

CONSERVATION COMMISSION

REGULAR MEETING OCTOBER 21, 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 roll call at 7:00 p.m. and noted Commissioners Byer, Igielski, Pappa, and Shapiro were present. Also present were Alternates Harlow and Zelek and Mr. Eric Hinckley, Engineering Department.

NOTE: Chairman Block designated that Alternate Harlow would vote for Commissioner Shaffer (who has resigned) and Alternate Zelek would vote for vacant position.

ITEM III

ACCEPTANCE OF MINUTES

Regular Meeting of September 16, 2008

Commissioner Pappa noted in the middle of Page 2 that his name was miss-spelled Pappa (Papa).

Motion made by Commissioner Pappa to accept the minutes as corrected and was seconded by Commissioner Byer. There was no discussion. Vote was 4 yes, 0 no, 3 abstentions (Harlow, Shapiro and Zelek) and the motion was carried.

ITEM IV

PUBLIC PARTICIPATION ON NON-AGENDA ITEMS: NONE

ITEM VA

Election of Officers (Commission Secretary)

No action was taken to fill the position.

Motion by Commissioner Pappa to carry the item over to the November meeting and was seconded by Commissioner Shapiro. There was no discussion. Vote was 7 yes, 0 no and the motion was carried.

ITEM VB

Public Hearing-Application 2008-6 for Map Amendment for 549 Cedar Street

Chairman Block noted that this was continuation of the public hearing that was opened at the September 16<sup>th</sup> meeting and could not be closed because the legal notice appeared only one time in the newspaper in September, whereas; the Regulations require that it be published two (2) times.

Mr. Eric Hinckley, Engineering Department, noted for the record that the legal notice was published in the Hartford on October 8, 2008 and October 15, 2008.

Chairman Block noted for the record there was no one present in the audience to speak on the application.

There was no comment from Commission members.

Motion made by Commissioner Pappa to close the public hearing noting that the legal notice appeared in the Hartford Courant on October 8, 2008 and October 15, 2008 (correcting the violation of only one legal notice at the September meeting) and was seconded by Commissioner Byer. There was no discussion. Vote was 7 yes, 0 no and the motion was carried.

#### ITEM VC

Application 2008-8, Install Emergency Propane Powered Generator at 1056 Willard Avenue

Mr. Joe Perugini, P.E., Weston and Sampson and representing the applicant, referring to a site plan on the wall entered the following remarks into the record:

- A. The site contains about fifteen (15) acres and is the home of 840 Broadcasting Company (WRYM Radio).
- B. The applicant is seeking permission to install an emergency generator. The station has already lost power ten (10) times this year. Each time the power is out, the station loses money because money has to be returned back to advertisers for the time the station was off the air.
- C. The generator would be connected to two (2) 100 gallon propane gas tanks by twelve (12) feet of piping.
- D. The new facility would be enclosed within a chain link fence with slats.
- E. The blue line on the site plan represents the wetland boundary limits determined by a soil scientist in the field.
- F. It is estimated that the work would be completed in two (2) working days.
- G. Silt fence would be installed around the work area.
- H. The area of impact would be 32 square feet.

Alternate Zelek asked if the work would occur within the upland review area? Mr. Perugini responded yes per soil scientist.

Commissioner Igielski noted in the "Proposal" that Item "C" makes reference to the finding of a soil scientist.

Mr. Perugini responded that there is a separate application for a map amendment (Application 2008-9).

Recording Secretary Peter Arburr noted that an emergency generator generates noise and that residential homes are located in the immediate area of the station.

Chairman Block noted that some of the new generators are contained in sound proof containers.

Commissioner Pappa said he would like to know what is the operating decibel level of the generator.

NOTE: A question was raised if the Commission had any jurisdiction on noise levels.

Chairman Block noted that the map (site plan) indicates that the cat walk is to be repaired. Is this part of the application? Mr. Perugini responded no. It is just a note from the topographic survey.

Commissioner Igielski noted that he is an employee of Northeast Utilities, which could be involved in the project, but does not see a conflict of interest and would participate in the application.

Commissioner Pappa asked if it has been determined why the site is subject to power losses? Mr. Perugini responded he did not have an answer to the question.

Mr. Perugini said this is the only feasible alternative (outside of doing nothing).

Commissioner Igielski asked where is the Town Map line for wetlands? Mr. Perugini showed the wetland limits from the map to be used for the map amendment.

Alternate Harlow asked what is the reason for asking for the map amendment?

Commissioner Igielski noted that the map amendment would move the boundary limit farther away. Mr. Perugini noted there would be about a 40 foot difference.

NOTE: There was a general discussion among Commission members on the location of wetland boundaries (Town Map and soil scientist). Mr. Perugini said the soil scientist would make a formal presentation at the November meeting.

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TEM VD

Application 2008-9, Map Amendment for 1056 Willard Avenue

Chairman Block noted the only action required tonight by the Commission on the application is to set a date for a public hearing.

Motion made by Commissioner Igielski that per Section 15.7 of the Regulations a public hearing be held on Application 2008-9 (Map Amendment for 1056 Willard Avenue) at 7:00 p.m. on November 18, 2008 in the E. Curtis Ambler Room, Town Hall.

ITEM VI A

Application 2008-6 for Map Amendment for 549 Cedar Street

Mr. Hinckley passed out a list of suggested reasons for consideration by Commission Members. There was a brief discussion by Commission members (listen to audio tape for details).

Motion made by Commissioner Igielski to grant a permit for a Map Amendment for Application 2008-6 as outlined in Figure 2 that was included with the application for the stipulated reasons.

Commissioner Igielski entered the following remarks into the record:

- A. Public hearing was opened on September 16, 2008 and was closed on October 21, 2008.
- B. There has been a finding of fact that wetland boundary limits found by soil scientist in the field are different than the limits shown on the Town Map.
- C. The work (excavation of test pits) approved under Permit 2008-7 would be outside the wetland boundary limits per findings of the soil scientist, (whereas; the Town Map would show the work to be done in the wetland).
- D. The work (excavation of test pits) would benefit the neighbors and the Town by cleaning up an existing industrial site.

Motion was seconded by Alternate Harlow. Vote was 7 yes, 0 no and motion was carried.

NOTE: Refer to audio tape or "Official Notification of Action" for reasons in granting the permit.

ITEM VII

PUBLIC PARTICIPATION ON NON-AGENDA ITEMS: NONE

ITEM VIII

COMMUNICATIONS AND REPORTS

Mr. Hinckley passed out the latest copy of THE HABITAT news letter to Commission members.

Motion made by Commissioner Igielski to adjourn meeting at 7:40 p.m. and was seconded by Commissioner Pappa. There was no discussion. Vote was 7 yes, 0 no and motion was carried.

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Peter M. Arburr, Recording Secretary

Commission Members

Tayna Lane, Town Clerk

Town Manager John Salamone

Edmund Meehan, Town Planner

Councilor Myra Cohen

Chairperson, Town Plan and Zoning Commission

Anthony Ferraro, Town Engineer

Ben Ancona Jr., Esquire, Town Attorney

Lucy Robbins Wells Library (2)