

**CONSERVATION COMMISSION
MEETING MINUTES
MEETING OF JUNE 9, 2009**

PRESENT: Glenn Neilson, Vice Chair
Bob Roberts
Ray Wilcox
Jack Leahey

ALTERNATES: Andy Krar

RECORDING SECRETARY: Nancy Drenzek

CONSULTANT: Keith Morris

PUBLIC Frank A. Demarinis P.E. Sage Engineering LLC
Atty Paul Smith
Domenick Scarfo
Frank Bauchiero

CALL MEETING TO ORDER-7:00 P.M.

Vice Chairman Glenn Neilson called the meeting to order at 7:00 p.m. Andy Krar will be a voting member in place of Art Christian. Glenn Neilson read aloud the agenda for the record.

PERMIT EXTENSION

Permit #1487 - Frank Marotta -single family home with septic system. This property is located on Hill Street nearest intersection is Crane Hill Road. Assessor's Map #28, Block # 30, Lot # 159 in Suffield, CT. There are no changes to the plan. After discussion Ray Wilcox made a motion to extend permit #1487. The permit will now expire on May 26, 2013. Bob Roberts seconded the motion. Hearing no further discussion the motion was made and carried unanimously.

Permit #1433 - Robert Anderson – 2 lot subdivision with septic system. This property is located on the south side of Mountain Road nearest intersection is Copper Hill Road. Assessor's Map#5H, Block #3, Lot #6 in Suffield. There are no changes to the plan. After discussion Ray Wilcox made the motion extend permit #1433. Ray Wilcox made a motion to accept Permit #1433. The permit will now expire on October 9, 2012. Bob Roberts seconded the motion. Hearing no further discussion the motion was made and carried unanimously.

DECISION

Permit #1537 - Lizotte - Commercial building on Market Drive. Assessor's Map 28, Block H37, Lot 1. This property is located on Marketing Dr. & South St. Consultant Keith Morris stated that he would like to have a preconstruction meeting once the soil & erosion controls are installed on the site. S & E inspections should be done by Mr. Morris during

construction. The wetlands should be reflagged because it was previously approved and there are no flags out there at this time. After discussion Ray Wilcox made a motion to approve application #1537 the construction of a 20,000 sq. ft office and warehouse building on Marketing Drive, with the following conditions:

- 1-10) Suffield Conservation Stipulations 1-10 shall apply (copy attached).
- 11) Upon approval from the Suffield Zoning and Planning Commission, the applicant shall submit a final set of plans with all revisions included, and a copy of this permit attached on the front of the plans. Any revisions under the jurisdiction of the Suffield Conservation Commission shall come back for approval.
- 12) Prior to the start of work, and after installation of erosion and sedimentation controls, a preconstruction meeting shall be held with the applicant, the contractor, and the agent from the Suffield Conservation Commission, to review these conditions.
- 13) Prior to the preconstruction meeting, the wetland boundary shall be reflagged in the field.
- 14) During initial earthmoving activities, , the commission's agent shall conduct weekly site inspections of erosion and sedimentation controls. After this time, inspections shall be conducted at the discretion of the agent.
- 15) Any existing foundations on site shall be disposed of in a proper manner.
- 16) The southeast corner the detention basin shall be armored with rip rap as per the Town Engineer's request.

Jack Leahey seconded the motion; Andy Krar amended the motion to have the weekly inspection changed to include inspection after any storm event with rainfall of ½" or more. Bob Roberts seconded the amendment to the motion. The motion and amendment carried unanimously. The application was approved in a summary ruling.

