



INST# E #2016000035
 DATE FILED 01/20/2016 01:22:03 PM
 CHRISTINE HALLORAN
 TOWN CLERK
 EASTON CT



CONSERVATION COMMISSION

225 Center Road - Easton, Connecticut 06612

Phone 203-268-6291 Fax 203-268-4928

MINUTES FOR THE TOWN OF EASTON CONSERVATION COMMISSION REGULAR MEETING

EASTON TOWN HALL—CONFERENCE ROOM A

TUESDAY, January 12, 2016 at 7:30 PM

PRESENT: Dori Wollen, Chair; Catherine Alfandre, Secretary; Stephen Corti; Steven Hume; Elliot Leonard; Sarah Cwikla; and Vivian Hardison

ABSENT: Katherine Reed, Alternate

1. **MEETING CALL TO ORDER:** Chair Dori Wollen called the meeting to order at approximately 7:32 p.m. Mrs. Wollen began by wishing the Members a Happy New Year and acknowledged that previously Alternate Members Sarah Cwikla and Vivian Hardison have been sworn in as full Members. Mrs. Wollen noted that the Commission is still in need of Alternate Members.
2. **INLAND WETLANDS APPLICATIONS:**
 - A. I/W Permit Application #15-501, 45 Sanford Drive—Peter and Judith Neary. Remove silt from existing pond used for fire protection purposes. Received 12/8/15+65=2/11/16 Peter Neary was present and recounted his proposal to clean out the pond. Mr. Neary and the Commission discussed several scenarios as far as where and how far away from the pond to spread the materials. When the Commission was satisfied, Cathy Alfandre made a motion to approve I/W Permit Application #15-501, with the following additional stipulation(s): To the immediate west of the pond, the removed material shall approach no closer than 10 feet to the rim of the pond. Farther to the south, the deposited materials shall be spread at a distance of 30 feet or more from the edge of the pond. The final elevation of that material shall be kept lower than the rim of the pond. The material is to be spread when it can easily be planted with grass seed. The silt fence shall be installed prior to excavation and shall remain in place until the grass is filled in. The dug-out material shall be deposited outside of the 100-foot area for drying. Sarah Cwikla seconded, and the motion passed unanimously.
 - B. I/W Permit Application #15-502, 95 Adams Road--Sport Hill Road 629 LLC--Ttee/Cov. Construct private dwelling, driveway, and retaining walls w/in upland review area, with associated grading. Designate a future pool location within upland review area. Slightly reconfigure conservation easement. Received 12/8/15+65=2/11/16. Donna Nagy, representative for the applicant, informed the Commission that the location of the house will be changed; therefore, the property would need to be re-staked, and would not be ready in time for this meeting. With this in mind, Ms. Nagy requested the Commission revisit this application at their January 26 meeting. Duly noted.
 - C. I/W Permit Application #16-504, 60 Weathervane Drive—Elaine Evans. Fill in in-ground swimming pool and install patio in its place. Received 1/12/16+65=3/17/16. This application is in response to a Notice of Violation #15-172, issued by

Phillip Doremus, Wetlands Enforcement Officer on December 1, 2015. Mrs. Evans was present with her husband and explained their application to fill in a pool. The Members noted that while the act of filling in of the pool is not a regulated activity, the action of driving heavy machinery between the dwelling and property line, disturbing the wetlands is. With this said, the Commission requested that the applicant add wording to the application to include remediation of the wetlands area between the dwelling and property line. After noting that a silt fence would need to be installed and left in place, Dori Wollen informed the Evanses that the Members will walk the site before the next meeting.

