



CONSERVATION COMMISSION

225 Center Road - Easton, Connecticut 06612

**MINUTES FOR THE TOWN OF EASTON CONSERVATION COMMISSION
REGULAR MEETING
EASTON TOWN HALL—CONFERENCE ROOM A
TUESDAY, August 25, 2015
7:30 PM**

PRESENT: Dori Wollen, Chair; Stephen Edwards, Vice Chair; Catherine Alfandre, Secretary; Roy Gosse; Steve Hume; Elliot Leonard; and Vivian Hardison, Alternate

ABSENT: Stephen Corti; Sarah Cwikla, Alternate; and Katherine Reed, Alternate

Present in Gallery: Joseph Comis, 85 Bayberry Lane

1. MEETING CALL TO ORDER: Chair Dori Wollen called the meeting to order at approximately 7:30 p.m.

2. INLAND WETLANDS APPLICATIONS:

The Commission skipped to "Unfinished Business" as the applicant's engineer was not yet present.

- A. I/W #15-498; 173 North Street—Kevin Wade. Construct new house and associated site improvements. Received 7/28/15+65=9/24/15. Larry Edwards of J. Edwards & Associates, LLC was present with the applicant. Mr. Edwards submitted a revised plan entitled, "Proposed Site Plan; Prepared For; Kevin Wade; 173 North Street; Easton, Connecticut", dated July 6, 2015 and revised August 24, 2015. After discussion, Cathy Alfandre made a motion to approve Permit Application #15-498 with additional stipulations (noted below), and Roy Gosse seconded. The motion passed. Steve Edwards recused himself due to his relationship to the applicant's engineer.

Additional Stipulations:

4. Any future activity, including, but not limited to, the creation of ponds, buildings, and removal of trees will require prior approval from the Conservation Commission. (Such activity includes cutting of any trees other than those necessary to carry out the approved construction activity. The Commission's objective is to minimize elimination of tree canopy in and near the wetlands to keep the wetlands as cool as possible during the summer months.)
5. Additional boulders (of the same size and frequency as those on the south side of the property) shall be placed along the eastern conservation easement and the proposed building. The applicant is required to submit to the Commission a copy of the approved plan including the above-noted revisions.

A copy of the required easement form will be included with the approval letter. The applicant shall only file the approval and submit the easement form in the event that he purchases the property.

3. 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 Mr. 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. Mr. 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 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.
 - I. 195 North Park Avenue – As the item was addressed at the August 11, 2015 meeting, Steve Hume made a motion to remove this item from the agenda. Elliot Leonard seconded, and the motion passed.
- 4. NEW BUSINESS:**
- A. Approval of withdrawal of 2010 Superior Court appeal, Docket Number HHD-CV-10-6038948-S by Saddle Ridge Developers, LLC regarding property located at Sport Hill Road, Silver Hill Road, Cedar Hill Road, and Westport Road. The Commission confirmed withdrawal of the pending civil action filed in the Superior Court entitled, “Saddle Ridge Developers, LLC vs. Easton Conservation Commission.” This case was filed in the fall of 2010. Saddle Ridge Developers filed an application with the Conservation Commission. At the first public hearing a dispute arose regarding the proper filing fees. As a result, the Conservation Commission denied the application without prejudice. Saddle Ridge Developers then filed this appeal in 2010, which they have now decided to withdraw. The presiding judge has asked the Commission to approve the withdrawal of this case by Saddle Ridge Developers. With this said, Steve Edwards made a motion to approve the withdrawal of the 2010 Superior Court appeal, Docket Number HHD-CV-10-6038948-S by Saddle Ridge Developers, LLC regarding property located at Sport Hill Road, Silver Hill Road, Cedar Hill Road, and Westport Road. Roy Gosse seconded, and the motion passed. After the approval, the Commission discussed the upcoming September 8, 2015 hearing to withdraw this case, as well as a ruling on the 105/99 unit application. The hearing will be held in Hartford. The Members noted that interested parties may attend although there would be no value added

by our presence as the hearing will be strictly among the respective attorneys and the judge.

