



## NEWINGTON CONSERVATION COMMISSION

Tuesday, November 17, 2015

### Meeting Minutes

#### I. CALL TO ORDER

Chairman Zelek called this meeting to order at 7:00 p.m. in Conference Room 101 of the Town Hall.

#### II. ROLL CALL

##### Commissioners Present

Jeffrey Zelek (Chairman)  
John Igielski (Secretary)  
Philip Block  
Kathleen-Marie Clark  
John Casasanta  
Andreas Sadil  
Deborah Ann Krawiec (Alternate)  
Alan Paskewich (Alternate)

##### Also Present

Chris Greenlaw, Town Engineer  
Susan Gibbon, Recording Secretary

Commissioner Zelek: I am going to seat Deborah Ann for the vacant position and Alan for John until he arrives.

*(\*These minutes, with the exception of VII Old Business Application 2015-23, 509 Main Street, are a brief overview of the meeting held on November 17, 2015. Please refer to tapes for full transcript.)*

#### III. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS (EACH SPEAKER LIMITED TO 2 MINUTES)

Tim Manke, 605 Rosewood Drive. I wanted to come and let you know that I have officially resigned. Thank you for your patience, you are all very knowledgeable. I have worked on many boards and commissions in this town and this is the most bipartisan one I have worked with. Thank you.

#### IV. ACCEPTANCE OF MINUTES

A. Regular Meeting of October 20, 2015

Commissioner Clark: Page 3, 2<sup>nd</sup> paragraph, sanity later should read sanitary lateral.

Commissioner Block: Page 3, same paragraph, trump line should be trunk line.

Commissioner Paskewich: Page 12, third paragraph, potion should be portion.

Motion to accept minutes, as amended, by Commissioner Clark, second by Commissioner Sadil. All in favor, unanimous vote.

## V. PUBLIC HEARING

### A. Inland Wetlands Regulation Changes – L.I.D. (Low Impact Development)

Chris Greenlaw: Nothing new at this time.

Chairman Zelek: Since this is a public hearing, does any member of the public wish to speak?

John Bachand, 56 Maple Hill. I just wondering where we are on this. I haven't really been following it, just want to know. Would like to offer some input into this since I do work in the field.

Chris Greenlaw: Quick update; waiting for moratorium to be over. Go online to check standards/regs. Most new developers, applicants, consultants include LID measures.

Chairman Zelek: At this time I move to table the public hearing and carry over to the next meeting and move on to new business. At this time I would like recognize for the record that John Igielski has arrived. Alan, I am now seating John, thank you for sitting in for John while he was late. Seeing no new business we will move on to old business.

## VI. NEW BUSINESS

None

## VII. OLD BUSINESS

### A. Application 2015-23, 509 Main Street – Soil remediation and UST (underground storage tank) removal in a regulated area.

Kevin Martin, 44 Spruce Lane, Tolland, MTR, LLC.

Chairman Zelek: I believe at the last meeting a couple of the commissioners asked for additional information to see that it was provided in the record and it was sent to us. Commissioner Block, I believe there was an item you were interested in.

Commissioner Block: Yes.

Chairman Zelek: Does it satisfy your request?

Commissioner Block: Yes.

Chairman Zelek: Does the applicant have any other information to provide for us?

Mr. Martin: No, I believe, that we are to have a Mylar made with a patching, is that correct?

Chairman Zelek: Chris, want to talk to patching?

Chris Greenlaw: I believe that it is the consensus of this commission to request that the applicant, that the trenches be sealed and when I say sealed, closed with hot mix asphalt. So there was a discussion as to that. So what I did was, I believed we were leaning that way, I made it a condition, typically on much more large and complex sites I send out letters with numerous comments. We only had one comment of consideration so what I did was I offered as a condition, it is certainly something the Commission can ask of the applicant and certainly if that is the one change we were going to have to the plan, normally a Mylar is kind of a catch all between commissions that are going to be added before it is signed by the respective chair people. So if that is something that is still the desire of this commission, I don't want to speak for the applicant, he can entertain that and subsequently any changes that he recommend or require he could have his consultant make those changes, bring them in as a Mylar prior to the chairman signing. The plan is on the easel, I don't know if you want to point anything out to refresh our memory.

Mr. Martin: Is there any questions?

