

MINUTES
REGULAR MEETING
CONSERVATION COMMISSION
JULY 20, 2010
7:00 P.M.

MEMBERS PRESENT: Hans Kvist, Leonora Szruba, Richard Hamel, and Joseph Lewerk.

MEMBERS ABSENT: Mark Sullivan and Alternates Dennis Savage and James Labonne.

STUDENT AMBASSADOR PRESENT: None

STAFF PRESENT: Joseph Theroux, Conservation Enforcement Official

Chairman, Hans Kvist called the regular meeting of the Inland Wetland Commission to order at 7:00 P.M.

MINUTES:

Motion by Leonora Szruba to waive the reading of the minutes of the June 15, 2010 regular meeting and the minutes of the June 29, 2010 special meeting and to accept as presented.
Second by Joe Lewerk.

VOTE UNANIMOUS, MOTION CARRIED.

PENDING APPLICATIONS: None.

NEW APPLICATIONS: None.

COMMUNICATIONS AND BILLS:

Communications,

1. Memo from First Selectman re: Purchase order & Fixed asset procedure.
2. Habitant: Monthly issue.
3. FEMA: Notice of revised preliminary revised flood insurance rate maps.
4. FEMA re: Elevation review request.

Bills,

Norwich Bulletin invoice #12698400 in the amount of \$110.96. Motion to pay bill by Joe Lewerk.
Second by Lee Szruba.

VOTE UNANIMOUS, MOTION CARRIED.

REPORTS OF COMMITTEES AND STAFF:

Joseph Theroux, CEO reported he had spoken to the engineer on the ABS. property on N. Burnham Hgwy. and was told the project has not been completed as of this date.

UNFINISHED BUSINESS:

1. ABS Development: addressed.
2. Regulation revisions:

Motion by Lee Szruba to adopt the proposed regulation update. Second by Joe Lewerk. (Copy of revisions attached).

VOTE UNANIMOUS, MOTION CARRIED.

3. Sean Cook-170 Mell Road.

The CEO had notified Mr. Cook his application was going to expire and would have to be renewed. Mr. Cook submitted application to renew his application. Motion by Joe Lewerk to renew Mr. Cook's application with the condition a fee of \$75.00 is submitted. Second by Lee Szruba.

VOTE UNANIMOUS, MOTION CARRIED.

11.2 No later than sixty-five (65) days after receipt of an application, the Agency may hold a public hearing on such application. At such hearing any person or persons may appear and be heard and may be represented by agent or attorney. The hearing shall be completed within thirty-five (35) days of its commencement. Action shall be taken upon applications within thirty-five (35) days after completion of a public hearing. In the absence of a public hearing, action shall be taken on applications within sixty-five (65) days from the date of receipt of the application. The applicant may consent to one or more extensions of the periods specified in this subsection provided the total extension of all such periods shall not be for longer than sixty-five (65) days, or may withdraw the application. The failure of the Agency to act within any time period specified in this subsection, or any extension thereof, shall not be deemed to constitute approval of the application. An application deemed incomplete by the Agency shall be withdrawn by the applicant or denied by the Agency.

11.3 The Agency shall state upon its record the reasons and basis for its decision .

11.4 The Agency shall notify the applicant and any person entitled to such notice of its decision within fifteen (15) days of the date of the decision, by certified mail, return receipt requested, and the Agency shall cause notice of its order in the issuance or denial of the permit to be published in a newspaper having general circulation in the town wherein the inland wetland or watercourse lies. In any case in which such notice is not published within such fifteen (15) day period, the applicant may provide for the publication of such notice within ten (10) days thereafter..

11.5 If an activity authorized by the Inland Wetlands permit also involves an activity which requires a zoning or subdivision approval, special zoning permit, or variance or special exception, under Sections 8-3(g), 8-3c, or 8-26 of the Connecticut General Statutes, the Agency shall file a copy of the decision and report on the application shall be filed with the Town of Lisbon Planning, Zoning, or Planning and Zoning Commission, within fifteen (15) days of the date of the decision thereon.

11.6 Any permit issued by the Agency prior to July 1, 2006, or after July 1, 2009, for the development of land for which an approval is required under section 8-3, 8-254 or 8-26 of the Connecticut General Statutes shall be valid for five (5) years provided the agency may establish a specific time period within which any regulated activity shall be conducted. Any permit issued by the Agency prior to July 1, 2006, or after July 1, 2009, for any other activity shall be valid for not less than two (2) years and not more than five (5) years. Any permit issued by the Agency during the time period from July 1, 2006, to July 1, 2009, inclusive, shall expire not less than six (6) years after the date of such approval. [Revised 7/2010]

11.7 No permit issued by the Agency shall be assigned or transferred without the written permission of the Agency.

11.8 If a bond or insurance is required in accordance with Section 13 of these Regulations, the Agency may withhold issuing the permit until such bond or insurance is provided.

11.9 General provisions in the issuance of all permits:

a. The Agency has relied in whole or in part on information provided by the applicant, and if such information subsequently proves to be false, deceptive, incomplete or inaccurate, the permit may be modified, suspended or revoked.

b. All permits issued by the Agency are subject to and do not derogate any present or future rights or powers of the Agency or the Town of Lisbon, and convey no rights in real estate or material nor any exclusive privileges, and are further subject to any and all public and private rights and to any Federal, State, and Municipal laws or regulations pertinent to subject land or activity.

c. If the activity authorized by the Agency's permit also involves an activity which requires zoning or subdivision approval, special permit, variance or special exception under sections 8.3(g), 8-3c, or 8-26 of the Connecticut General Statutes, no work pursuant to the wetland permit may begin until such approval is obtained

d. description of the ecological communities and functions of the wetlands or watercourses involved with the application, and the effects of the proposed regulated activities on these communities and wetland functions;

e. description of how the applicant will change, diminish, or enhance the ecological communities and functions of the wetlands or watercourses involved in the application, and each alternative which would cause less or no environmental impact to wetlands or watercourses, and a description of why each alternative considered was deemed neither feasible nor prudent;

f. analysis of chemical or physical characteristics of any fill material; and

g. management practices and other measures designed to mitigate the impact of the proposed activity.