Permit #1538 – Watroba – Pond construction – 619 Hale Street. Assessor's Map 23H, Block 25, Lot 50. This property is located on the south side of Hale Street, nearest intersection being Spencer Street. Mr. Morris handed out packets explaining that in the packets were comments he had on the permit along with copies of several letters from attorneys representing the abutter, and a letter along with pictures from the town engineer Gerry Turbet. Mr. Morris and Mr. Turbet made a site inspection last week. Also included in the packet was a GIS print out showing topography from 1999, what the grades are. An as built plan had previously submitted by the applicant. Mr. Wilcox asked Mr. Morris what was the property before the pond. Mr. Morris stated that it was an emergent wetland with herbaceous vegetation. Mr. Morris was not aware of any pond previously. Mr. Morris reported that the pond was approximately 30' x 60' as per the as built plan. Mr. Morris also that GIS topography shows drainage in a northwest direction onsite, it looks relatively flat. Mr. Morris stated that one of the concerns in the attorney's letter about mosquitoes. Mr. Morris emailed Mr. Steve Tessitore from the State Department of Environment Protection. Mr. Morris was told that there was no regulation that the Conservation Commission could use to regulate mosquito control. Mr. Morris was told that the applicant was planning on aerating the pond which should help. The applicant will also install several mosquito magnets. Mr. Wilcox asked how deep the pond was. Mr. Morris stated that the as built plan showed about five feet in the middle. Andy Krar questioned the letter from Atty. Paul Smith; the letter stated that the material excavated from the pond had changed the contour of the land, so that the water from the applicant's land now drains on the abutter, Mr. Scarf's property. Mr. Neilson asked if the abutter's attorney wanted to address the commission.

Atty. Paul Smith handed out pictures taken 1 month earlier. Atty. Smith stated that these pictures showed that the materials excavated from the pond were spread out by the applicant on his property. Atty Smith stated that his client felt that the grading has changed the topography and raised the applicant's property which directed water towards his property. Atty. Smith mentioned in his letter that the hand drawn map was not accurate and that the pond was substantially closer to his client's property than shown on the map rather than 31' distance they believe it is approximately 10' to 15'. His client has noticed a substantial wet area on his property since the pond was dug and that it stays wetter much longer adding to the mosquito problem. Atty. Smith stated that the pond is creating a wetland's near his client's property. Which he felt it was expanding basically a regulated wetland on to his client's property. Atty. Smith felt that the Conservation Commission approving this pond would therefore begin to create a regulated wetland on his client's property. He could not tell from the map if it is wetlands. If it is a wetland why is all this activity allowed and why should the Conservation Commission bless this activity. If you look at the amount of fill spread in this area it is substantial. So how much of the wetlands have been effected. Mr. Morris stated that the wetlands map showed the applicant' property almost entirely in the wetlands, the abutter's property is also mostly in the wetlands. Mr. Morris also stated that most ponds are dug in wetlands areas.

Mr. Neilson asked Frank Bauchiero representing the applicant to answer some of the questions of the board members. Mr. Bauchiero stated that the area of the pond that abuts the Scarfo property was never disturbed, there has been no fill added to that side of the pond. No grades were raised on the Scarfo's side of the pond. Mr. Bauchiero stated that the pond is still to this day not full so how could it be flooding the applicant's property.

After further discussion Andy Krar, Glenn Neilson and Art Christian will walk both properties before the next meeting. Keith Morris will call applicant to ask him to have an engineer shoot some grades on both properties before the next meeting.

Andy Krar made a motion table this application and reconvene at the following meeting June 23, 2009. Ray Wilcox seconded the motion which was made and carried unanimously

PUBLIC COMMENT

None

CONSULTANT'S REPORT

Mr. Morris met with Mrs. Champagny on East St. South at the intersection of Branch Road concerning a pipe which was installed. The commission will go look at the site.

APPROVAL OF MINUTES FROM May 26, 2009

Andy Krar made a motion to approve the minutes as written. Ray Wilcox seconded the motion which was made and carried unanimously

ADJOURNMENT

Andy Krar made a motion to adjourn the meeting. The motion was seconded by Ray Wilcox and was made and carried unanimously. The meeting was adjourned at 8:25 PM.