Chris Greenlaw: Maybe again you can point out where the trenches are, the size of the trenches, and again this commission is most interested in your activities in the regulated area and you might want to point out the stream and what you have for VMPs to mitigate any surface flows, that is why the commission had further considered completely having asphalt so it is one complete, to match the surrounding area, you might want to point out, you know refresh their memory as far as what is the makeup of the sight and that sort of thing.

Mr. Martin: It is confusing. It wouldn't look like any sort of wetlands. It has been a gas station and in business for a long time. It is all paved essentially. This area here is outside the buffer, there is a brook right here and here is our two excavation areas, we would be live loading and we will be putting some hay bales on the brook side. It is a one day process for each grave and when we are done we are going to saw cut it and patch it as your recommendation. I believe there was another thing on the table that was mentioned that if we used structural fill perhaps and get away from the hot patch. It's COA, it doesn't matter, I know that is hard to get patch this late in the season, so it would be something to be carried over to the spring.

Chris Greenlaw: Again that is something for the commission to consider. I believe the plants are still open, the state is still paving. I mean, again, there would be a waiting period

pursuant to your approval for the signature of the Mylar and you are probably worried about working at your own risk if it was appealed by public or anything like that, it that what you are getting at? The availability of, I know you can still get HMA asphalt now, correct?

Mr. Martin: Yeah but they close, they will be closing very soon for the season and I am afraid that this process might take us beyond that closing time.

Chairman Zelek: Commissioner Clark.

Commissioner Clark: This question is directed to either Chris or the applicant. Could you explain to us lay people what the difference is between the two methods that, were those two methods that he proposed.

Commissioner Casasanta: Structural fill versus..

Commissioner Clark: Right, can you explain what those are for us?

Mr. Martin: Someone had mentioned structural fill to try deter the rain water from eroding the soils down..

Chairman Zelek: Just pick up the mike please. I want to be sure to get this gets captured on the minutes.

Mr. Martin: The slope is this way so when were are done we are going to use a compactible fill and compact it and let it settle. At the last meeting it was brought up that a structural fill might be better or the other option was to pave, so I think we are leaning towards the paving but it is late in the season. I am not so sure we can get hot patch a month from now.

Commissioner Clark: What is structural fill?

Mr. Martin: It is very tight soils that doesn't allow permeation of grease or substances.

Chairman Zelek: Was the plan to eventually pave this anyway?

Mr. Martin: Eventually it was going to be paved anyway, but not by us.

Commissioner Block; Yes, the first issue was you indicated a general direction of the slope on the diagram but you didn't record verbally for the record, so if you could please make a reference to the direction using some landmark on your drawing.

Mr. Martin: Um, right now the existing plans are shows a slope towards the brook, so that is where we put our hay bales on this side.

Commissioner Block: Alright, because your hand gesture before was toward the street. Second, there is nothing in here as to the future use of the property. Is it, as far as you are aware, if you are aware, it is going to be restored as a gas station again or changed use?

Mr. Martin: No, it will stay the same as a repair shop, not a gas station.

Commissioner Block: Ok, thank you.

Chairman Zelek: Is the applicant, is it an agreeable condition that you will pave that area?

Mr. Martin: Yes.

Chairman Zelek: Ok, I think we can just condition the application.

Chris Greenlaw: The question I have Mr. Chair is if from what I understand that the applicant is stating that your operations may not cease in time, or before the plants close to get hot mix asphalt. So if we make this a condition, if we put a sunset clause on the condition that pursuant your operations being complete, I guess the question I have through the Chair to the applicant would be when would he be placing, would the applicant be agreeable to come back in the spring or when it is conducive to do the hot mix asphalt, or perhaps there is another question and again you are working on behalf of an owner of the property so if we condition this, right now you are the applicant, you would be agreeing to this.

Mr. Martin: Yes.

Chris Greenlaw: So you have to understand, you would be responsible. Ultimately, it follows the owner, it follows the site. So I just want everyone to be clear that, to understand if these operation aren't complete you get structural back fill until weather is conducive in the spring and plants open and you can put a hot mix asphalt in.

Mr. Martin: That is fine.

Chairman Zelek: So are there any reasonable alternatives?

