

**COLCHESTER CONSERVATION COMMISSION**  
**REGULAR MEETING**  
**WEDNESDAY, OCTOBER 14<sup>TH</sup>, 2009**  
**TOWN HALL, 127 NORWICH AVENUE**  
**7:00 P.M.**  
**Minutes (Amended)**

**Members Present:** Chairman Gary Avery, Kurt Frantzen, Moe Epstein, Sue Bruening, Mary Bylone

**Members Absent:** Darrell York, Andy George, Falk vonPlachecki

**Others Present:** Jay Gigliotti, Wetlands Enforcement Officer, John Malsbenden, BOS Liaison,  
John Matheson, David Sherwood, Matthew Dusca

1. **Call Regular Meeting to Order:** Chairman Avery called the meeting to order at 7:00 p.m. and noted that alternate; K. Frantzen would be a voting member for the meeting.

2. **Additions to Agenda:** None

3. **Approval of Minutes 8.12.09 & 9.9.09:**

M. Epstein motioned to approve the 8.12.09 minutes, seconded by M. Bylone. All members present voted in favor with S. Bruening abstaining **MOTION CARRIED.**

M. Epstein motioned to approve the 9.9.09 minutes amending under Item 10, third line, to read: *There was discussion as to at what size of disturbance the E & S regulation would take affect*, seconded by S. Bruening. All members present voted in favor M. Bylone abstaining. **MOTION CARRIED.**

4. **Public Comment:** None

5. **New Applications---** To be accepted: None

6. **Pending applications=----** To be discussed and possibly take action

- A. W2009-2918, Settlers Greene, LLC, 312 Lebanon Ave., Mixed use development, Commercial and residential buildings, 630 sq ft direct wetland impact for sidewalk, no buildings within review area, water/sewer and 2 detention ponds, and storm water treatment, Plan date February 4<sup>th</sup>, 2009 revised through August 24<sup>th</sup>, 2009 *DRD11.13.09*: J. Gigliotti described the major change to the plans since the commission last reviewed the plans that consisted of the second access drive for the northeast commercial buildings being eliminated. The eliminated drive was located completely within the wetlands buffer and J. Gigliotti stated that this was a positive change as it has minimized wetland disturbance. The dention basins had also been revised and no longer have a wet bottom. Chairman Avery asked if the applicants had looked at other alternatives to minimize wetland impact. Matt Dusca of Milone and Macbroom responded by stating the applicants had looked at numerous alternatives to minimize wetlands impact, most notably the stormwater management system and the layout of the sidewalk. The applicant went with the current layout to provided maximum protection with minimum impact to the wetlands. Chairman Avery also asked if there was any thought to making a crossing through the wetlands to connect the northeast commercial buildings to the remainder of the development and mitigate the impact at another location on the site. D. Sherwood representing the applicants responded by stating that the applicants had met with staff several times concerning a way to connect the two developments. D. Sherwood stated that staff did not support a crossing through a major wetland and the Army Corps of Engineers would not support that as well due to the fact that there are

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direct access points to each of the developments. Discussion Followed. M. Bylone motioned to approve W2009-2918, seconded by M. Epstein. All members present voted in favor. **MOTION CARRIED.**

7. **New Business---** To discuss and possibly take action: None

8. **Enforcement**

A. **Mr. & Mrs. Rioux, 215 & 219 Lakeview Dr.:** A letter has been received from the DEP giving the draw down dates, starting on 10.15.09 through April of 2010. The pipe replacement has been done. Chairman Avery would like a surveyor to stake it out prior to the start of remediation.

9. **Conservation:** None

10. **Correspondence**

A. **E&S Regulation Town of Colchester Inland Wetland and Watercourse Regulations § 7.6:** The regulation should be geared towards larger developments that have more critical issues.

B. **DEP Training segment #3...Forestry & Agriculture:** There are currently only three remaining spots for Colchester commission members.

C. **2010 Meeting Schedule:**

January 13, 2010	August 11, 2010
February 10, 2010	September 07, 2010
March 10, 2010	October 13, 2010
April 14, 2010	November 10, 2010
May 12, 2010	December 8, 2010
June 9, 2010	
July 14, 2010	

K. Frantzen motioned to accept the 2010 meeting schedule as presented, seconded by S. Bruening. All members present voted in favor. **MOTION CARRIED.**

D. **November Meeting:** Due to Veteran's Day no meeting can be held on November 11, 2009 as originally scheduled. M. Epstein motioned to move the November meeting to November 10, 2009, seconded by S. Bruening. All members present voted in favor. **MOTION CARRIED.**

J. Gigliotti thanked Mr. Malsbenden for the time he spent as the BOS liaison to the commission.

11. **Adjournment:** M. Epstein motioned to adjourn, seconded by S. Bruening. All members voted in favor. **MOTION CARRIED.** Chairman Avery adjourned the meeting at 7:47 p.m.

Dawn LePage, Clerk