



## MINUTES

January 9, 2014

**PRESENT:** John Hall (Acting Chair), Liz Craig, Dennis Delaney, Tom Burgess, Alton Johnson

**ALSO PRESENT:** Patricia Sesto, Director, Environmental Affairs; Liz Larkin, Recording Secretary; Joseph and Joanne Lussier, homeowners; Stephen & Margaret Donahue, homeowners; Susan Thompson

### **I. CALL TO ORDER**

Mr. Hall called the meeting to order at 7:35 p.m.

### **II. PUBLIC HEARINGS - None**

### **III. APPLICATIONS READY TO BE REVIEWED**

#### **A. WET#2234(I) – LUSSIER – 347 Thayer Pond Road – “corrective action” for unauthorized clearing in and adjacent to wetlands and a stream (cont.)**

Mrs. Lussier provided a new plan to the commission which depicts the trees they will replace. She noted that she worked with Ms. Sesto to come up with this plan which includes 5 red maples and 5 dogwoods in the cleared area.

Mr. Hall briefly explained the situation to the new commission members. He also confirmed with the Lussiers that they were aware of the way that the bond will work for this corrective action and the timeframe of the planting. The Lussiers would like to count the 2014 planting season for their bond so they will act quickly.

Ms. Craig MOVED to approve WET#2234, with the Special Conditions that the bond will be posted by May 1, 2014, and the planting will be completed by May 15, 2014, SECONDED by Mr. Delaney, and CARRIED 3-0-2 with Messrs. Burgess and Johnson abstaining as they were not present at the first meeting.

#### **B. WET#2236(I) – DONAHUE – 99 Westport Road – second story and rear addition within 100 feet of wetlands**

Ms. Craig and Mr. Delaney indicated they visited the site.

Mrs. Donahue explained that they would like to complete an addition on their home. The original plan was to expand the home on one floor, but this would require removal of trees. Instead, a small 5 foot bump out in the back of the home is proposed for an additional 200 sq. ft. and a 12,000 sq. ft. second floor. This option would require no tree removal and the existing shrubs would be relocated. Mrs. Donahue confirmed they will be building within the zoning setback and they have been granted a variance.

In response to questions from Ms. Sesto, Mrs. Donahue confirmed that the addition will be within the current lawn area and that the current crawl space will remain. In addition, the new crawl space excavation will be re-deposited on the property away from the wetland or taken off site. Ms. Sesto confirmed that the wetlands on the site and some neighboring properties were filled some time ago.

The Donahues confirmed the driveway and parking configuration will remain unchanged, and although the new construction is slightly closer to the wetlands, it is proposed to be in the space currently occupied by the deck. The Donahues were asked if they would want to add any outdoor living space or a generator as they can roll that into this permit. They decided to leave the room with their designer, Susan Thompson, to draw these options onto the survey.

**C. WET#2192(S) – HALLMAN – 25 Spoonwood Road** – “corrective action” for clearing a wooded area (cont.)

Mr. Hall MOVED to APPROVE Resolution of Denial 0114-01, as drafted, SECONDED by Ms. Craig, and CARRIED 3-0-2 with Messrs. Burgess and Johnson abstaining.

Ms. Sesto noted that there is a section in the regulations that may apply in this case. It allows applicants to fix defects in applications that were denied. She expressed the problems she sees regarding procedure and public notification. Further, it is the commission’s discretion to warrant a new public hearing if the changes to fix the defects warrant. She stated she would send this section of the regulations to the commissioners for their consideration.

#### **IV. APPLICATIONS TO BE ACCEPTED**

**A. WET#2237(I) – CREVELING – 18 Trails End Road** – residence addition including a B100a 75 ft. from a wetland

**B. WET#2238(I) – HEISSENBUTTEL – 424 Belden Hill Road** – septic upgrade and connect garage to main house

**C. WET#2239(S) – MURTISHI – 319 Mountain Road** – remove existing dwelling and construct new dwelling including septic and driveway

**D. WET#2241(I) – KIM – 169 Cheese Spring Road** – building addition including B100a

Mr. Delaney MOVED to ACCEPT WET#2237, WET#2238, WET#2239 and WET#2241, SECONDED by Ms. Craig and CARRIED 5-0-0.

#### **V. APPLICATIONS READY TO BE REVIEWED**

**A. WET#2236(I) – DONAHUE – 99 Westport Road – second story and rear addition within 100 feet of wetlands**

The Donahue's returned to the meeting with a patio added to the plan, as well as 2 options for the generator location.

Mr. Delaney MOVED to APPROVE WET#2236, as modified, SECONDED by Ms. Craig and CARRIED 5-0-0.

**VI. APPROVED MINOR ACTIVITIES - None**

**VII. CORRESPONDENCE**

The commissioners were provided with information relating to removing contaminated soil that was discovered on the ASML property at 77 Danbury Road. Ms. Sesto wanted the commissioners to decide what level application should be required for the mitigation. As the soil removal area is a hot spot of 3 ft. by 3 ft. and 2 ft. deep. and is within a broader area that will be remediated later this spring. The commission deemed this application to be a Minor Regulated Activity with the condition the property owners pursue permits for the full remediation.

**VIII. OTHER APPROPRIATE BUSINESS**

**A. Violations**

- 1. DeVito – 40 Honey Hill Road**
- 2. Ciganik – 74 Cheese Spring Road**

Ms. Sesto noted that these violations have been taken over by town counsel.

**B. APPROVAL OF MINUTES – December 12, 2013**

Mr. Delaney MOVED to APPROVE the minutes, as drafted, SECONDED by Ms. Craig and CARRIED 3-0-2 with Messrs. Burgess and Johnson abstaining.

**IX. ADJOURN**

Mr. Delaney MOVED to ADJOURN at 8:25 p.m., SECONDED by Ms. Craig, and CARRIED 5-0-0.

Respectfully Submitted,  
Liz Larkin  
Recording Secretary