Chris Greenlaw: The other alternative is if there are, there are plants that make a recycled hot mix asphalt for construction activities that go through winter. Depending on the site, I found and I have experienced some of that material to be very good and again it comes down to means and methods. It comes down to how well it is placed and the condition and the preparation, it almost counts to the contractor. That is an alternative. I am sure your would think that if the owner of the property was going to continue to have a service to the public, he doesn't want cars clunking around and falling into these trenches, but we can only speak to what we can control.

Chairman Zelek: So, I heard that the applicant is acceptable and agreeable to the condition and also that the owner plans on eventually paving this anyway.

Mr. Martin: Yes.

Chairman Zelek: I think that should satisfy our concerns. Commissioner Block.

Commissioner Block: Yeah, well I am still a little bit up in the air about this because there is two question that come to mind and the first one is why would it need to be paved immediately and the first question, the possibility as Chris indicated if the property is going to be used over the winter and there is going to be an irregularity in the surface. The second is whether or not the drainage through the open wound if you will, preparation of the pavement is going to create any issue either physically or chemically with what was found below. On the other hand, if it is a question of settling this fill material, letting it get wet and settle over the winter might be beneficial, so my question really is what is the reason behind the request to have it paved. Is it structural as indicated? If it's not then perhaps just a plastic sheeting with a little bit of fill over to establish an impervious surface at the surface might be adequate, or as was indicated if the applicant is going to be resuming business, then certainly you would want a more permanent surface there. So, I would like to have some more discussion as to the reasoning behind the request and what the risks are and the concerns. If the applicant can respond.

Mr. Martin: It is definitely a good idea to have the patch repaired, the asphalt repaired being a business, you know people walking on it, driving on it, parking on it. As far as our scope of work it is irrelevant. Now, it is not going to effect chemicals in the ground that we are removing, the soils that we compact with can be structural we don have to worry about it, you know permeating down any sort of an oil drip form a car or transmission or antifreeze. When we back down into our excavation after we remediate. The plastic sheeting over the gravel, that would be adequate to use and we would be happy to do that.

Commissioner Block: Well I prefer the permanent patch as Chris suggested, but I understand that is an economic decision as well. But we can discuss that further.

Chairman Zelek: Commissioner Paskewich?

Commissioner Paskewich: Would it be possible to place the structure fill now and then have he pavement put on it when the plants reopen.

Chairman Zelek: Will the applicant respond.

Mr. Martin: Yes, definitely. Yup we will do it in the spring.

Commissioner Paskewich: I am thinking at least it would be done at some point.

Chairman Zelek: I have to make some assumptions that the applicant is a professional and he is going to do what the best practice is on the job.

Mr. Martin: It will be done in the spring.

Commissioner Sadil: I have some questions regarding this memo from IES Incorporated. This case number, I guess they clarify that petroleum oil was observed and subsequent laboratory tests need to occur or at least have occurred, each cultivation site was assigned a case number 2015. What is the status of that and how does it relate to the project.

Kevin Taylor, 72 \_\_view Drive, South Windsor. I represent IES. Can you repeat the question?

Commissioner Sadil: What is the status of this case? When you took the tanks out, there was an odor.

Mr. Taylor: Yeah, what happens is when we take the tanks out we usually inspect the soil and abased upon our inspection of the soil we found that it had no damage release the chemical, if you read the report it says whether there is petroleum in the soil or not. Based upon that we took one sample...

Commissioner Sadil: Was that the soil that your removed after you pulled it out?

Mr. Taylor: No. That is the soil that remained once the tank was removed. Se we took a sample of the native soil from each of the two areas and they came back with constituents or analights or chemical, however you look at it, but it will be above what the DEEP allowed, but based upon that we have to go back in and remove soil and that is what this project is about. It is to remove the soils. The case numbers, that case number will remain open until we submit the information that we get after we clean and remediate the soil. We take additional samples that have to be below the DEEP requirements and we submit that to them and then they close the spill.

Commissioner Sadil: Now, how deep are we talking, this was how deep the tank, how deep potentially could you go until this requirement is satisfied.

Mr. Taylor: I can't answer that until we get in there. We are only required to to ground water and if you hit ground water and still have contamination in the soil then you are required to take a sample of the ground water to see if it is impacted that way, but you can't go below it will require you to remove the ground water, because if you do it will just keep coming up.

