

## **MEETING MINUTES**

Conservation Commission  
Waterford Town Hall

November 5, 2009  
7:00 PM

Members Present: Gary Johnson, Henry Curtis, Harold Hansen, Jeff Sims,  
Nancy Hicks, Wade Thomas  
Members Absent: Richard Muckle (notified absence)  
Alternates Absent: (3 vacancies)  
Staff Present: Maureen FitzGerald, Environmental Planner  
Dawn Choisy, Recording Secretary

### **1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES**

Chairman Johnson called the meeting to order at 7:00.

### **2. APPROVAL OF THE October 22, 2009 MEETING MINUTES**

**MOTION:** Motion made by W. Thomas, seconded by J. Sims, to approve the minutes of the October 22, 2009 meeting as written.

**VOTE:** 6-0

### **APPROVAL OF THE October 29, 2009 SPECIAL MEETING MINUTES**

**MOTION:** Motion made by J. Sims, seconded by N. Hicks, to approve the minutes of the October 29, 2009 special meeting as written.

**VOTE:** 5-0-1, W. Thomas abstaining, not present at meeting.

### **3. APPLICATION REVIEWS**

**Application #09-23** – 11R Burlake Road & 4R Norwich Road, Fill Removal, Driveway Culvert Reconstruction, Driveway Construction

The Commission reviewed the draft permit.

**MOTION:** Motion made by W. Thomas, seconded by H. Curtis, to approve permit #09-23 as drafted.

**VOTE:** 6-0

### **4. NEW APPLICATIONS**

**Application #09-24** – 53 Great Neck Road, Seasonal Nursery, Owner – Hendels Investors Company, Applicant – Karlton Perkins, Agent – William F. Kent, R.L.S.

M. FitzGerald stated that a letter of withdrawal was received from the applicant's agent earlier in the day.

**Application #09-25** – 973 & 969 Hartford Turnpike, Convenience Store & Gas Station, Owner – Seron Transportation Company, Inc., Applicant – Hendel's Inc., Agent – DiCesare-Bentley Engineers

M. FitzGerald stated that this application was received after the agenda was posted but within the statutory time-frame for receipt by the Commission.

Paul Biscuti, PE of DiCesare-Bentley Engineers presented this application to the Commission. He stated the applicant is proposing to demolish the building, remove the underground storage tanks, piping and septic system, which is adjacent to Jordan Brook. He stated the plan includes a lot line adjustment to add land from the adjacent larger parcel also owned by Seron. The new parcel is proposed to have approximately 1.5 acres of developed area, with a new canopy, 10 fuel pumps, a diesel pump island with canopy and new underground storage tanks. Mr. Biscuti stated that no activity is proposed in the wetland.

Mr. Biscuti reviewed the proposed improvements to the site stormwater collection and treatment system. Run-off from the canopy surface area will be directed to a rain garden. Run-off from the paved surface will be collected and treated through a Vortech unit then a stormwater detention basin. Mr. Biscuti stated the basin provides extended detention to treat the water quality volume from the paved site. Off-site run-off from the adjacent slope will be directed around the development with a grassed swale. Stormwater discharge from the basin is directed through a roadside swale to a catch basin inlet several hundred feet south of the site.

Chairman Johnson asked if any soil remediation is proposed, noting the site had an air stripper operating on it for a period of time to treat groundwater. Mr. Biscuti replied that the owners previously cleaned up the site on a volunteer basis, not based on a CTDEP order. An air stripper was operated under supervision by a licensed environmental professional until clean-up standards were achieved. He noted that during removal of the existing tanks, if contaminated soil or groundwater is encountered, it will be removed as required.

Chairman Johnson requested that the site plans recognize the potential for polluted soil or groundwater on the site and include measures for containment, stockpiling, and appropriate collection and treatment of contaminated soil or groundwater. Mr. Biscuti replied that plan revisions will be made as necessary.

Mr. Biscuti noted the catch basin that will receive the treated runoff belongs to the CTDOT and plans have been submitted to the Department of Transportation.

The Commission accepted this application as complete.