3. SITE WALKS:

- A. I/W Permit Application #15-502, 95 Adams Road
- B. I/W Permit Application #16-504, 60 Weathervane Drive

4. UNFINISHED BUSINESS

- A. V#05-143--Notice of Violation at 740 Stepney Road--**Neunteufel and VonKuthy**, issued 7/5/05
- B. Cease and Desist Order for property located at 740 Stepney Road-- **Neunteufel and VonKuthy**, issued 7/20/05
- C. V#08-153—Notice of Violation at 68 Sport Hill Parkway—**Michael Newman**, issued 12/1/08
- D. Cease and Remediate order for 68 Sport Hill Parkway--**Michael Newman**, issued 4/21/09
- E. V#11-158, Notice of Violation at 580 Sport Hill Road—**Austin Ganim**, issued 5/24/11
- F. Amended Wetlands Permit #10-389, 288 Maple Road—expiration date of extended permit: June 20, 2017. The Commission is waiting to hear back from Vincent Toscano regarding clearing of overgrowth from the dam and approval from CT DEEP.
- G. V #15-476, Notice of Violation at 102 Center Road—**Nicholas Khamarji**, issued 5/13/15 for clearing and filling in an area within 100 feet of wetlands on or adjacent to his property. Nicholas Khamarji, whose son lives in the house, spoke with the Members at the May 26, 2015 meeting. The Commission is waiting for Mr. Khamarji to return with an A-2 or similar plan, noting wetlands delineations.
- H. V #15-168, Notice of Violation at 123 Center Road—**Lello Properties, LLC**, issued 5/18/15. Mr. Lello was granted Permit #15-495 to correct the violation. Lifting of this violation is subject to project completion and WEO approval. Phillip Doremus, WEO revisit the property when remediation is complete.
- I. Warning sent by Wetlands Enforcement Officer Phillip Doremus re activity at 77 South Park Avenue.
- J. V#15-170, Notice of Violation at 80 and 90 Redding Road—**Arvid A. Brandstrom**, issued 10/21/15. The Commission is awaiting a new, after-the-fact application, noting all activity the property owner has done as well as what he would like to do in the future. Received 1/12/16: Emailed letter from homeowner requesting 35-40 days to prepare a presentation detailing the past and future development relating to the property.

- K. V#15-171, Notice of Violation at 21 Hall Road—Stuart M. Allen, issued by WEO 12/1/15
Krista Kot, Secretary, reported that Stuart Allen called Phil Doremus on 1/11/16, and told him that he was clearing out an existing ditch, and that he will be writing the Commission a letter to this effect.
- L. V#15-172, Notice of Violation at 60 Weathervane Drive—Elaine R. Evans, issued by WEO 12/1/15
(Please see Item “C” under “2. Inland Wetlands Applications”).)
- M. Request for “As-of-Right” Determination—30 Banks Road. Amerakon Partners LLC; Robert Maquat, Petitioner. Received in office 12/4/15. Robert Maquat was present with Timothy Brady. Mr. Maquat owns an approximately 30-acre parcel off of Banks Road. Neighbor Tim Brady would like to lease 4+ acres owned by Mr. Maquat for grazing. In addition, Mr. Maquat would like to build a wetlands crossing in order to access the back of the lot for the purpose of farming. Chair Dori Wollen informed Mr. Maquat that the two requests would be handled separately. After a lengthy discussion, Mrs. Wollen requested that Mr. Maquat submit a wetlands application for the wetlands crossing, including an engineering plan detailing drainage, as recommended by Member Sarah Cwikla. The plan should include pipe size, headwalls, fill, lengths, widths, driveways, any tree-cutting activity, and erosion control. Mrs. Wollen then informed Messrs. Maquat and Brady that regarding the grazing, the Commission acknowledges (approves of) the As-of-Right designation for this piece of property.

5. NEW BUSINESS:

- A. Discussion with David Brant, Executive Director of Aspetuck Land Trust (ALT) re letter of support for land purchase via State of CT DEEP grant. David Brant was present and spoke with the Members about ALT’s desire to purchase developmental rights/a Conservation easement of about 14 acres of the Gilbertie Farm on Adams, Kellers Farm and Sport Hill Roads. Currently, the property is owned by Dan Levinson of Westport. As the State will not issue grants to purchase properties with commercial agriculture, the Land Trust is pursuing private donations and would appreciate the Commission’s input in the way of a letter in support of the purchase. ALT would purchase the rights, with Mr. Levinson retaining ownership; going forward, Mr. Levinson or any future owners would not be able to develop the property, and the land would only be used for farming. Dori Wollen noted that the Town has a fund, specifically to buy development rights, but the Commission does not know how much is currently in the account. The Commission suggested that Mr. Brant contact the Agricultural Commission and Citizens for Easton for assistance in raising funds.