Commissioner Sadil; That's right. So if there is contamination found that deep this case will stay open.

Mr. Taylor: It will be addressed at that time, correct.

Commissioner Sadil: Ok.

Chairman Zelek: Commissioner Block?

Commissioner Block: Yeah, how deep was the tank, the bottom of the tank located. Of course obviously the brook is nearby.

Mr. Taylor: I would ay between six and seven feet.

Commissioner Block: So it is well below the level of the brook by several feet.

Mr. Martin: No, not the brook itself. Not the water table.

Mr. Taylor: No, if we would had taken the tank out and it had been in the water tabel, the tank would have been sitting in water and it wasn't.

Mr. Martin: The soil was dry.

Commissioner Block; It was dry, ok. Thank you.

Mr. Taylor; IF not, we would have taken a water sample at that time as well, but we didn't see any.

Chairman Zelek: any other commissioners?

Commissioner Sadil: I have one question. Again, that same memo you said there was an environmental soil scientist, is that yourself?

Mr. Taylor: That is me, that is correct.

Commissioner Sadil: And what did that study compose of, was it a soil sample do we have a copy of that for prosperity.

Mr. Taylor: Yes, that was results that was requested at the last meeting.

Commissioner Sadil: That is this?

Mr. Taylor: And if you excuse me one second, I do have, before we came tonight, I did make a list of the constituents that were found by the DEEP. So this is the list, I have copies if anybody wants it.

Commissioner Block: Yes, would you please submit to Mr. Greenlaw.

Commissioner Sadil: So just basically the report consists of chemical analysis.

Mr. Taylor: Correct.

Commissioner Sadil: Any photography or anything?

Mr. Martin: Oh yeah, there are pictures, yes.

Commissioner Sadil: Ok, have they been submitted for the record Mr. Chairman?

Chairman Zelek: I have not seen any photographs.

Mr. Martin: It is part of the closure report. Any time we close a case file number you will get a copy of that as well.

Chairman Zelek: Thank you.

Commissioner Sadil: Mr. Chairman, this could be some lingering, I hope all this works out for the best, but there is some open questions, you know the level of contamination, how deep it will go, this project can mushroom, right?

Mr. Taylor: Yeah, I mean my experience is that is not going to be, but I can't guarantee that.

Commissioner Sadil: Would it be any monitoring Mr. Chairman after this or I am just..

Chairman Zelek: I'm sorry, I didn't hear your question.

Commissioner Sadil: Monitoring, past this.

Chairman Zelek: We will ask the applicant.

Mr. Taylor: Yeah, if we do not, what we do at the end of this what we will end up doing is we will take a sample from each of the side walls of each of the trenches and at the bottom, we send it out to the lab and they come back and give us the results. We compare that to what the DEEP allows. If it is clean, then they won't require any further action, if it is not, then we will back to get more soil, or if we hit ground water then they will require us to put in some ground water monitoring wells to monitor that point. But they don't do that until you find out whether a) you hit ground water or b) you have been able clean it satisfactorily.

Commissioner Sadil: Now, when you took soil out, I may have asked this question last time, this not wetland soil in your opinion.

Mr. Martin: No, not at all.

Commissioner Block: Since it was told to us at this beginning of this discussion that it is going to remain as an automobile repair shop, the question I have and I may be jumping the gun a bit, but when are we going to getting information as to the fluid protection, you know storage, drainage issues for what the new layout. Because again, I am a bit conferenced that this it is grandfathered as a on auto repair gas station, you indicated that it is not going to be selling gas but it is going to remain as a repair shop and it is still obviously located next to the brook and we are going to be very concerned as the to storage and disposal facilities that are going to be used as you know I don't want there to be any issue as to whether or not those activities are i.e. grandfathered in.

Chairman Zelek: So, I have to interrupt because we can't speak to the use or permitted activities, our focus has to be on identifying any significant impact on the wetlands.

Commissioner Block: That is true, but again this is a bit of an odd situation because there is the availability of a claim that its continuing use, ok? But at this point we are trying to get it back to a static protected facility and if they are going to be going back to automobile repair with these toxic chemicals, I want to make sure that we are going to get our opportunity

to ensure that the brook is protected from those new activities or the continuation of the new activities in a new chapter of its use.

