

ENVIRONMENTAL PROTECTION COMMISSION  
REGULAR MEETING  
MINUTES  
June 4, 2014  
7:30 P.M.  
Room 206, Town Hall

Chairman Riccardo called the meeting to order at 7:30 P.M

Commission Members Present: Vickie Riccardo, Rick Rohr, Keith Kearney and Eric Joosten

Staff: Jacobson

Court Reporter: Syat

Channel 79 recorded the meeting

Ms. Riccardo said the hearing will be opened on July 9 for the following agenda item:

EPC-09-2014, NWL, LLC, 145 Nearwater Lane, proposing new house construction within a regulated area and upland review area. The site is shown on Assessor's Map # 56 as Lot #24.

Ms. Riccardo called the next agenda item:

EPC-11-2014, Jim & Mary Wise, 7 Andrews Drive, proposing house additions, and filling and grading within an upland review area. The site is shown on Assessor's Map #63 as Lot #73.

Chris Allan, PWS, represented the applicant.

Ms. Riccardo said the Commission received the attorney's letter regarding the deed restriction. She asked if the rain garden could be considered a structure. Mr. Allan said they do not believe the rain garden could be considered a structure.

Mr. Rohr asked about the deed restriction language describing the south west corner of the property. Mr. Allan said the Seymour survey shows the restricted area and it does not include the area of their project. He said the plans were revised to note the 15 inch Maple to be protected and replaced, if damaged. He said the plans show the Japanese Knotweed to be replaced and the cross section of the rain garden area.

Mr. Joosten made a motion to approve the application. The Commission will include a disclaimer in the permit, similar to the language regarding representations by the applicant's engineer regarding the efficacy of the design, that the Commission is not responsible for the applicant's attorney's representation regarding the deed restriction. The reference to an easement on the site plan shall be removed. Mr. Rohr seconded the motion and it passed 4-0.

Ms. Riccardo called the next agenda item:

EPC-15-2014, Andy Glazer, 123 Five Mile River Road, proposing house construction within an upland review area. The site is shown on Assessor's Map #67 as Lot #2.

Ms. Riccardo said the Commission typically has a public hearing on new construction. The Commission determined that a public hearing is in the public interest.

Mr. Gadson provided the Commission with a letter.

Mr. Kearney made a motion to schedule a public hearing for July 9. Mr. Joosten seconded the motion and it passed 4-0.

Ms. Riccardo called the next agenda item:

EPC-16-2014, Ana Patricia Gomes, 275 Middlesex Road, proposing fence construction within an upland review area. The site is shown on Assessor's Map #9 as Lot #67.

Ms. Gomes represented herself. She described the proposed fence location. Mr. Rohr said the fence on the left side extends into the wooded area. He suggested they bring the fence back to the edge of the lawn near the 4" pipe discharge. Ms. Gomes said she would be satisfied with that location.

Ms. Gomes asked if a deer fence could be added around the remainder of the property. Mr. Jacobson said he would approve the netting type of deer fence but a more structural fence would need a permit.

Mr. Kearney made a motion to approve the application with the modification to the left side fence to the edge of the woods. Mr. Rohr seconded the motion and it passed 4-0.

Ms. Riccardo called the next agenda item:

EPC-17-2014, Peter & Eleanor Davidson, 48 Salisbury Road, proposing new house construction in an upland review area. The site is shown on Assessor's Map #5 as Lot #26.

Lance Zimmerman represented the applicant.

Ms. Riccardo said the Commission typically has a public hearing on new construction. The Commission determined that a public hearing is in the public interest.

Ms. Riccardo asked about the trees to be removed. Mr. Zimmerman said they are looking into preserving the large Ash and Oak with the engineer's grading plan. He said they are working with the Health Department on obtaining approval for the septic system.

Ms. Riccardo asked that they change the note regarding responsibility for the erosion and sediment controls to not be the owners who live in New York City, but someone local.

Mr. Kearney made a motion to schedule a public hearing for July 9. Mr. Joosten seconded the motion and it passed 3-0. Mr. Rohr abstained.

Ms. Riccardo called the next agenda item:

EPC-08-2014, Nicholas & Christa Struk, 1 Dew Lane, requesting amendment to permit to add addition over existing patio. The site is shown on Assessor's Map #1 as Lot #43.

Matt Dougherty, Architect, represented the applicant. He said they are proposing to add an additional 240 square feet of building over an existing patio. He said the addition will not have a basement or sump pump. He said they will convert an additional 240 square feet of wetland that is currently lawn to natural plantings.

Mr. Rohr suggested they have a demarcation of the restored wetland such as boulders.

Mr. Joosten made a motion to approve the application with an additional planting plan and boulder demarcation of the restored area. Mr. Kearney seconded the motion and it passed 4-0.

Ms. Riccardo called the next agenda item:

Planning & Zoning Commission referrals:

Coastal Site Plan Review #272-B, Mitch & Jody Truwit, 123 Five Mile River Road

Mr. Jacobson said the Commission will have the opportunity to comment on the project as the Conservation Commission. He will distribute the Commission's comments on the previous application for comparison with the new plan.

Coastal Site Plan Review #300, 145NWL, LLC. 145 Nearwater Lane

Mr. Jacobson said the Commission will also have the opportunity to comment on this project as the Conservation Commission. The Commission will form subcommittee of three members (less than a quorum) to walk the site and review the CAM application.

Coastal Site Plan Review #200A, Dmitry Melnick, 2572 Boston Post Road

Mr. Jacobson said the Commission will be reviewing the dock as an inland wetland application because of the activity within 100 feet of Holly Pond. The DEEP approves dock locations below mean high water, the Commission typically grants permits for the landward portion of docks; such activity is usually minor.

Mr. Joosten made a motion to approve the minutes of May 7 as amended. Mr. Rohr seconded the motion and it passed 4-0.

Mr. Rohr made a motion to adjourn. Mr. Joosten seconded the motion, and it passed 4-0.

The meeting adjourned at 8:25 p.m.

Respectfully submitted,

Richard Jacobson  
Environmental Protection Officer