

Town of Preston
Conservation/Inland/Wetlands Commission
Preston Town Hall
Tuesday, November 20, 2007
REGULAR MEETING
7:30 p.m.

1. **Chairman Borner called the meeting to order at 7:30 p.m.**

2. **Roll Call**

Kent Borner, Chairman	Alternate
John Moulson, Vice Chairman	David Krug
Gerald Grabarek	
Paul Andruskiewicz	Also Present:
Douglas Fox, Secretary	Len Johnson – IW Agent
Timothy Bowles - <i>absent</i>	Kathleen Nichols - Recorder
Timothy Bray	

Chairman Borner seated D. Krug.

3. **Approval of the October 16, 2007 Regular Minutes.**

A motion was made by P. Andruskiewicz, seconded by D. Fox to approve the minutes as presented.

No further discussion. All in favor. Motion carried.

4. **Communications**

a) Town Planners Report – no report at this time.

b) Meeting schedule for 2008 – for approval.

G. Grabarek noted to the Commission that he had spoken with M. Sinko, Chairman P&Z, regarding the possibility of switching meeting dates with IW in order to coordinate the way applications are received and acted on. Chairman Borner stated that M. Sinko had also presented the idea to him. This topic was discussed by the P&Z Commission at their November 13, 2007 and M. Sinko stated he would speak with K. Borner and A. Brown, Chairman of ZBA regarding the meeting dates. The Commission discussed this issue and decided they would remain meeting on the third Tuesday of the month.

A motion was made by G. Grabarek, seconded by P. Andruskiewicz to adopt the 2008 meeting schedule as presented.

No further discussion. All in favor. Motion carried.

c) Replacement of Alternate Member – Frederick Heinz due to death (next year to use would be 2015).

d) Paul Andruskiewicz – term ends January 2008 (next year to use would be 2015).

P. Andruskiewicz's term end date was discussed. The Commission will send a letter to the Board of Selectmen for their next scheduled meeting requesting reappointment.

e) Red Feather, LLC – provided revised plans for the project at 29 & 32 Roosevelt Avenue.

f) Memo to Roger E. Galliher, member of the Town Building Commission requesting an opportunity to speak with the Commission about an informal review of the property

with the thought that you would address the aspects of wetland consideration for this property.

- g) Material requested from Brian Werling.
- h) "CT Wildlife" from CT DEP Bureau of Natural Resources, Wildlife Division.
- i) A letter and a "Notice of Intent to Prepare an Environmental Impact Statement for the Proposed East to West Hubline Expansion Project, Request for Comments on Environmental Issues, and Note of Public Scoping Meetings" plus town additional notebooks (total of four) from Algonquin Gas Transmission, LLC for the East-West Project.
- j) Rinker Stormceptor re: New England Stormwater Technology Workshop on December 13th, 2007.

5. Public Hearings

- a) **IW Application #07-21** – Red Feather, LLC, applicant, Heinz & Pauline Seligman, owners, (received at Town Hall October 10, 2007) (Received at IW meeting October 16, 2007) for property located at 29 & 32 Roosevelt Avenue; subdivision with new road, culvert crossing wetland, stormwater basin, septic system within 100 feet of wetland and piped stormwater discharges to a wetland.
The Public Hearing has been postponed until the December, 2007 meeting as the abutter notification letter had not been sent out.

6. Old Business

- a) **IW Application #07-15**, Steve Tardiff, applicant/owner, (received at Town Hall September 12, 2007) (received at IW meeting on September 18, 2007) for property located at 39 Benjamin Road; finish grade lawn by pond.

The applicant was not present at the meeting.

A motion was made by J. Moulson, seconded by P. Andruskiewicz to deny IW Application #07-15 due to insufficient information.

Discussion:

L. Johnson reported that he had been out to inspect the property and there has not been any work done. He was there during a dry time and the pond was muddy due as there is nothing in place to stop runoff from going into the pond. L. Johnson stated that the applicant has an existing cease and desist.

Chairman Borner noted that another cease and desist *may* need to be issued based on the rejection of the application. This would allow the applicant another opportunity to be heard. A formal response had not been given to the applicant from the first cease & desist due to the fact that the applicant did come in and file an application. This whole process needs to be completed again before taking them to court.

No further discussion. All in favor. Motion carried.