Chris Greenlaw: Mr. Chairman, if I may point of order. We have to remember that the applications that come before us have to follow suit with purview and authority. So, page 4 of the regulations that you have before you, it defines regulated activity. We have a couple of different regulated activities on the site. One is being monitored by the DEEP as far as the removal of the of the USTs and the contractor and his environmental consultant have been very gracious to supply you with a lot of information and testing that is being monitored by DEEP. The other part of this application is for activities, and when we read this is a live application for the activities as it relates to regulated activities in this area. So what is driving this application live right now is the testimony as it relates to the excavation of area as it relates to the wetlands. So those other uses have been going on or will continue going on. If it were to change use we had another application you get a bite of that apple, so I don't want you to loose site of this definition of what we have for regulated activity. If you open up to page 4, if you look at those activities, they are describing the activities as it relates to satisfy the DEEP permit. To get these tanks out of the ground they have to dig a hole, they have to excavate, they have what they call the grave and they are going to be removing soil. So its part of removing that falls under your regulation because hey are working in a regulated area. Your foremost charge is to see if they are going to mitigate the TSS, the soils that could be erodible, the fact that they are leaving an open trench with a structural fill versus that is why we have the conversation of whether or not we can request that they bring the surface as a homogenous surface and all paved so the water will hit and run off and not take with it the soils that are left on the top of the trench. Those are things are within your direct purview that you should be asking questions on and you have. Talking about uses as they may continue as they were before, that is not why they came in with this application.

Commissioner Block: I understand that, but ...

Chairman Zelek: So I am not going to allow your conversation about the usage. The application is for the activity for remediating the site, it is not regarding the use of the site, so our purview right here is to determine whether or not the activities they are conducting now have any negative impact on the wetlands. Any other commissioners?

Commissioner Clark: Can we, I would like to know about, we were talking about the timing of the paving and the applicant stated he, his group, would not be doing the paving. Can we get that clarified.

Mr. Martin: Well, when we come back in the spring we have patch plans for the opening.

Commissioner Clark: Thank you.

Chairman Zelek: For the benefit of the commission, I was having a conversation this morning with a friend who has a friend that is a paving contractor and he alluded to exactly what the applicant was speaking to earlier. That this type of material is no longer available

and they just happened to have a little leftover from the season and they were doing repair work at his house, so I did hear from another conversation exactly what the applicant has conveyed to us, this type of material is becoming scarce and unavailable this time of year. Seeing no more questions from the commission, Chris has there been any communication from the public or any petitions for this to become a public hearing.

Chris Greenlaw: None at this time.

Chairman Zelek: Then is, then the question is the application in your opinion complete?

Chris Greenlaw: Yes.

Chairman Zelek: I would like to get a motion from the commission that a public hearing is not needed at this time. Mr. Secretary?

Secretary Igielski: I make a motion that based on the evidence before it the commission make a finding of fact that a public hearing is not necessary for Application 2015-23 because the proposed activities will not have a major impact or significant effect on the regulated area.

Chairman Zelek: Can we get a second to the motion please?

Commissioner Casasanta: Second.

Chairman Zelek: Second from Commissioner Casasanta. Any discussion? No further discussion, all in favor? Motion passes unanimously.

Chairman Zelek: If the application is complete, I would like to have the conditions presented to the secretary and have the secretary read the motion into the record.

Secretary Igielski: Any questions or comments from the commissioners or Mr. Greenlaw regarding the suggested conditions?

Chris Greenlaw: Mr. Chair..

Secretary Igielski: All our standard conditions and A is the new standard that we have been using and the only additional one is what is title as B.

Chris Greenlaw: Mr. Chair, I might add for consideration to the commission after listening to the dialogue as it relates, one thing I would like added that after bituminous patch, it should be in parenthesis HMA - hot mix asphalt, I definitely want hot mix asphalt that you get out of a batch plant, not any type of cold patch or anything like that. The other thing worth considering for the Commission would be do you want to put in any additional notation that if this can't be achieved it will be allowed to be put in the in the spring or do you think it is suffice the way it is.

Chairman Zelek: I think it suffices the way it is. The applicant has spoken the desire to pave this.

Secretary Igielski: So the word patch would be followed with hot mix asphalt.

Chris Greenlaw: or HMA, correct.

