

COLCHESTER CONSERVATION COMMISSION
PUBLIC HEARING
Regular Meeting To Follow
Wednesday, May 10, 2017
Town Hall, 127 Norwich Avenue, Room 1
Minutes of Meeting

MEMBERS PRESENT: Falk von Plachecki, Chairman; Darrell York, Vice Chairman; Moe Epstein, Sue Bruening and Andrew George; Alternates: Ericka Fuery and Rebecca Meyer; Board of Selectmen Liaison, John Jones; Staff: Jay Gigliotti, Wetlands Enforcement Officer; Gail Therian, Clerk;

MEMBERS ABSENT:

A. OPEN PUBLIC HEARING

- A. W2017-3010- Stephen Fedus- applicant/ owner- 203 Amston Road (Route 85), Assessor's Map 21-00 Lot #003-000- proposed residential apartment buildings, parking and drainage facilities, activity within wetlands URA.

Chairman von Plachecki opened the Public Hearing to order at 7:01 p.m. He read the Legal Notice for the Public Hearing which was published in the Rivereast on Friday, April 28, 2017 and Friday, May 5, 2017.

J. Gigliotti read the Public Hearing Record Items A – J.

Chairman von Plachecki said that no testimony would be taken at this meeting regarding this application, as the proper notice to the abutting property owners was not done in accordance with Section 9.3 of the Inland Wetlands Regulations. He said that this Public Hearing will be continued to the next meeting on June 14, 2017.

Motion by D. York, seconded by A. George to continue the Public Hearing to the next regularly scheduled meeting.

B. CALL REGULAR MEETING TO ORDER

Chairman von Plachecki called the Regular Meeting to order at 7:06 p.m.

C. ADDITIONS TO AGENDA –

A. George asked that under "Item K - Conservation" he be able to speak about the Norton Dam.

So moved, by M. Epstein, seconded by D. York to add this item to the agenda. **Motion carried unanimously.**

D. APPROVAL OF MINUTES – Meeting Minutes of March 8, 2017 and April 12, 2017 Regular Meeting

March 8, 2017 Minutes

D. York and A. George stepped down from the approval of the minutes of March 8, 2017 as they were not present at the meeting. R. Meyer was seated as a voting member.

Motion by R. Meyer, seconded by M. Epstein to approve the Minutes of the March 8, 2017 meeting as written.

Motion Carried unanimously.

D. York and A. George returned as voting members. R. Meyer stepped down as a voting member.

April 12, 2017

M. Epstein, S. Bruening and R. Meyer stepped down from the approval of the minutes of the April 12, 2017 meeting as they were not present at the meeting. E. Fuery was seated as a voting member.

Motion by D. York, seconded by E. Fuery to approve the Minutes of the April 12, 2017 meeting as written.

Motion Carried unanimously.

M. Epstein and S. Bruening returned as voting members. E. Fuery stepped down as a voting member.

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TOWN CLERK

E. PUBLIC COMMENT – No one spoke

F. PENDING APPLICATIONS –

- A. W2017-3010- Stephen Fedus- applicant/ owner- 203 Amston Road (Route 85), Assessor's Map 21-00 Lot #003-000- proposed residential apartment buildings, parking and drainage facilities, activity within wetlands URA. *DRD 5/12/17*

Motion by M. Epstein, seconded by D. York to table W2017-3010 as the Public Hearing is still open on the application.
Motion carried unanimously.

- B. W2017-3011 Kimberly Carlone, 36 Waterhole Road, Assessor's Map 03-20 Lot #01-000 Proposed resubdivision to facilitate land swap, in order to address setback and open space related issues *DRD 6/16/17*

J. Gigliotti told the Commission that this is for a land swap to address a non-permitted zoning violation for structures located in the zoning setbacks. He explained the location of the property and the Open Space and said that a deck and patio were constructed into the Town Open Space. He further explained that a permit was issued for a pool based on an incorrect as built plan of the 36 Waterhole property. He told the Commission that this issue has been before the Planning and Zoning Commission and the Board of Selectmen and are in favor of the land swap as a solution to this problem. He said the OSAC recognized the land swap as a solution, but also stated that the Committee does not support the use of Open Space land to resolve violations/encroachments. He told the Commission that this application was before them as a resubdivision application, because alterations to land designated for public use is being proposed. There are no impacts to the wetlands. Discussion followed.

Motion by D. York, seconded by M. Epstein to approve W2017-3011 as shown on the plan and recognizing that it has no impacts on the wetlands. **Motion carried unanimously.**

G. NEW APPLICATIONS –

- A. W2017-3012- Gordon Sime-Applicant, Paul & Kathrine Sullivan-Property Owner, 88 Ridgewood Drive, Assessor's Map 03-03:Lot # 040-006- Proposed replacement of existing driveway culvert *DRD 7/14/17*

J. Gigliotti told the Commission that this is an application to replace the existing driveway culvert to comply with current driveway regulations. He said that the existing pipe installed by the former owner of the property is of a lower quality not acceptable in the approved driveway regulations.

Mark Reynolds, engineer for the applicant, explained the proposed work to be done.

Motion by A., George, seconded by S. Bruening to table for the statutory requirement W2017-3012 and Staff comments.
Motion carried unanimously.

H. OLD BUSINESS – None

I. NEW BUSINESS – None

J. ENFORCEMENTS –

- A. **199 Red Schoolhouse Road, Request for C.O.**

J. Gigliotti said that at the last meeting two reports had been received by Soil Scientists regarding the culverts and how they are functioning. He said that drainage calculations have been received and reviewed by S. Tassone, Town Engineer. He has signed off on these calculations. D. York said that he feels it is a substantial wetlands impact and should have been installed according to the plan. Discussion followed regarding how to address this enforcement.

Motion by D. York, seconded by M. Epstein, to have the site restored as it was on the plan.

Discussion followed and the following amendment was made to the original motion:

Motion by D. York, seconded by M. Epstein to make an amendment to the original motion: to do it per the original drawing and the additional disturbed area be return to the original state to the extent possible and a plan be presented to this Commission as how this is going to take place and a schedule as well.

Vote was taken on the amendment to the motion. **Motion Carried Unanimously**

Vote was taken on the amended original motion. **Motion Carried Unanimously**

J. CONSERVATION –

A. George told the Commission that on Monday, April 24, 2017 members of the Nature Conservancy and the CT Department of Energy and Environmental Protection hat met at the former Norton Dam location. He said that the area was cleaned up and salmon were released into the river.

K. CORRESPONDENCE –

A. The Habitat

J. Gigliotti said he had copies available of "The Habitat" for members who did not receive it at the last meeting...

L. ADJOURNMENT

Motion by A. George, seconded by S. Bruening to adjourn the meeting at 7:43 p.m. **Motion Carried Unanimously**

Gail N. Therian, Clerk