

TOWN OF HEBRON  
CONSERVATION COMMISSION  
JANUARY 14, 2010  
REGULAR MEETING  
TOWN OFFICE BUILDING MEETING ROOM

RECEIVED

2010 JAN 19 P 1:25  
*C. A. Pomroy*  
HEBRON TOWN CLERK

**Members Present:** J. Mullaney, T. Gauthier, R. Warner and L. Maynard

**Members Absent:** T. Loto and T. Nofer

**Guests Present:** Please refer to the attached list

**Staff Present:** None

**PUBLIC HEARING**

**Petition 09-15**, David & Clara O'Brien, 48 Chesterfield Road, Amston – Remove existing home at 56 Ames Road – Construct new one-story single-family home and conduct site work within a regulation area (**Received 10-10-09 – 65 days – 2-12-10 – Public Hearing 1-14-10 – 35 days – 2/17/10**)

J. Mullaney opened the Public Hearing at 7:34 p.m.

Dave and Clara O'Brien are present to discuss their application. Mr. O'Brien noted that the Commission requested and he provided an overlay on the plan to show the location of the new structure relative to that of the existing one.

J. Mullaney questioned if the Town Engineer had been able to review the infiltration calculations and the applicant responded that he had.

Mr. O'Brien briefly reviewed his application to remove the existing structure located at 56 Ames Road and replace it with a year round home. He noted that since the last meeting they had updated the infiltration system to deal with all impervious surface runoff. He noted that the lot is high by the road with a consistent slope and that the design of the home is conducive to the lot. He noted that during excavation all appropriate means will be in place to reduce silt and sediment reaching the lake.

The applicants provided Commission members with a landscaping plan which they prepared for the Planning and Zoning Commission which shows the shrubbery to be planted at the waters edge to help slow the velocity of any water to the lake.

Michael Puchalski, 52 Ames Road, asked to view the plan. He discussed the proximity of his lot to the O'Brien's and stated his concern for damage to his foundation caused by blasting done by the applicants. He asked that the applicants take pictures of his foundation prior to blasting. He also noted that he has a well on his property but that it is

not presently functioning. Mr. O'Brien stated that Mr. Puchalski's request was reasonable.

J. Mullaney stated that regulation of blasting is not the charge of the Conservation Commission and that the applicant will be before the Planning and Zoning Commission on January 26<sup>th</sup>.

Gene Chasser, 36 Ames Road, noted the proximity of his lot to that of the O'Brien's and also stated his concern for his foundation due to blasting. Mr. Chasser also questioned where the roof runoff will go. Mr. O'Brien stated that all impervious runoff will go into specially designed boxes which will filter the water.

Mr. and Mrs. O'Brien noted that the basement of the existing structure is presently dirt and that it is unclear if any blasting will be necessary.

J. Mullaney noted that a letter was received from Arthur L. Grogan (a.k.a. Arthur L. Gorgan) dated January 1, 2010, regarding this application. R. Warner read the entire letter for the record.

J. Mullaney noted that Mr. Grogan's concern regarding blasting had already been addressed during the meeting. He also stated that the concern of trees and roots is not an issue to be addressed by this Commission. Clara O'Brien reviewed additional work completed by a surveyor and that the trees referred to by Mr. Grogan in his letter are well outside the area of the planned site work.

Commission members agreed that the Public Hearing should not be continued as requested by Mr. Grogan in his January 1, 2010, letter because his concerns do not affect regulated wetlands activities.

J. Mullaney noted that he would like to see something from the Town Engineer in the file stating that he has reviewed and agrees with the runoff calculations.

J. Mullaney closed the Public Hearing at 8:09p.m.

### **REGULAR MEETING**

J. Mullaney called the Regular Meeting to order at 8:09p.m.

#### **Approval of Minutes:**

#### **Special Meeting – October 31, 2009:**

#### **Motion:**

R. Warner moved to accept the minutes from the October 31, 2009, Special Meeting as presented. T. Gauthier seconded and the motion passed (3-0-0).

**Regular Meeting – December 10, 2009:**

Motion:

R. Warner moved to accept the minutes from the December 10, 2009, Regular Meeting as presented. T. Gauthier seconded and the motion passed (3-0-0).

Additions to the Agenda: None.

Recognition of Guests: None.

New Applications: None.

Pending Applications:

- A. **Petition 09-15**, David & Clara O'Brien, 48 Chesterfield Road, Amston – Remove existing home at 56 Ames Road – Construct new one-story single-family home and conduct site work within a regulation area  
**(Received 10-10-09 – 65 days – 2-12-10 – Public Hearing 1-14-10 – 35 days – 2/17/10)**

Motion:

T. Gauthier moved to approve Petition 09-15 as presented with the stipulation that the applicants adhere to further requirements made by the Town Engineer regarding the storm water drainage system. R. Warner seconded and the motion passed unanimously (4-0-0)

Wetland Agent Approvals: None.

Violations:

- A. **Violation 08-18V**, Patti Matthews, 108 Jan Drive, Hebron – Excavation of soils within a wetlands

J. Mullaney noted that a plan was approved at the last meeting and that they do not expect to hear anything until after the spring.

Pre-applications: None

**Other Pertinent Business:**

A. Discontinuance and abandonment of certain roads

Members reviewed the December 21, 2009, letter received from Attorney Holtman regarding the possible abandonment of roads. J. Mullaney reviewed those roads which the Commission had already waked and noted those that still need to be walked. He stated that when the Commission sends its recommendations to the BOS, the recommendations should include specific reasons.

J. Mullaney stated that he would like to get some information from Mike O'Leary regarding if any of the roads are part of the Town's Plan of Conservation and Development.

The Commission agreed that two additional site walk should be scheduled and that the recommendations could be drafted during a Special Meeting. J. Mullaney stated that he would like to get the recommendations to the BOS by May.

**Correspondence:**

A. Letter from Attorney Holtman

The following correspondence was received.

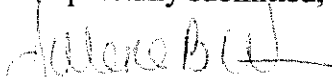
- December 14, 2009 letter from John A. Soderberg, Wetlands Agent, to Patti Matthews, 108 Jan Drive regarding a Notice of Decision
- December 14, 2009 letter from John A. Soderberg, Wetlands Agent, to Leonard Jacobs, Esq, regarding the extension of the wetlands permit for Loveland Hills, LLC
- December 14, 2009 letter from John A. Soderberg, Wetland Agent to Mr. Michael Scalise, 71 Broadway, Colchester, regarding Application #09-13 Reidy Hill Road
- December 16, 2009, letter from John A. Soderberg, Wetlands Agent, to Donald Holtman, Esq., regarding a legal opinion for the discontinuance of public roadways
- December 21, 2009, letter from Donald Holtman, Esq. to John A. Soderberg, Wetlands Agent, regarding the discontinuance of public roadways
- December 28, 2009, letter from John A. Soderberg, Wetlands Agent to Thomas H. Fenton, P.E. regarding 56 Ames Road – Application #09-15

- January 1, 2010 letter from Arthur L. Grogan to John A. Soderberg, Wetlands Agent regarding 56 Ames Road – Application #09-15
- *The Habitat*, Fall, 2009, Volume 21, Number 4

**Adjournment:**

The meeting adjourned at 8:32p.m. The next meeting is scheduled for February 11, 2010.

Respectfully submitted,



Jillene B. Woodmansee  
Board Clerk