

**COLCHESTER CONSERVATION COMMISSION**  
**REGULAR MEETING**  
**WEDNESDAY, AUGUST 12<sup>TH</sup>, 2009**  
**TOWN HALL, 127 NORWICH AVENUE**  
**7:00 P.M.**

**Members Present:** Chairman Gary Avery, Vice Chairman Falk vonPlachecki, Kurt Frantzen, Mary Bylone, Moe Epstein, Andy George, Darrell York (7:07p.m.)  
**Members Absent:** Sue Bruening  
**Others Present:** Jess McMinn, Lou Weiss

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2009 AUG 19 PM 2:19  
NANCY A. BRAY  
*Nancy A. Bray*

1. **Call Regular Meeting to Order:** Chairman Avery called the meeting to order at 7:00 p.m.
2. **Additions to Agenda:** F. vonPlachecki motioned to add under Item 10. Correspondence, c) DEP Training Segment #3, Forestry and Agriculture and d) Settler's Green update, seconded by K. Frantzen. All members present voted in favor. **MOTION CARRIED.**
3. **Approval of Minutes July 8, 2009:** F. vonPlachecki motioned to approve the minutes of July 8, 2009, seconded by M. Epstein. All members present voted in favor with A. George abstaining. **MOTION CARRIED.**
4. **Public Comments:** None
5. **New Applications----** To be accepted

**A. W2009-2916, Ben Duffy, 126 River Road, Assessor's Map 6-14, Lot 17-1, clear brush, stumps, roots & reseed for increased yard within 75' upland review area DRD 10.16.09:** Pictures were shown of the property and areas to be cleared. The applicant would like a bigger grass area. The property cannot be subdivided.

(D. York arrived at this time.)

Chairman Avery said he believes that the area the applicant would like to clear is different than that which J. Gigliotti thought the applicant was referring to. The correct location will need to be determined. F. vonPlachecki motioned to table W2009-2961 for statutory reasons, seconded by M. Epstein. All members present voted in favor. **MOTION CARRIED.**

**B. W2009-2917, Jess McMinn, 216 Pickerel Lake Rd., Assessors Map 3-20 Lot 31, 4-Lot subdivision with municipal Improvements, No Wetlands or URA impacts with proposed Conservation Easements DRD 10.16.09.:** The area has no wetland activity and nothing in the buffer. The state owns the property on the northeast side. Mr. McMinn would like to know if an easement might be better suited for another entity. The area that would be used for conservation easement would be a preserved area. M. Epstein asked Mr. McMinn if he had contacted the state yet. He has not. Chairman Avery is in favor of making a larger area of contiguous open space. The general consensus of the commission was to offer the piece of land to the state adding to what they already own. F. vonPlachecki motion to table for statutory requirements, seconded by A. George. All members present voted in favor. **MOTION CARRIED.**

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

- W2009-2915, Bill Wolf, 275 West Rd, Assessor's Map # 1-11 Lot # 6, Construction of a garage within 100' of pond: Pictures of the property were shown. It appears that by building the garage in the proposed location trees would need to be trimmed or cut down. Members questioned if the garage could be located in a different area further away from the pond. Before the applicant pays for the requested survey the commission would like relocation to be considered. F. vonPlachecki motioned to table W2009-2915 while alternative locations within further distance from the pond can be looked at, seconded by A. George. 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.:** First Selectman Hodge has written a letter to Amy Marella, DEP Deputy Commissioner, requesting draw down of Pickeral Lake. A letter from Elizabeth Brothers, DEP Assistant Director of Land Acquisition & Management Division, was sent to Mr. & Mrs. Rioux notifying them that they have encroachments on State property. Chairman Avery asked Mr. Gigliotti to relay to Mr. Rioux that the pipe work was requested to be done before draw down. No work has been done on the pipe at this time.

9. Conservation

- a. **Ginko Tree---Spoke with state of CT Arborist:** Mr. Gigliotti and Kevin Kelly, Tree Warden, to look at the Ginko Tree that is decaying on Main Street. According to Mr. Kelly the decay is not being caused from the salt accumulated during snow removal. He believes that it is more likely to be from calcium and recommended contacting the state arborist. Mr. Gigliotti will look into the matter further. K. Frantzen said that he has noticed that about half the Ginko trees he has seen look stressed., Chairman Avery sent the owner a letter to request snow removal be done different and no longer be pushed onto the sidewalk.

10. Correspondence

- a. **Gavire Estates---** Was turned over to the town & recorded in Land records, town was going to give it to the state however the never took over. Subdivision expired both from wetlands and PNZ: Lou Weiss, attorney representing the owner, was present. He explained that his client had not developed the property to due to the poor economy. He chose not to file for an extension of the subdivision. Land is given to the town to offset the impacts of development. No development took place; therefore, no land is need and should be returned. F. vonPlachecki motioned to recommend to the Board of Selectmen that the open space be returned, seconded by M. Epstein. All members present voted in favor. **MOTION CARRIED.**
- b. **E&S Regulation Town of Colchester Inland Wetland and Watercourse Regulations § 7.6:** There was some concern by the commission that our soil erosion and sediment control regulations need to be updated. Mr. Gigliotti gave the members some information regarding this matter. Members discussed what should be included in the regulation revisions. Mr. Gigliotti will make those changes to be reviewed at the next meeting.
- c. **DEP Training Segment #3, Forestry and Agriculture:** A third training will be held on October 28, 2009.

- d. **Settler's Green update:** The plan was drastically changed when it was brought before Planning and Zoning. Mr. Gigliotti sent a letter of notification that the new plan must be brought back to the Conservation Commission to be approved. The original approval was given contingent on any changes coming back for wetlands approval.

**11. Adjournment:** M. Epstein motioned to adjourn, seconded by F. vonPlachecki. All members present voted in favor. Chairman Avery adjourned the meeting at 8:16 p.m.

**Dawn LePage, Clerk**