6. REVIEW FOR REPORT TO PLANNING & ZONING:

The Members reviewed a plan re 40 Far Horizon Drive and 89 Beers Road, entitled, “Subdivision Plan Prepared for Stefan Abelin and Louis & Dorothy Cocozza; Combined Properties; #40 Far Horizons Drive & #89 Beers Road, Easton, Connecticut”, dated August 1, 2015, last revised 11/30/15, and stamped “Received” by the Planning and Zoning Commission on December 15, 2015. After review of the plan, the Commission has no further comment.

7. CONSERVATION PROJECTS:

- A. Discuss proposed improvements to Paine Open Space Map—The Members reviewed the updated Paine Open Space Map from Aspetuck Land Trust but had a couple items they wanted to change/look into, as follows: 1.) Near the bottom of the map where the barn foundation remains, there is a square that makes it look as if the barn still exists in that location, when only the foundation remains. The Members decided it would be better to show the outline of the barn as a dotted line, instead of solid, and move the “Paine Barn Foundation” wording below Maple Road, and 2.) Krista Kot, Commission Secretary reported that in reviewing the new map, Phillip Doremus mentioned a trail he remembered being by the east side of the barn. Krista Kot will ask Member Steve Corti (not present) if he knows if this trail is still in existence. When the Commission is satisfied, the map will be sent back to ALT for final changes.
- B. Continue discussion regarding creation of Conservation Regulations/Guidelines-- Nothing new to report.
- C. Discuss creation of new Open Space map—Ongoing
- D. Discussion regarding creating an open letter stating the Commission's objectives for the Town's available open space properties—Dori Wollen had requested that each Member take a Section of the “current” Open Space Plan to update; once all the sections are updated, Mrs. Wollen will consolidate them into one document.

8. OPEN-SPACE ISSUES:

- A. Ongoing—Signage for Morehouse Open Space and Tatetuck Open Space properties-- No update.

9. WEO COMMUNICATIONS: Ongoing

10. CORRESPONDENCE: See Item 11, “Miscellaneous”, below.

11. MISCELLANEOUS:

- A. Violation letter/fee procedures; Elliot Leonard—Cathy Alfandre presented a flow chart regarding notification of violations and fees. The Members discussed the chart and agreed that this would be an effective tool in handling current and future violations. The Commission will issue letters to the more recent inactive “offenders” on their “Unfinished Business” list in an effort to spur activity and remediation.
- B. Review of CT DEEP 2015 Legislation and Regulation Advisory dated December 16, 2015—Duly noted. The information included in this advisory will be taken into account the next time the Commission updates their Regulations.
- C. Budget—The Members discussed their upcoming budget request for the fiscal year 2016-2017; Dori Wollen will put together the request before meeting with the First Selectman.
- D. Added Item: Request for 2-year extension on I/W Permit #14-467, 180 Redding Road, Ronald B. Noren, homeowner—Cathy Alfandre made a motion to approve a 2-year extension to I/W Permit #14-467, and Steve Hume seconded. The motion passed unanimously.

E. Letter from Eversource re vegetation management in Town's right-of-way—Duly noted.

Before voting on the Minutes, Dori Wollen wanted to note that Phillip Doremus, WEO has been very helpful in regards to sharing his Town and Conservation-related knowledge with the Commission on a variety of items.

12. APPROVE MINUTES FROM PRIOR MEETING:

- A. Minutes—Regarding the Minutes from the December 8, 2015 meeting, the Members noted that under “5. New Business”, Item “C” “Request for As-of-Right Determination #15-503—30 Banks Road” should not include the wording relating to flagging the driveway. Cathy Alfandre made a motion to approve the Minutes of the December 8, 2015 regular meeting, as corrected, and Vivian Hardison seconded.

13. ADJOURNMENT: At approximately 9:50 p.m. Elliot Leonard made a motion to adjourn the meeting, and Vivian Hardison seconded. Motion passed, unanimously.

PREPARED and FILED by
Krista Kot, Secretary
CT GS1-225©