

CONSERVATION COMMISSION

REGULAR MEETING FEBRUARY 19, 2008

E. CURTIS AMBLER ROOM

These minutes are not verbatim, but represent a summary of major statements and comments. For minutes verbatim, refer to audiotape on file in the Office of the Town Clerk. Audiotapes are retained for the minimum period required under the retention schedule as provided under Connecticut Law.

Chairman Block called the call the roll call at 7:00 p.m. and noted Commissioners Igielski and Shaffer present. Also present were Alternates Harlow, Turgeon and Zelek and Mr. Anthony Ferraro, Town Engineer

Mr. Anthony Ferraro, Town Engineer passed out a copy of a letter from Ben Ancona Esquire, Town Attorney relative to the seating of alternates when a quorum of Commissioners is not present to open the meeting. The letter was in response to a question raised by him (Mr. Ferraro) to the Town Attorney on the matter.

Chairman Block read the last paragraph (which was the basis of an opinion that a quorum of four (4) of Commissioners being present to call a meeting to order is not required) of the letter into the record (listen to audio tape or review letter for details of its content).

Commissioner Igielski raised a question on an opinion that is in conflict with the Internal Rules and Procedures of the Commission.

Chairman Block said it is Chair's opinion that based on the content of the previously noted paragraph, which included a case in point, there is no need for four (4) Commissioners to be present to open the meeting.

There was a discussion among Commission members (listen to audio tape for details of the discussion).

Chairman Block asked the representative of the applicant who had business before the Commission if he (Mr. Patrick Haskell) would waive his opposition to the matter under discussion (seating of alternates) in order to allow to proceed for bringing the matter forward? Mr. Haskell responded that he would waive any opposition.

Chairman Block opened the meeting and designated that Alternate Harlow would vote for Commissioner Shapiro, Alternate Turgeon would vote for Commissioner Beyer or the vacant position and Alternate Zelek would vote for Commissioner Pappa.

ITEM III
ACCEPTANCE OF MINUTES

Regular Meeting of January 15, 2007

Commissioner Igielski noted the following corrections:

- A. Page 1---NOTE at top of page should read “Vice-Chairman Igielski (Igielki) designated that Alternate Harlow.....vote for Chairman Block.”
- B. Page 6---At bottom of page ITEM VI C should read ITEM VI B.

Motion made by Commissioner Igielski to accept the minutes as amended and was seconded by Alternate Harlow. There was no discussion. Vote was 5 yes, 0 no, 1 abstention (Block) and the motion was carried.

ITEM IV
PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Ms. Rose Lyons, 46 Elton Drive said she would like to know who owns the property behind her and if she could get a copy of the Town Wetland Map for her property and abutting areas.

Chairman Block said she should see the Town Engineer for a copy of the Town Wetland Map for the area or she could view it on the Town web site.

ITEM VA
Election of Officers (Commission Secretary)

No action was taken to fill the position.

Motion made by Alternate Harlow to table the item over to the March meeting and was seconded by Commissioner Igielski. There was no discussion. Vote was 6 yes, 0 no and the motion was carried.

ITEM VB
Application 2008-1, Water Main Installation, Styles Avenue

Chairman Block asked the applicant if he was ready to make his presentation? Mr. Haskell responded yes.

Mr. Patrick Haskell, Project Specialist, ENSR and representing the applicant entered the following remarks into the record:

- A. The proposal is to install a water main in Styles Avenue (from Henry Avenue westerly to the railroad tracks). The applicant is working with the MDC to install the water main under a developer’s permit.