- b) **IW Application #07-17**, Thomas R. Moretta, applicant/owner, (received at Town Hall September 18, 2007) (received at IW meeting on October 16, 2007) for property located at 34 Lake View Drive; to allow kayak access to lake front.

Mr. Moretta was present at the meeting and as requested provided photos to the Commission of the work that has been done.

L. Johnson also provided photos of the work site to the Commission.

After reviewing the photos, Chairman Borner noted that the application called for what work was already done and stated that it doesn't appear to have caused any

runoff into the lake, the surrounding shoreline has been left in tact and the retaining walls appear to be able to prevent any runoff into the lake.

After much discussion regarding the grading of the area, the amount of pea stone and the area covered with the stone, the retention walls, and the fact that the application was filed after the fact of the work being completed (as the applicant did not know he needed an application), the Commission concurred that a site walk would assist them in making an informed decision. Chairman Borner stated to the applicant that prior to any work being done within any 100' regulated area; an application must be submitted to the Commission.

J. Moulson stated he has some concern with the pea stone on the northwestern side of the stone wall around the tree which appears to be very steep. He believes it may be able to be washed off very easily and end up in the lake.

A motion was made by D. Moulson, seconded by G. Grabarek to do a site walk on November 24, 2007 at 9:00 a.m.

No further discussion. All in favor. Motion carried.

- c) IW Application #07-18**, Thomas J. Minor III, applicant/owner, (received at Town Hall October 2, 2007) (received at IW meeting on October 16, 2007) for property located at 42 Lake View Drive; clearing and regrading of a small area near barn. This area is within a 100' seasonal creek.

The applicant was present at the meeting.

Mr. Minor noted that no additional work has been done since the October IW meeting. He also noted that it is too late in the season to seed. Mr. Minor's intention is to add 4-6" riprap rock, geo-fabric and loam.

P. Andruskiewicz asked if the geo-fabric was to be placed laying on the ground or acting as a silt fence. The applicant stated it would lay on the ground, over the rock and under the loam to act as a filter. The work is scheduled to be completed in the spring. Chairman Borner asked the applicant to add the geo-fabric and riprap to his application.

A motion was made by J. Moulson, seconded by P. Andruskiewicz to do a site walk on November 24, 2007 at 9:30 a.m.

A motion was made by D. Krug, seconded by T. Bray to approve IW Application #07-18 pending a satisfactory site walk on November 24, 2007.

No further discussion. All in favor. Motion carried.

- d) IW Application #07-19**, Brian E. & Laurie S. Werling, applicants/owners, (received at Town Hall October 9, 2007, 2007) (received at IW meeting on October 16, 2007) for property located at 244 Route 164, Unit 5, deck off front of cottage.

The applicant was present at the meeting.

As requested a sketch of the proposed work which entailed the existing distance and proposed distance from the lake was provided to the Commission.

A motion was made by G. Grabarek, seconded by J. Moulson to approve IW Application #07-19.

No further discussion. All in favor. Motion carried.

e) **IW Application #07-20**, Camille Bray, applicant/owner, (received at Town Hall October 10, 2007) (received at IW meeting on October 16, 2007) for property located at 23 Mattern Road, raise volume of pond by 30% to prevent erosion toward the road.
T. Bray recused himself at this time.

A motion was made by D. Krug, seconded by J. Moulson to approve IW Application #07-20.

No further discussion. All in favor. Motion carried.

T. Bray was reseated at this time.

f) **IW Application #07-21**, Red Feather, LLC, applicant, Heinz & Pauline Seligman, owners, (received at Town Hall October 10, 2007) (received at IW meeting on October 16, 2007) for property located at 29 & 32 Roosevelt Avenue, subdivision with new road, culvert crossing wetland, stormwater basin, septic system within 100' of a wetland and piped stormwater discharges to a wetland.

This application has been tabled until the December 18, 2007 meeting.

7. New Business
NONE

8. Other Matters

Memo from Roger E. Galliher, Town Building & Facilities member, requesting to address the Commission regarding an informal review of property located at the intersection of Route 164 and Route 165.

Roger Galliher, Mike Clancy and Merrill Gerber were present to speak with the Commission.

