



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Website: www.colchesterct.gov

COLCHESTER CONSERVATION COMMISSION

Regular Meeting

Wednesday, August 12, 2020

Town Hall, 127 Norwich Avenue

Minutes of Meeting

A. MEMBERS PRESENT: Falk von Plachecki; Chairman, Darrell York, Vice Chairman, Sue Bruening, Michael Rogers, Rebecca Meyer, Jay Gigliotti, Wetlands Enforcement Officer, and Kamey Cavanaugh Clerk. Applicant and Applicants representation.

ABSENT: Michele Kosmo

CALL REGULAR MEETING TO ORDER

Chairman von Plachecki called the Regular Meeting to order at 7:02 p.m.

B. ADDITIONS TO AGENDA –

C. APPROVAL OF MINUTES – July 8, 2020

Motion made by S. Bruening to approve the minutes of July 8, 2020 with a typographic correction. Motion was seconded by M. Rogers. Motion carried. R. Meyer abstained.

D. PUBLIC COMMENTS –

E. PENDING APPLICATIONS –

**A. W2020-3052- 220 Chestnut Hill Road, Chestnut Hill Development, LLC-
Applicant/ Owner, Assessor's Map 4E-05 Lot 003-000, proposed 6- Lot Subdivision**

J. Gigliotti reported all staff comments have been addressed for this application. The application is proposing a fee in lieu of open space.

Chairman von Plachecki asked if there was a grading plan for lot 2. J. Gigliotti reported on the grading for that lot that and the fill that will need to be brought in and will have the most regulated activity in the subdivision.

Motion made by R. Meyer to APPROVE Application W2020-3052- 220 Chestnut Hill Road, Chestnut Hill Development, LLC- Applicant/ Owner, Assessor's Map 4E-05 Lot 003-000, proposed 6- Lot Subdivision. Limits of clearing, house, driveway, well and septic need to be staked by a licensed surveyor and any changes will need to come back before the commission. Motion was seconded by D. York. Motion carried UNANIMOUSLY.

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RECEIVED
COLCHESTER, CT
2020 AUG 13 AM 10:09
Gayle Furrman
TOWN CLERK

B. W2020-3054- 183 & 187 Stanavage Road, Willow Land, LLC – Applicant / Owner, Assessors Map 03-03 Lot 009-000 and 009-001, proposed 6 Lot subdivision

J. Gigliotti reported to the commission the applicant has received review comments from staff and there is a design issue with storm water. The applicant is working on a revision for the storm water design and the calculations. The applicant is asking the commission to table the application until the next regular scheduled meeting.

Motion made by M. Rogers to TABLE Application W2020-3054- 183 & 187 Stanavage Road, Willow Land, LLC – Applicant / Owner, Assessors Map 03-03 Lot 009-000 and 009-001, proposed 6 Lot subdivision to the next regular scheduled meeting. Motion was seconded by R. Meyer. Motion carried UNANIMOUSLY.

C. W2020-3055- 93 Vancedarfield Road, Tom DesSureau- Applicant/ Owner, Assessors Map 4W-07 Lot 005-054, proposed pond for agriculture and recreation.

J. Gigliotti reported of the plans to construct a pond at 93 Vancedarfield Road. The pond will be constructed in the rear of the property. The access road the applicant will be using to create the pond was discussed. Jay noted Mr. DesSureau spoke with his neighbors regarding the buffer, which will extend onto their property, once the pond is built. Mr. DesSureau neighbors have provided a signed letter indicating they understand their 103 Vancedarfield property shall be impacted by additional upland review area once the pond has been constructed. They will receive approximately 50' of upland review area as a result of the pond. Town staff has reviewed and all comments have been addressed.

Chairman von Plachecki asked the applicant to provide the letter from the neighbor granting the permission to infringe on their property with the buffer be incorporated onto page one of the map that will be filed in the land records at Town Hall.

R. Meyer asked about the use of the access road and its use. Mr. DesSureau stated this will only be used for construction.