Secretary Igielski: Hot mix asphalt basically spells out the HMA for those who might not otherwise know.

Commissioner Block; Again, I understand you don't want to make it tied down but is there in intent to have the excavation site protected over the course of the winter by a temporary means, the question again being is this for the operation of the business or is this to protect the excavation site from some further permeation or whatever. If it is not for a wetlands reason, then fine, but if we are doing this because there is some concern about having the winter weather get into that fill and displace something or another then the surface needs to be protected.

Chairman Zeke: Commission Igielski:

Commissioner Igielski; It would seem to me that the applicant would choose to leave the hay bales there until the asphalt patch is completed in the springtime.

Mr. Martin: Sure.

Commissioner Igielski: So the hay bales would the protect the wetlands or the brook from any runoff that would occur.

Commissioner Block: No, no, I wasn't thinking about surface, I was thinking about the snow and water of the winter getting down through the excavation site.

Commissioner Sadil: Percolation basically.

Commissioner Block: So the question is why are we concerned. If it's really a question of structural integrity, then it's not...

Chairman Zelek: The structural integrity is not under our purview.

Commissioner Block: Exactly.

Chairman Zelek: we are only concerned about the wetlands. Commissioner Casasanta.

Commissioner Casasanta: If I understood, the applicant correctly, there was going to be at least temporary remediation taken until that HMA could be used to fill those trenches, so I think that the applicant is going to do everything using VMPs to make sure that there is not further contamination or erosion.

Mr. Martin: Yes.

Commissioner Block: Then I would just like to have B amended or add a C that the site, the excavation sites will be protected over the course of the winter from permeation.

Chairman Zelek; Protected until the bituminous layers are down.

Commissioner Block: Exactly.

Secretary Igielski: Does the Commissioner has specific wording that he can recite slowly.

Commissioner Block: I offer C, that until such time...

Chairman Zelek: Why don't we just leave it as an extension of B, just a modification.

Commissioner Block: Ok. To modify the plan to provide for temporary protection over the course of the winter.

Chairman Zelek: We won't make it seasonal, just make it until the bituminous layer can be completed.

Commissioner Block: Jeff, you had it better than I. To modify, wait a minute, to modify the plan to provide temporary protection of the excavation sites...

Secretary Igielski: Wait a minute, to modify the plan to protect...

Commissioner Block: To provide temporary protection...

Secretary Igielski: To provide temporary protection...

Commissioner Block: From permeation, until such

Secretary Igielski: From permeation...

Commissioner Block: Until the bituminous patch, or the hot mix asphalt..

Secretary Igielski: Until the hot mix asphalt patch...

Commissioner Block: Can be installed.

Secretary Igielski: Has been installed..

Commissioner Block: Can be...has been.

Chairman Zelek: Could you just read that back John when you have it.

Secretary Igielski: The applicant's consultant shall modify the the plan to include annotation for the restoration of trench areas by means of bituminous patch (hot mix asphalt) modify the plan to protect or to provide temporary protection from permeation until the hot mix asphalt patch has been installed.

Chairman Zelek: Thank you.

Secretary Igielski: That second sentence does not seem to start properly.

Chris Greenlaw: May I offer Mr. Chair, to change the word, right after HMA you say modify, what if you just said and provide so we have two parts to that and it just connects them together. Would that make more sense?

Secretary Igielski: Delete the words modify the plan?

Chris Greenlaw: Right.

Secretary Igielski: It would, condition B would then read "the applicant's consultant shall modify the plan to include annotation for the restoration of trench areas by means of bituminous patch (hot mix asphalt) and to provide temporary protection from permeation until the hot mix asphalt patch has been installed."

Chairman Zelek: Thank you. Is the applicant, does that sound agreeable?

Mr. Martin: Yes, it sounds good.

Chairman Zelek: Thank you very much.

Chairman Zelek: So if you could then read the entire motion for us John.

Secretary Igielski: At this time, I make a motion that the commission issue a permit by summary ruling for Application 2015-23, and subject to the following conditions: numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 and subject to the following additional conditions: A. This permit is valid for wetlands only, additional approvals/permits may be required from other Town departments. It is the responsibility of the applicant to verify what other approvals/permits may be required for this project and B. The applicant's consultant shall modify the plan to include annotation for the restoration of trench areas by means of bituminous patch (hot mix asphalt) and to provide temporary protection from permeation until the hot mix asphalt patch has been installed

Chairman Zelek: Can I get a second please?

