



# *Town of Colchester, Connecticut*

127 Norwich Avenue, Colchester, Connecticut 06415

Website: [www.colchesterct.gov](http://www.colchesterct.gov)

## **COLCHESTER CONSERVATION COMMISSION**

### **Regular Meeting**

**Wednesday, May 13, 2020**

**Town Hall, 127 Norwich Avenue**

### **Minutes of Meeting**

- A. MEMBERS PRESENT:** Falk von Plachecki; Chairman, Michelle Kosmo, Rebecca Meyer, Sue Bruening, Michael Rogers, Jay Gigliotti; Wetlands Enforcement Officer, Denise Turner; Board of Selectman Liaison, and Kamey Cavanaugh; Clerk.

**Members Absent:** Vice-Chairman Darrell York

### **CALL REGULAR MEETING TO ORDER**

Chairman von Plachecki called the Regular Meeting to order at 7:00 p.m.

### **B. ADDITIONS TO AGENDA – None**

### **C. APPROVAL OF MINUTES – March 11, 2020**

*Motion made by R. Meyer to approve the minutes of March 11, 2020 as written. Motion was seconded by M. Rogers. Motion carried UNANIMOUSLY.*

### **D. PUBLIC COMMENTS – None**

### **E. PENDING APPLICATIONS –**

- A. W2019-3050- 13 Reservoir Road, Double Down, LLC- Applicant/ Owner, Assessors Map 02-02 Lot 012-000, proposed 4-Lot Subdivision.**

J. Gigliotti reported to the commission the applicant's request to table this application

*Motion made by M. Rogers to TABLE Application W2019-3050- 13 Reservoir Road, Double Down, LLC Applicant / Owner Assessors Map 02-02 Lot 012-000, proposed 4-Lot Subdivision. Motion was seconded by R. Meyer. Motion carried UNANIMOUSLY.*

- B. W2020-3052- 220 Chestnut Hill Road, Chestnut Hill Development, LLC- Applicant/ Owner, Assessor's Map 4E-05 Lot 003-000, proposed 7- Lot Subdivision**

J. Gigliotti reported to the commission the applicant's request to table this application

*Motion made by M. Rogers to TABLE Application W2019-3052- 220 Chestnut Hill Road, Chestnut Hill Development, LLC- Applicant / Owner , Assessors Map 4E-05 Lot 003-000, proposed 7-Lot Subdivision. Motion was seconded by M. Kosmo. Motion carried UNANIMOUSLY.*

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**C. W2020-3053- 611 Norwich Avenue, Nicholas Paggioli- Applicant, Town of Colchester- Owner, Assessor's Map 05-04 Lot 06B-000, reconstruction of trail system DRD 5/15/20**

J. Gigliotti and Chairman von Plachecki visited the site and were able to provide Mr. Paggioli with some recommendations that will hopefully be helpful with this project. N. Paggioli, applicant, spoke to the commission while showing photographs of the trail. Discussion of moving the bridge further upstream to where the bank is more stable, leaving less work to be done for construction and less disturbance to the trail and wetland impact.

*Motion made by R. Meyer to APPROVE Application W2020-3053- 611 Norwich Avenue, Nicholas Paggioli- Applicant, Town of Colchester- Owner, Assessor's Map 05-04 Lot 06B-000, reconstruction of trail system. Motion was seconded by M. Kosmo. Motion carried UNANIMOUSLY.*

**F. NEW APPLICATIONS – None**

**G. OLD BUSINESS – None**

**H. NEW BUSINESS – None**

**I. ENFORCEMENT –**

**956 Middletown Road-** J. Gigliotti reported to the commission he had received a complaint regarding work being conducted in regulated areas at 956 Middletown Road. Mr. Gigliotti was able to view the areas of work from the complainant's property. Photographs of the work were shown for the commissions review. A preliminary letter was sent to the owners of 956 Middletown Road advising them of the complaint that had been received and requested they contact staff to discuss. The following week an appointment was made with staff to meet with the owners of 956 Middletown Road and discuss what the intentions were with the site. The owners of the property did not believe this area was in fact a regulated area as it is not shown on the Town of Colchester's GIS wetland maps, in addition the survey they have also does not show the area to be flagged as wetlands. Staff advised them that the GIS is utilized as a planning tool to indicate the general locations of wetlands and is not definitive.

Shortly following this meeting in the field, a letter from DEEP, signed by Mrs. DeAva Lambert, addressed to the complainant, another property owner and copied to the Conservation Commission Chairman was received. The letter stated that the work being done was not in a regulated area as the Conservation Commission had not held a public hearing to amend their wetland map to include the potential wetland area. Additionally the letter stated Jay Gigliotti was not aware of the requirement to do so. Chairman von Plachecki read the letter in its entirety into the record. (Letter can be found on file at Town Hall)

Recently the original complainant informed Jay Gigliotti that work at the site continues. J. Gigliotti had requested the property owner cease work in the potentially regulated area until the Conservation Commission could discuss the issue and to hire a soil scientist to prove the work being done is not in a wetland; property owners refused. Staff shall be meeting with First Selectman Bylone to discuss the matter. Several commission members expressed interest in viewing the site.

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**525 Norwich Ave-** J. Gigliotti reported on work being done in an area that appears to be a wetland, however is not on the map. Staff has contacted the property owner and met with them on the site. The owner informed staff the overall goal being to completely fill the area and make it a parking lot for the paving operations. Staff advised the owner to stop all work being done, explained the process to make application or to bring it back to its original condition.

**Windam Ave-** J. Gigliotti reported on this subdivision that is being developed. After heavy rains a culvert pipe was washed out and sending sediment into the wetland. The developer is aware of the situation and what is expected to be done to remedy. Staff will continue to monitor the work and the site.

**150 New London Road-** First Selectman Bylone reached out to J. Gigliotti regarding clearing that was taking place at 150 New London Rd. Staff issued the property owners a Notice of Violation and later had a meeting with them on site. There is a clear understanding by the owner of the concerns from staff. The owner has contacted an environmental scientist to develop a plan to mitigate the invasive species and then to replant in both the mitigation area and the buffer enhancement area. Staff should have that plan in hand for the next meeting.

**92 Stanavage Road-** J. Gigliotti and D. Schaub, ZEO, are working together on enforcement regarding excavation in rear of this property.

**J. CONSERVATION – None**

**K. CORRESPONDENCE –**

- A. Administrative Permits - J. Gigliotti issued 2 administrative permits that were both for sheds. 151 Pickerel Lake Road, 12X16 & 104 Boretz Road, 10X19.
- B. Staff updates & other correspondence- J. Gigliotti reported on the Conservation Commission's previous endorsement of an open space grant application the Planning and Zoning Department is preparing to submit to the CT DEEP Open Space & Watershed Lands Acquisition Program. The application is for 65 acres of open space on Middletown Road (Route 16); work continues on that grant application and the deadline for application submission has been extended to July 1, 2020.

**L. ADJOURNMENT**

*Motion made by R. Meyer to adjourn at 8:02pm. Motion was seconded by S. Bruening. Motion carried unanimously*

Chairman von Plachecki adjourned the May 13, 2020 Conservation Commission meeting at 8:02pm.

Respectfully Submitted,  
*Kamey Cavanaugh*, Clerk