

CONSERVATION COMMISSION MINUTES FOR AUGUST 23, 2018 PAGE #18-21

MEMBERS PRESENT:

Chairman, Michiel Zegers, Robert Turner, Ed Schwarz and Jim Smith
Also: Tracy Kulikowski, Land Use Director

The regular meeting of the Weston Conservation Commission opened at 7:30 p.m.

RECEIPT OF APPLICATIONS:

- Brenda Kapner, 24 Arlen Road, Re-grading of Backyard
- Kirstin L. Powers/ Phyllis A. Schwartz, Godfrey Road, Map 12, Block 3, Lots 30, 31, 32, Leon Black Subdivision, new single family house construction and related site work (Peak Engineers, LLC)

MOTION TO RECEIVE

Mr. Schwarz made a motion to receive the application for 24 Arlen Road and Mr. Smith seconded. All in favor, the motion carried (4-0).

MOTION TO RECEIVE

Mr. Schwarz made a motion to receive the application for Godfrey Road, Map 12, Block 3, Lots 30, 31, 32 and Mr. Smith seconded. All in favor, the motion carried (4-0).

SET WALK DATE

The site walk was set for Saturday, September 15, 2018. The Commissioners will meet at Town Hall at 8:30 a.m.

DISCUSSION/DECISION: WILD THINGS DEVELOPMENT LLC, 58 & 82 WESTON WOODS WAY, WESTON WOODS SUBDIVISION, LOT 6, MAP 3765, NEW SEPTIC FOR 58 AND REMOVAL OF PORTION OF DRIVEWAY

Mark Ochman, P.E. came forward, representing the Owner, and presented an approval letter from the Westport/Weston Health Department. He noted that the property consists of 7+ acres and part of a 6 lot subdivision with a common driveway approved in 2009. Currently there are 3 main houses, a studio, pool, tennis court and circular driveway connecting all three structures together. He indicated the location of the Conservation easements on the property. They are proposing to subdivide the property into three lots so that each of the main structures are on their own individual lot and keep the studio on lot 6B. He explained that the existing septic system for the main house is being relocated because it is currently located across the road. Discussion ensued.

He then noted that they will be removing 13,000 sq. ft. of impervious surface to offset the additional area of paving needed for lot 6B, including the tennis court and part of the existing

driveway. Discussion continued regarding the area of the Conservation Easements. The Commissioners then asked Mr. Ochman to indicate the location of the silt fencing on the plan, explaining that it needs to be double silt fence with hay bales in between.

MOTION FOR APPROVAL

Mr. Zegers made a motion to approve the application for Wild Things Development LLC for a new septic system and removal of portion of driveway as shown on plans prepared by Mark Ochman, P.E., dated 7/19/2018, revised 8/23/2018 to indicate the location of the additional silt fencing, subject to Standard Conditions A-G. Mr. Schwarz seconded the motion. All in favor, the motion carried (4-0).

DISCUSSION/DECISION: JEROME LOUSTAU, 17 WHITE OAK LANE, SITE GRADING PLAN (MCCHORD ENGINEERING ASSOC., INC.)

Joel Green, Esq. came forward to present the application on behalf of the owner. He also introduced the owners and Thomas Nelson, P.E., from McChord Engineering. He stated that they are seeking permission from the Commission to address some soil disturbance activities that previously occurred. He explained that in November of 2017, the owners hired a contractor to bring in some fill and grade their property and were unaware of the regulations regarding soil disturbance. In January they received a notice from Code Enforcement that a complaint had been received. In applying for the Soil Disturbance Permit it was noted that there were wetlands involved so they are here to address that issue.

Mr. Nelson, P.E. came forward and stated that the surveyors went out and determined the limit of the fill and he indicated the topography on the plan, noting that they do not know the original topography. He noted that there was approximately 16,000 sq. ft. of fill brought in, approximately 500+ cubic yards of fill. He also indicated the established wetland line from the 1970s subdivision maps. Discussion ensued.

Mr. Nelson explained that the high point on the property is where the house is sited and everything slopes down to the wetlands and that hasn't changed. It still slopes down, and the runoff will be slightly slower. The soil has been left rough graded and there has been no topsoil on top but they have put temporary seeding to establish vegetation and stabilize the area. The proposal is to complete the project that was started, fix mistakes that were made and establish a firm delineated buffer area from the wetlands. He then went through the construction sequencing for the Commissioners. In response to a question posed by Mr. Schwarz, Mr. Nelson stated that he does not believe there will be any change in the flow. Discussion on drainage and erosion controls and any possible effect on the wetlands ensued.

Following discussion, Mr. Zegers recommended that a soil scientist be brought in to do tests to determine where the wetlands are. Discussion continued on whether the fill should be removed or whether it has less impact for it to stay.

MOTION FOR APPROVAL

Mr. Zegers made a motion to approve the application for 17 White Oak Lane for site grading as shown on plans prepared by McChord Engineering Associates dated 7/19/18, subject to Standard Conditions A-G and H. Soil testing is to be done to establish where the existing wetlands area is,

subject to review by the Conservation Planner. I. Existing fill around trees will be moved back and J. Area marked by stone walls and boulders will be established as the Limit of Disturbance. Mr. Schwarz seconded the motion. All in favor, the motion carried (4-0).

DISCUSSION/DECISION: TRACEY & JAMES MCARDLE, 89 NORFIELD ROAD, MULCHED PATH

The applicants were not in attendance.

DISCUSSION/DECISION: DON & ALISSA STOLTZ, 87 NORFIELD ROAD, WOOD CHIPPED PATH

Don & Alissa Stoltz came forward to discuss the application. Ms. Stoltz stated that they thought that putting wood chips in the wetlands was not a problem. Mr. Zegers explained that when the bridge was put in, it was with the understanding that nothing would be done in the area across the bridge. The regulations do not allow for filling in of wetlands in any shape or form and in his opinion all the material should be removed. Discussion ensued.

MOTION

Mr. Schwarz made a motion to approve a mitigation plan that the applications will remove all the woodchips in the wetlands by hand and restore it to the original condition. Mr. Zegers seconded. All in favor (4-0).

APPROVAL OF MINUTES

Mr. Zegers made a motion to approve the Minutes from the July 26, 2018 meeting, as amended, and Mr. Smith seconded. The motion carried (4-0).

MOTION TO ADJOURN

Mr. Zegers made a motion to adjourn and seconded. All in favor, the meeting adjourned at 9:30 p.m.

Respectfully submitted,

Delana Lustberg
Recording Secretary