

COLCHESTER CONSERVATION COMMISSION
REGULAR MEETING
Wednesday, June 10, 2009
Town Hall – 7:00 p.m.

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NANCY A. BRAY
TOWN PLANNER
Nancy A. Bray

Minutes

Members Present: Chairman Gary Avery, Vice Chairman Falk vonPlachecki, Mary Bylone, Andy George, Darrell York (7:01 p.m.), Sue Bruening (7:02 p.m.)
Members Absent: Kurt Frantzen, Moe Epstein
Others Present: John Malsbenden, BOS Liaison, Adam Turner, Town Planner, Mr. Rioux, Charles Dutch

** Note that number of minutes varies from the numbering of the agenda.

1. **Call Regular Meeting to Order:** Chairman Avery called the meeting to order at 7:00 p.m.
2. **Additions to Agenda:** None
Darrell York arrived at this time.
3. **Approval of Minutes 5.13.09:**
Sue Bruening arrived at this time.
F. vonPlachecki motioned to approve the minutes of 05.13.09 amending to show John Malsbenden as present, and the last line of item 6 a) to read that ... *Mr. Rioux was told what to do by the commission....*, seconded by M. Bylone. All members present voted in favor with M. Bylone abstaining. **MOTION CARRIED.**
4. **Public Comments:** None
5. **New Applications:** None
6. **Pending Applications:**
 - **W2009-2912, Wayne Rioux, Assessor's Map 13-4, Lot 11, reclaim site as part of enforcement action started in January of 2009 DRD 7.17.09:**
A letter from DEP was received. It appears there is a good chance that draw down will occur. The area has been hayed and grass is starting to come through. Erosion should not be a problem. There are some items that can be taken care of prior to draw down such as the pipe put in place. The excavation should be done a few weeks prior to draw down. The current plan needs a few additional notes still. J. Gigliotti will speak to Jess McMinn about the additional items needed on the map.
F. vonPlachecki motioned to table W2009-2912 until the next meeting, seconded by A. George. All members present voted in favor. **MOTION CARRIED.**
 - **W2009-2913, Settlers Path, Charles Dutch, Tax Map 6-6 Lot 36, 2-Lot Residential subdivision without municipal improvements DRD 7.17.09:** A brief recap of the application was given. F. vonPlachecki motioned to approve W2009-2913, seconded by D. York. All members present voted in favor. **MOTION CARRIED.**
 - **W2009-2914, Balaban Associates LLC, Balaban Apartments, 64 Balaban Road, Assessor's Map 4W-05 Lot 17-1, New location and drilling of water wells for Balaban Apartments DRD 7.17.09:**

A new plan was received today showing the proposed wells in approximately 25 feet of wetlands. Charlie Dutch spoke about the need for the positioning of the wells. Extra wells are needed for redundancy purposes. The Health Department is requiring the extra wells be dug. F. vonPlachecki motioned to approve W2009-2914 with any changes required for water compliance be approved by the Wetlands Enforcement Officer, seconded by A. George. All members present voted in favor.
MOTION CARRIED.

7. **New Business:** None

8. **Enforcement**

A. Mr. & Mrs. Rioux, 215 & 219 Lakeview Drive: Previously discussed under Item 6.

9. **Conservation:**

A. McDonald Rd. Property: A. Turner spoke to the commission explaining that the town had been approached about a property on McDonald Road. Originally the land was thought to be 24 acres and price of \$180,000 was agreed upon. After a survey it was discovered that there were actually 31 acres and the assessed value was \$220,000. The town is limited on how much money they have available through such things as fee -in-lieu. The Land Trust has agreed to partner with the town in buying the land and the land owner is willing to make a \$40,000 donation to the Land Trust to make up for the difference between the agreed upon cost and the assessed amount. The land borders the Ruby Cohen property and is at the end of an aquifer. The 31 acres along with the Ruby Cohen property would give the town an approximate total of 150 acres.

F. vonPlachecki motioned to recommend to further protect the greenway area by purchasing the additional 31 acres on McDonald Road, seconded by S. Bruening. All members present voted in favor with A. George abstaining. **MOTION CARRIED.**

10. **Correspondence:** None

11. **Adjournment:** K. Frantzen motioned to adjourn. Seconded by M. Epstein. All members present voted in favor. **MOTION CARRIED.**

Chairman Avery adjourned the meeting at 8:11 p.m.


Dawn LePage, Clerk