7.7 The applicant shall certify whether:

a. any portion of the property on which the regulated activity is proposed is located within 500 feet of the boundary of an adjoining municipality;

b. traffic attributable to the completed project on the site will use streets within the adjoining municipality to enter or exit the site;

c. sewer or water drainage from the project site will flow through and impact the sewage or drainage system within the adjoining municipality; or,

d. water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality.

7.8 Six (6) copies of all application materials shall be submitted to comprise a complete application unless an applicant is otherwise directed, in writing, by the Agency.

7.9 Any application to renew or amend an existing permit shall be filed with the Agency in accordance with Section 8 of these Regulations at least sixty-five (65) days prior to the expiration date of the permit. Any application to renew or amend such an existing permit shall contain the information required under section 7 of these regulations provided:

a. the application may incorporate the documentation and record of the prior application;

b. the application shall describe the extent of work completed at the time of filing and the schedule for completing the activities authorized in the permit;

c. the application shall state the reason why the authorized activity was not initiated or completed within the time specified in the permit;

d. the application shall describe any changes in facts or circumstances involved with or affecting wetlands or watercourses or use of the land for which the permit was issued;

e. the Agency may, prior to the expiration of a permit, accept an untimely application to renew a permit if the authorized activity is ongoing and allow the continuation of work beyond the expiration date if in its judgement, the permit is likely to be renewed and the public interest or environment will be best served by not interrupting the activity.

7.10 Any application to renew or amend an existing permit shall be granted upon request of the permit holder unless the agency finds that there has been a substantial change in circumstances which requires a new permit application or an enforcement action has been undertaken with regard to the regulated activity for which the permit was issued provided a) no permit issued during the time period from July 1, 2006, to July 1, 2009, inclusive, shall be valid for more than eleven (11) years; and b) no permit issued prior to July 1, 2006, or after July 1, 2009 may be valid for more than ten (10) years. [Revised 7/2010]

APPLICATION FOR PERMIT FOR USE OF
INLAND WETLANDS AND WATERCOURSES
Lisbon, Connecticut

NAME OF APPLICANT:

Sean Cook

To be completed by Commission:

Application No.: 08-02 renewal

Date of Receipt:

Application Fee: \$75.

ADDRESS OF APPLICANT:

Home: 170 Mell Road

Business: _____

NAME OF PROPERTY OWNER:

Sean & Michelle Cook

ADDRESS:

170 Mell Road

TELEPHONE: Applicant

860 376 8811

Owner

Same

**Written consent must be attached if Applicant is not the property owner.

**Written description of functions of Wetlands and Watercourses must be attached as per Section of 7.4.4.

PURPOSE AND DESCRIPTION OF PROPOSED ACTIVITY, INCLUDING ANTICIPATED COMPLETION DATE: (Use additional sheet if needed)

To complete the approved remediation plan.
We would like the existing permit to be renewed
To extend the permit with a new completion
date, 10/31/2010 if acceptable.

GEOGRAPHICAL LOCATION OF PROPERTY TO BE AFFECTED BY PROPOSED ACTIVITY, INCLUDING, BUT NOT LIMITED TO, A DESCRIPTION OF THE LAND IN SUFFICIENT DETAIL TO ALLOW IDENTIFICATION OF THE INLAND WETLANDS AND WATERCOURSES: (Use additional sheet if needed)

Location is on previously submitted site plan.

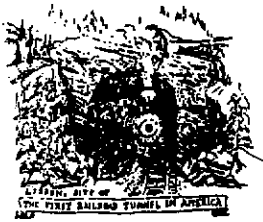
I hereby certify that I am familiar with all the information provided in this application, and I am aware of the penalties for obtaining a permit through deception or through inaccurate or misleading information.

Signed: _____

(Applicant)

Date:

6/24/10



CONSERVATION COMMISSION

TOWN OF LISBON

1 Newent Road
Lisbon, Connecticut 06351

Sean & Michelle Cook
170 Mell Road
Lisbon, CT 06351

Mr. & Mrs. Cook:

Your request for an extension for permit #05-09 was granted at the July 20, 2010 meeting of the Conservation Commission on the condition of an application renewal fee of \$75.00. The fee should be submitted to the Town Clerk in order for you to continue work.

Chairman, Hans Kvist

Susan G. Rainville, Clerk

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UNFINISHED BUSINESS CONT.

3. Cont. The Clerk was instructed to send Mr. Cook a letter explaining his approval is contingent on payment of the \$75. Fee.

4. Open Space Plan: No update.

PREVIOUSLY APPROVED APPLICATIONS: No action required.

NEW BUSINESS: None.

Rick Hamel arrived at this time.


ADJOURNMENT:

Motion to adjourn by Joe Lewerk. Second by Leonora Szruba.

VOTE UNANIMOUS, MOTION CARRIED.

Meeting adjourned at 7:15 P.M.


Susan G. Rainville, Clerk


Hans Kvist, Chairman

RECEIVED FOR RECORD AT LISBON.
CT ON 7/26/2010 AT 12:10pm
ATTEST. BETSY M. BARRETT, TOWN CLERK