5. REVIEW FOR REPORT TO PLANNING & ZONING:

- A. Request for comment re “Morehouse Civic Park; A Master Plan, May 2015”—The Members discussed the proposed plans for the Morehouse Civic Park, reviewing the plans using information provided by the Planning and Zoning Commission. The Members have several questions and concerns and, therefore, asked their secretary, Krista Kot to ask John Hayes, the Town’s Land Use Director, to attend their next meeting on September 8, 2015 to better explain the plan. The Commission will reserve judgment until after meeting with Mr. Hayes, noting that they would have liked to have had more time for review.

6. CONSERVATION PROJECTS:

- A. Discuss proposed improvements to Paine Open Space Map—Roy Gosse discussed a memo he wrote, summarizing the names of all of the previously-unnamed trails on the existing Paine/ALT map that incorporates the recently-acquired Maple Road property, which includes three ponds. Mr. Gosse told the Members that he plans to work with David Brant of Aspetuck Land Trust in order to finalize a new map incorporating the new information into the new map, concentrating on consistency between the old and new maps. Dori Wollen suggested including a list of all trails with recommended colors to use as a sort of checklist in the creation of the new map.
- B. Continue discussion regarding creation of Conservation Regulations: Having read CACIWIC’s Handbook for Conservation Commissions, A Guide to the Principles and Practices of Local Environmental Administration in Connecticut, Dori Wollen recommended that the Commission work together with other commissions/committees in town, offering their Conservation knowledge where and when it might be useful. Dori Wollen noted that the Conservation Commission should handle land acquisition, adding that the Commission has jurisdiction over two funds, one of which exists to fund the purchase of development rights from farms.
- C. Discuss creation of new Open Space map—This project is ongoing.

At this point in the meeting, Cathy Alfandre suggested that in the interest of better meeting flow, *Inland Wetlands Applications* and *Unfinished Business* should be discussed at the top of the meeting, along with *Items 7, 9, and 10—Open Space* and *Conservation* should then follow, and *Items 6 and 8* should appear on the agenda after *Site Walk*. The Members agreed; thus, the items on upcoming Agenda and Minutes will appear in the above-noted order.

7. CORRESPONDENCE:

- A. Request for extension of I/W #13-456, 80 Sunny Ridge Road—Pond Maintenance

The Members discussed the request for extension. Having no issues with the request, Cathy Alfandre made a motion to approve the request for extension of I/W permit #13-456, and Roy Gosse seconded. The motion passed unanimously. Steve Edwards recused himself as he was the applicant.

8. OPEN-SPACE ISSUES:

- A. Ongoing—Signage for Morehouse Open Space and Tatetuck Open Space properties. Steve Edwards described the proposed sign for Morehouse Open Space, which will include the Easton Animal Shelter and stated that he is waiting on an estimate before moving forward.
- B. Letter to Town of Easton, c/o Town Clerk regarding 125 Judd Road, Easton
Dori Wollen noted that this item is now in the hands of Dick Dina, the Town's tree warden. If it is determined that the trees will need to be removed, the Commission will have to pay for it as the trees are located on open space property.

9. WEO COMMUNICATIONS: Comments are relayed to the Members on a regular basis.

10. SITE WALKS:

- A. Morehouse Road—"Morehouse Civic Park"

11. APPROVE MINUTES FROM PRIOR MEETING:

- A. Minutes—August 11, 2015 Meeting: Dori Wollen noted one correction under Item 3. Unfinished Business, letter I, "195 North Park Avenue", Line 4. The date of the application should be December 2014, not 2015. Roy Gosse made a motion to approve the Minutes as corrected, and Elliot Leonard seconded. Motion passed.

12. MISCELLANEOUS:

- A. Ongoing—Discussion regarding February 2000 fee/fine ordinance
After reviewing the Regulations, Elliot Leonard informed the Members that there is an allowance for institution of fines, on a "per incident", and potentially, "per day" basis. Mr. Leonard proposed amending the Commission's violation notice to include wording informing the property owner of potential fine(s) in order to make landowners aware of the possible penalty for non-conformance. Krista Kot will email Mr. Leonard a copy of the current violation notice to rework.
- B. 235 Redding Road—Activity in Regulated Area
Dori Wollen informed the Members that she had received word today that the homeowner was using large machinery in the regulated area. Phil Doremus informed Mrs. Wollen that he would visit the property today and report back to the Commission on his findings.

13. ADJOURNMENT: At approximately 9:20 p.m. Steve Edwards made a motion to adjourn the meeting, and Roy Gosse seconded. Motion passed.

PREPARED and FILED
By Krista Kot, Secretary
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