Motion made by M. Rogers to APPROVE Application W2020-3055- 93 Vancedarfield Road, Tom DesSureau- Applicant/ Owner, Assessors Map 4W-07 Lot 005-054, proposed pond for agriculture and recreation. Motion was seconded by R. Meyer. Motion carried UNANIMOUSLY.

F. NEW APPLICATIONS –

A. W2020-3056- 155 Prospect Hill Road, Zisis Alevras- Applicant/ Owner, Assessors Map 05-10 Lot 016-003, proposed new driveway and SFR on existing lot.

J. Gigliotti reported to the commission of this existing lot on Prospect Hill Road. The wetland crossings were pointed out and the location of the proposed new home. Jay pointed out the two proposed crossings. Town staff has not yet provided a review.

Mark Reynolds, Engineer for the applicant gave a brief overview and spoke of the drainage area and the high ground water table in the area.

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Motion made by D. York to ACCEPT and TABLE Application W2020-3056- 155 Prospect Hill Road, Zizis Alevras- Applicant/ Owner, Assessors Map 05-10 Lot 016-003, proposed new driveway and SFR on existing lot. Motion was seconded by M. Rogers. Motion carried UNANIMOUSLY.

B. W2020-3057- Lebanon Avenue, Goldberg Estates, LLC & Gavire Estates, LLC- Applicant/ Owner, proposed re approval of remaining 79 Lots in previously approved White Oak Subdivision.

J. Gigliotti reported to the commission reported this to be a re-approval of the subdivision on Lebanon Avenue. The applicant has constructed the extension of Goldberg Road, Oak Farm Drive, and Broad Meadow. The re-approval of the subdivision is for areas that have not yet been constructed. No changes to the original approval have been proposed.

Motion made by M. Rogers to ACCEPT and TABLE Application W2020-3057- Lebanon Avenue, Goldberg Estates, LLC & Gavire Estates, LLC-Applicant/ Owner, proposed re approval of remaining 79 Lots in previously approve White Oak Subdivision. Motion was seconded by D. York. Motion carried UNANIMOUSLY

G. OLD BUSINESS – None

H. NEW BUSINESS – None

I. ENFORCEMENT –

A. 956 Middletown Road

J. Gigliotti indicated he has not had any contact with the property owners regarding the wetland issues on the site. Conversation and correspondence has been received from the DEEP and laid out where the towns jurisdiction falls and how to proceed with enforcement. DEEPs correspondence to the town confirmed the Conservation Commission jurisdiction is not defined by the town wetland maps; the presence of wetlands shown on any specific property, shown on the wetlands map or NOT shown on the wetlands map does not determine the wetlands jurisdiction as it relates to enforcement of the Inland Wetland Watercourse Regulations. DEEP's correspondence also highlighted the burden of proof of an inland wetland violation lies with the town. The towns evidence relating to the situation is as follows: Town WEO conducted inspections, documented conditions, reviewed available data, and the town hired a soil scientist. At this point the commission can move forward with an enforcement under 6.1 of the regulation or can decide to not do anything. M. Rogers asked staff if any correspondence has been received from the property owner at 956 Middletown Road. Jay has not received any correspondence or has not accessed the property.

Motion made by M. Rogers to proceed with a notice of violation of section 6.1 based on the evidence provided. Motion was seconded by D. York. Motion carried UNANIMOUSLY.

J. CONSERVATION –

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K. CORRESPONDENCE –

- A. Administrative Permits - J. Gigliotti issued 1 administrative permit for an addition at 173 Lakeview Drive
- B. Staff updates & other correspondence- Northpond subdivision paved Phase I. Land Trust on Bulkeley Hill Road is getting ready to start construction for the parking lot.

L. ADJOURNMENT

Motion made by S. Bruening to adjourn at 7:51pm. Motion was seconded by D. York. Motion carried unanimously

Chairman von Plachecki adjourned the August 12, 2020 Conservation Commission meeting at 7:51pm.

Respectfully Submitted,

Kamey Cavanaugh, Clerk