R. Galliher provided the Commission with a bit of history of their task in locating parcels that met certain criteria set by the Committee. The Committee worked with the Town Planner in identifying parcels with 15+ acres, on a main route and had good visibility. Route 2 had been ruled out due to possible 4 lane divided highway. The Committee believes that a new town hall should be of good quality and built to last 100+ years. In sending out letters to the owners of potential parcels the Committee received 3 or 4 responses.

R. Galliher provided the Commission with several maps of the properties located on the triangle of Route 164 and Route 165. There is presently one parcel for sale and two adjoining parcels that are being considered for the Town Hall site. The Committee is also looking at several properties located along Route 164; however, these are being considered separate from the "Triangle Properties."

R. Galliher noted that the church is not for sale. The Committee feels if they cannot get the three parcels they are interested in, then there would not be any need to go any further with this search. The Building Committee is before the IW Commission to discuss the wetlands on the "Triangle" parcels.

Chairman Borner noted that wetland across from the gas station is part of a whole wetland system that leads into Amos Lake and the Commission would be very protective of this wetland. He also noted that some of the wetlands which are defined by soil types and which are up on the steep slope, the IW Commission may be more flexible with this area.

M. Clancy asked Chairman Borner how rigid the Commission is about the regulated areas. Chairman Borner explained these are review areas and things can be approved

depending on the perceived impact of the wetlands and as to what is being proposed to be in this area.

J. Moulson noted that there are houses in the areas and the wetlands have already been built in.

Chairman Borner noted there are designs that can be created to protect the wetlands. He feels that the IW Commission may be able to work with parking lots and buildings. The Commission would not want septic system in the review areas.

Chairman Borner noted that the Commission would want to look at the footprints of the buildings, etc., that the Committee is proposing and how they would fit into this area.

M. Clancy explained they have done this with the Town Planner and the proposed footprint of the building is 100' x 100' with parking for approx. 100+ cars.

M. Clancy pointed out one area they would need to cross to get to the proposed parking area and which is in part of the review area of a pond.

The Building Committee is before the Commission to ask for input as to whether they should proceed with putting an option on the properties to study the area further.

Chairman Borner noted that Paul Andruskiewicz made a good point earlier when he stated there is a lot of engineering work to be done and the design would need to compensate for storm events as there is a lot of water that flows when there are impervious surfaces. Chairman Borner noted the Commission would be flexible; however will also be real concerned with the major wetland that flows into Amos Lake and make sure it is done right so there is nothing negative contributing to it.

T. Bray suggested that the Building Committee could option the land with contingencies of approval from Inland Wetlands.

Chairman Borner noted that Inland Wetland Commission would be willing to work with the Building Committee.

9. Violations & Orders

10. Wetland Agents Report

L. Johnson reported on two issues:

1. Mr. Watrous, owner of property located at 8 Pequot Street was officially sited by the DEP and ordered to remove the footings that were placed at the bottom of the stairs which are in the coastal review area.

2. Mr. Salame owner of property located at 70 Lakeview Drive would like to put a fountain/aerator in Amos Lake.

The Commission discussed the issues surrounding placing a fountain/aerator in the lake and it was determined that L. Johnson would inform Mr. Salame that he should come before the IW Commission to describe the idea he has, and they would make a determination if an application is required from IW and/or DEP may need to be contacted.

Chairman Borner asked at this time if there was any additional discussion.

G. Grabarek told the Commission a story about how his farm well dried up due to the blasting and building of the new gas station, which had been built on Route 2. This created the issue of his well drying at the farm and created the need to dig a new well. He invited Chester Sajkowicz to come to the farm and douse the land for him. He explained how he and Mr. Sajkowicz used the dousing rod and located the exact spot to drill for the new well. He described how the drilling company drilled in stages and drilled approx. 255' down when they hit 20 gallons a minute. They continued to drill a bit more to create a reserve and then hit a depth which created a "gusher" and is producing approx. 200 gallons a minute.

As a side note, when G. Grabarek told the story, it was much more entertaining and funny to hear and if not written verbatim in the minutes, it is not done justice...for the full, more entertaining story, you may listen to the tapes of the meeting!

11. Adjournment

A motion was made by Chairman Borner, seconded by P. Andruskiewicz to adjourn the meeting at 8:55 p.m.

Respectfully Submitted,

Kathleen Nichols
Recorder