

MEMBERS PRESENT: Sarah Schlechter, Holly Charlesworth, Abigail Squance, Richard Albrecht, Mary Francois, Kirby Brendsel (7:50pm)
Also Present: Dr. Tom Failla, Conservation Planner

Ms. Schlechter called the meeting to order at 7:30 PM

DISCUSSION/DECISION: 51 OLD STAGE COACH, CAO/RANGANATHAN, TREE PLANTING/ POND MAINTENANCE [22-17] Zhixin Cao, property owner showed the property survey and explained her intent to have ten to twenty green giant trees planted along the property line from the north side to the south side as well as perform regular maintenance for the pond on the property. Ms. Cao explained the pond has duckweed, cattails and invasive yellow iris in the spring. Dr. Failla confirmed most of the property is located in the wetlands review area. The Commission reviewed the current state of the property and discussed how to ensure native species remain on the property. Ms. Squance discussed invasive vs native species and the standards of maintenance for the pond. The Commission noted a pipe located next to the pond, and asked for more clarification. Following some discussion, the matter was continued to the next meeting with the suggestion that the applicant has an expert assist for species identification as well as more details on the pond maintenance with clarification on pipe going into the pond and a suggested buffer zone to prevent runoff from the lawn getting into the pond.

DISCUSSION/DECISION: 291 NEWTOWN TURNPIKE, GRIFFIN, FILL/GRADE, TRAILS, FENCE, PLANTING [22-18] Tom Quinn, PE from Peak Engineers and Kate Throckmorton from Environmental Land Solutions, representing property owners explained they were contacted by the property owners to aid with an application for this Commission, the applications were for unpermitted filling and earth work performed within the 100 foot of the upland review area from the wetlands. Mr. Quinn explained a site disturbance plan has been submitted to the Weston Land Use Dept as well as site visits from a Professional Soil Scientist and Land Surveyor.

Kate Thockmorton, licensed landscape architect summarized the remediation plan for the correction of violation. She summarized the removal of work done within the upland review area as well as her replanting plan to stabilize the site. The area that has historic fill will be removed to reestablish the property line. As well as the supervision of a soil scientist to determine old and new fill. Mr. Quinn summarized the revised plans to the Commission and discussion ensued.

Ms. Schlechter reminded the applicants, this site work has been done without approval from the Conservation Commission. Ms. Schlechter stated some work has been done on the neighbor's property. Mr. Quinn stated it is his understanding that neighbors are not aware of the work, the fill will be required to be moved and the neighbors will be formally notified. Ms. Schlechter summarized the stop work orders issued to the property owners since October 2021 and reminded the applicants that until the current plan is approved all work must be stopped. Mr.

Brendsel stated the updates presented from Mr. Quinn and Ms. Thockmorton are very responsive to the violations.

Ms. Thockmorton reminded the Commission there are no wetlands on the property, as well as the work that has been done has no direct impact on the wetlands. The fill brought on was not brought on properly, however it did not grossly change the topography or the direction of the runoff. In addition, the ground was not disturbed from the unpermitted cutting of the trees. Ms. Thockmorton stated the property owners focus should be on ensuring the buffer is restored and maintained. It is unfortunate that the fill was brought in; however there shouldn't be a long term impact with the current restoration plans in place.

Ms. Schlechter proposed that the Commission consider the plan as is, with repercussions for moving forward without a permit for the fill. Ms. Schlechter proposed a \$250.00 fine as a repercussion for work done without a permit, as well as adding a condition that should any more work proceed, additional fines will be administered for each instance. Discussion ensued on whether a bond placed on the project would be appropriate.

Ms. Schlechter made a motion to approve the proposed plan for 291 Newtown Turnpike prepared by Peak Engineers, dated September 14, 2022 with a revised date of October 20, 2022, wetland buffer plan prepared by Environmental Land Solutions dated September 14, 2022 revised October 20, 2022 subject to standard conditions A-G and the original condition of a performance bond in the amount of \$5,000 and Ms. Charlesworth seconded. All in favor, the motion carried (6-0).

Ms. Schlechter made a motion to issue a fine in the amount of \$250.00 to the homeowners at 291 Newtown Turnpike as a penalty for the violation sent on October 19, 2021, as a recommendation to town staff to issue the fine and Ms. Francois seconded the motion. The motion does not pass (4-2).

APPROVAL OF MINUTES

Mr. Brendsel made a motion to approve the minutes of September 22, 2022 and Mr. Albrecht seconded. All in favor, the motion carried (4-0) (Schlechter and Francois abstained.)

Mr. Brendsel made a motion to approve the site walk notes from October 8, 2022 and Mr. Albrecht seconded the motion. The motion carried (4-0) (Charlesworth and Francois abstained).

OTHER BUSINESS: Dr. Failla explained commission training opportunities available through UCONN.

MOTION TO ADJOURN

Mr. Brendsel made a motion to adjourn the meeting and Ms. Squance seconded the motion. All in favor, the meeting adjourned.

Respectfully submitted,

Marina Zegarelli, Administrative Assistant