Commissioner Block: I'll second that.

Chairman Zelek; Second by Commissioner Block. Discussion? Seeing none, all in favor? Motion passes unanimously. Thank you.

Mr. Martin: Thank you.

Chairman Zelek: Moving on to the next item on the agenda.

B. Inland Wetlands Regulations Changes – L.I.D. (Low Impact Development)

Chris Greenlaw: Nothing to add at this time.

C. New Initiative – Vernal Pools

Alan Paskewich: I would like to make a consideration and ask the commission to respond to it I am thinking of adding, maybe deleting vernal pool, I seem to following a larger extension of land protection. Funding coming forward, strongly advocating open space and protection of forests and restoration of forests that may have been wetland or farmland to change it out again. There is a lot going on in legislative bills. I attended a workshop with presenters from the DEEP, one from USDA and one from American Farm Land Trust, all working in coordination with the state of CT and working on state funding to protect land, including vernal pools. I would like to extend the vernal pool initiative into this format and looking closer at the funding and bills coming across. There is a lot out there now, working on finding out more about it by going to events, getting information. I would like to work on that if I could.

Chairman Zelek: Rather than vernal pools specifically.

Alan Paskewich: Yes.

Chairman Zelek: so the vernal pool initiative originated with the intent that when we did get around updating our regulations we would be better educated commission and understand vernal pools, understand how you protect by using our regulations. I would like to keep it open until we do update our regulations. Would you like to pass the torch to another commissioner to perhaps continue vernal pools or do you want to continue vernal polls and in addition, maybe under communications and reports report on the open space.

Commissioner Paskewich: Yes, I would be more happy to continue with vernal pool and extend in communication and reports the other agenda.

Commissioner Block: I would like to suggest that the agenda be modified to be changed to new initiatives with subsets.

Chairman Zelek: I think we are better off just keeping it under communications and reports.

Commissioner Clark: Alan, what was the number of the public act?

Commissioner Paskewich: The one is 490.

D. Invasive Plants

Commissioner Clark: Nothing new to report.

VIII. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None

IX. COMMUNICATIONS AND REPORTS

A. Internal Rules and Procedures

Chairman Zelek: Nothing new to add at this time.

Commissioner Clark: This is a subset of the CACIWC meeting. There was a woman at the displays from the U.S. Fish & Wildlife Service who drives around in a van called the W.O.W. Express (Watershed on Wheels). You can hire them to come to your town and make a presentation. I was thinking about getting them for the extravaganza. Is there an interest in that? I would be happy to make initial call. Hopefully the open space committee will be set up by that time and we could staff an environmentally positive booth at the extravaganza.

Commissioner Casasanta: I don't know if you were planning on addressing the flood control work on the south branch of park road.

Chairman Zelek: The DEEP came in and gave a presentation to residents regarding the activities they are doing along Piper Brook and Mill Brooks. Explained why they are doing the project. Going to certain areas of Piper Brook to do some dredging in ponding areas, those areas slow the water. They also want to remove vegetation along the banks. Not too many concerns from the public.

Commissioner Casasanta: My main concern was the effect on water quality, like they said in the public comments at the meeting it is a trade off that has to be made because we have to take into consideration public safety and this work has to be done to mitigate flooding risks. Work needs to be done, if not the DEEP risks losing flood control funds for the entire state.

Chairman Zelek: CACIWC held their annual meeting on Saturday, November 14th. Commissioners Clark, Sadil and Igielski attended, as did I. Pleasantly surprised to see our new Mayor, Roy Zartarian at the event.

Commissioner Clark; One of the session discussed having various town commissions meeting quarterly. I think this would be a great idea.

Commissioner Igielski: I just wanted to say that all the sessions I attended, the presenters indicated that their presentations would be put on line.

X. ADJOURNMENT

Commissioner Zelek moved to adjourn the meeting at 8:11 p.m., motion by Commissioner Block, seconded by Commissioner Sadil; it was unanimously voted to adjourn.

Respectfully Submitted,



Mrs. Susan Gibbon

Recording Secretary - Conservation Commission