- B. The primary reason for installing the water main is because the DEP has reclassified the (ground) water in the area as being unsuitable for drinking.
- C. The reason for installing the water main (in Styles Avenue) is due to the existence of pollutants that over the years were disposed of on site on the (large) industrial property to the north that has frontage on Cedar Street. The pollutants have seeped into the ground water on site (A study being done on the property indicates that the on site ground water flows in a southerly and westerly directions).
- D. There are two (2) properties on Styles Avenue that are currently being served by wells. These wells have not been found to be contaminated at this time. These wells will be abandoned when the properties are connected to the water main.
- E. The regulated areas impacted by the proposed construction activities are the water course and abutting upland review area.
- F. Standard construction activities would be followed for the installation of the water main. It is estimated that a period of two (2) days would be required to complete the work within the regulated areas. The section of water main installed under the water course (south side of existing culvert) would be placed within a concrete pipe sleeve. The area impacted by construction activities would be restored back to its original condition.

Chairman Block asked the following questions:

- A. How would the section of the concrete side wall at the culvert be protected where the water main would pierce it? Mr. Haskell responded there is no concrete end wall. The plan shows a ring hay bales around the work area.
- B. How would the area of work around the water course be stabilized? Mr. Haskell responded that rip rap could be placed for stabilization.

Mr. Ferraro noted that he did not see the engineering drawing before tonight.

Mr. Ferraro asked if the end product would become the property of the MDC? Mr. Haskell entered several remarks into the record (listen to audio tape for his remarks) but did not provide a specific answer to the question.

Commissioner Igielski noted the engineering plan indicates eighteen (18) inches of cover to the top of the water main at the water course crossing. Mr. Haskell responded there would be two (2) feet of cover to the top of the sleeve (18 inch concrete pipe). The remainder of the water main would have a minimum cover of 4.5 feet.

Commissioner Igielski said if construction was put off till summer when the brook bed was dry, it would be easier to install the water main under the water course to a depth of 4.5 feet of cover.

Mr. Haskell noted there is evidence as to the existence of bed rock in the area.

Recording Secretary Peter Arburrr noted that Mr. Haskell did not answer the question if the MDC was going to accept ownership of the water main.

Chairman Block noted the Commission would need written proof from the MDC that it would own the water main. Otherwise, an easement would have to be gotten from the Town.

Commissioner Schaffer noted that the application did not include a list of abutting property owners.

Mr. Haskell said a list of property owners would be provided for next month's meeting.

Chairman Block asked the following questions:

- A. How would the existing wells be abandoned when a property is connected to the water main? Mr. Haskell responded where possible the casement would be removed. If the casement can not be removed, then the top three (3) feet would be removed and the remainder filled with concrete.
- B. How many properties in the area are served by wells? Mr. Haskell responded three (3) properties (Campbell and Lenares on Styles Avenue and Biella on Liberty Street).
- C. Will the Health Department be notified of the action (installation of water main) in this area? Mr. Haskell responded yes.

ITEM VI A

Update Regulations as per DEP's model regulations

Mr. Ferraro reported that the Town Council approved the adoption of the "Updated Regulations" at the Town Council meeting of February 12, 2008. A copy of the new Regulations was sent to DEP.

ITEM VII

PUBLIC PARTICIPATION ON NON-AGENDA ITEMS: NONE

ITEM VIII

COMMUNICATIONS AND REPORTS

- A. Chairman Block noted the receipt of the current copy of the "Habitat" news letter. He suggested that Commission members read the article on site walks.
- B. Mr. Ferraro noted that he received one free pass from DEP for the upcoming DEP training program for Commissioners.

C. Mr. Ferraro apologized on the letter from the Town Attorney on the seating of a quorum using alternates.

D. Chairman Block said he has some concerns on the format of the current application form for a wetland permit. He has made some changes and plans to submit them to the Commission for review and comment.

Motion made by Alternate Harlow to adjourn meeting at 7:52 p.m. and was seconded by Alternate Zelek. There was no discussion. Vote was 6 yes, 0 no and motion was carried.

Peter M. Arburr, Recording Secretary

Commission Members

Tayna Lane, Town Clerk

Town Manager John Salamone

Edmund Meehan, Town Planner

Councilor Myra Cohen

Chairman, Town Plan and Zoning Commission

Anthony Ferraro, Town Engineer

Ben Ancona Jr., Esquire, Town Attorney

Lucy Robbins Wells Library (2)