Motion Carried Unanimously**

Gail N. Therian, Clerk