M. FitzGerald stated that another new application was submitted within the statutory time frame however the applicant was not present at this time.

**MOTION:** Motion made by W. Thomas, seconded by H. Curtis, to move onto the next item on the agenda, and review the new application after Item #5.

**VOTE:** 6-0

## **5. VIOLATIONS**

### **4R Norwich Road: - Abatement Order: Unauthorized Fill Placement in Wetlands**

The Commission reviewed the amended abatement order for 4R Norwich Road, issued based on the Commission's approval of the wetland restoration plan. M. FitzGerald stated that the conditions are the same as those incorporated into the permit.

**MOTION:** Motion made by J. Sims, seconded by H. Curtis, to approve the amended abatement order.

**VOTE:** 6-0

### **356 Boston Post Road – Stoneheights Condominiums: Unauthorized Wetland & Stream Excavation; Notice of Corrective Actions dated August 28, 2009**

The Commission reviewed correspondence dated November 3, 2009 from M. FitzGerald to the president of the condominium association and photographs of the wetland and channel vegetation.

### **528 Boston Post Road – Unauthorized Clearing in Wetlands (CC Permit #02-28); Notice of Violation dated September 28, 2009**

M. FitzGerald stated she has not received a response to the October 27, 2009 letter outlining the permit application requirements for modifying the wetland and non-encroachment area.

## **4. NEW APPLICATIONS (cont.)**

### **Application #09-26 – 9 West Strand Road, Residential Improvement, Owner & Applicant – John A. Ryan**

M. FitzGerald stated that this application was received after the agenda was posted, but within the statutory time-frame for receipt by the Commission.

Mr. Ryan reviewed his intention to install a fence adjacent to his garage to enclose and screen an area for storage of trash receptacles and toys. He stated that when he purchased the property, there was an existing fence next to the front of the garage and he wants to replace it with a larger fence. The Commission reviewed photographs of the location submitted with the application.

M. FitzGerald stated she had prepared the plan identifying wetlands on the site in response to previous concerns regarding potential wetland activity. Wetlands occur immediately adjacent to the garage. She noted the owners are requesting to place some crushed stone in the fenced area because of the saturated soil.

Mr. Ryan stated he would like to place 2 inches of gravel in the area.

W. Thomas requested that filter fabric be placed under the gravel to separate it from the underlying wetland and improve maintenance of the area.

**MOTION:** Motion made by W. Thomas, seconded by J. Sims, that the proposed activity meets the definition of permitted use, as of right, under Section 4.1(d) of the regulations.

**VOTE:** 6-0

## **6. OTHER BUSINESS**

### 88 Oil Mill Road – 100 ft. Upland Review Area Determination

The Commission reviewed a finding made by M. FitzGerald that no regulated wetland activity was associated with the proposed construction of a porch on the existing structure located at 88 Oil Mill Road.

## **7. CONSERVATION COMMISSION TASKS**

### Stony Brook Watershed Management Plan

The Commission received copies of the Stony Brook Watershed Management Plan.

## **8. CORRESPONDENCE**

Transmittal dated October 26, 2009 to Joe Giacobbe, O&G Industries, Inc. from Maureen FitzGerald, RE: Quaker Hill School Revised "As-Built" Plan, 9/15/09.

M. FitzGerald stated that the Conservation permit requires a consistency statement from the project engineer verifying the as-built condition of the stormwater system components. She discussed prior alterations to the driveway swale inlet and the interior cul-de-sac approved by the Planning Department and current soil stabilization issues.

## **9. BILLS**

\$5850.00 – KB Analytical, LLC, Stream Monitoring

\$500.00 – Milone & MacBroom, Inc. Stony Brook Watershed Management Plan

**MOTION:** Motion made by H. Curtis, seconded by W. Thomas, to approve payment of the bills.

**VOTE:** 6-0

## **10. ADJOURNMENT**

**MOTION:** Motion made by W. Thomas, seconded by H. Curtis, to adjourn the meeting at 8:04.

**VOTE:** 6-0

Respectfully Submitted,

Dawn Choisy  
Recording Secretary