

MINUTES
REGULAR MEETING
CONSERVATION COMMISSION
NOVEMBER 16, 2010
7:00 P.M.

MEMBERS PRESENT: Hans Kvist, Leonora Szruba, Rick Hamel, Joseph Lewerk and Alternate Dennis Savage.

MEMBERS ABSENT: Mark Sullivan & alternate Jim Labonne.

STAFF PRESENT: Joseph Theroux, Conservation Enforcement Official.

STUDENT AMBASSADORS PRESENT: Rebecca Weigel, Olivia Krauss and Hunter Bradshaw.

MINUTES: Motion by Lee Szruba to waive the reading of the minutes of the October 19, 2010 meeting, the October 23, 2010 site walk and the November 13, 2010 site walk and accept as presented. Second by Rick Hamel.

VOTE UNANIMOUS, MOTION CARRIED.

Motion by Lee Szruba to digress from the normal order of business and add to the agenda I. #4 Turkey Run and address I #1 first. Second by Rick Hamel.

VOTE UNANIMOUS, MOTION CARRIED.

I.1 Judy Fontaine, a teacher at Lisbon Central School introduced herself and the new student ambassador Hunter Bradshaw and told the Commission about Hunter and his goals.

PENDING APPLICATIONS:

Application # 10-14, Walter A. and Valerie A. Dziengiel, lot #7 Preston Allen Road.

Joe Lewerk stated he had been on the site walk and saw no impact on any wetland or wetland review area. Mr. Theroux explained to the Dziengiel's what could be done in the review area they were proposing to grade and requested they contact him before they start the project. A fee of \$260. was submitted.

Motion by Joe Lewerk to accept application #10-14 with the condition they contact the Enforcement Official before doing any work in the review area. Second by Rick Hamel. Rick Hamel amended the motion to state 75' from the edge of the wetland could not be disturbed and could be brush hogged only.

VOTE ON THE AMENDMENT UNANIMOUS.
VOTE UNANIMOUS, MOTION CARRIED.



CONSERVATION COMMISSION
TOWN OF LISBON
1 Newent Road
Lisbon, Connecticut 06351

NOTICE OF DECISION
TOWN OF LISBON
CONSERVATION COMMISSION

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RE: Application #10-14

Mr. & Mrs. Dziengiel:

At the regular meeting of the Lisbon Conservation Commission held in Town Hall on November 16, 2010, the application that was submitted for lot #7 Preston Allen Road was approved with the following conditions

- #1. The Conservation Enforcement Official must be contacted before doing any work in the upland review area.
- #2. 75' from the edge of the wetland can not be disturbed and can be brush hogged only.

If you have not already done so, you should contact the Building and Zoning office to determine other permit requirements, if any, on your project.

If you have any questions or need more information, please feel to contact Joseph Theroux, Conservation Enforcement Officer at 860-376-6842.

Sincerely,

Hans Kvist, Chairman

HLK: sr

Cc: R. Adams, Chairman, planning & Zoning
B. Hull, Zoning Enforcement Official
C. Brown, Building Official
File

STATEWIDE INLAND WETLAND & WATERCOURSE ACTIVITY REPORT
SUBMITTED TO D.E.P.

APPLICATION FOR PERMIT FOR USE OF
INLAND WETLANDS AND WATERCOURSES OR UPLAND REVIEW/BUFFER AREAS
Lisbon, Connecticut

NAME OF APPLICANT:

Dziengiel, Walter A.

Dziengiel, Valerie A.

ADDRESS OF APPLICANT:

Home: 11 Oakridge Lane, Bozrah, Ct. 06334

Business: _____

NAME OF PROPERTY OWNER: Dziengiel, Walter A. & Valerie A.

ADDRESS: 11 Oakridge Lane, Bozrah, Ct. 06334

TELEPHONE: Applicant _____ Owner 860-889-5391

To be completed by Commission:

Application No.: 10-14

Date of Receipt: 11/16/2010

Application Fee: \$ 260.-

**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)

Applicants would like to clear an opening to a pond located on property they own (Lot #7 Preston Allen Road, Lisbon, Ct.) to allow access to said pond for a small boat for fishing, and to enable said owners to walk down to said pond and enjoy a view of said pond for a future homesite on said lot. Said activity would be completed within 60 days of anticipated start date, weather permitting. If weather conditions do not allow enough time to establish a lawn, construction would start and be completed in the spring when weather permits. Perc tests were performed with Mr. Gosselin, Jr. (attached herewith) for a house site nearer the pond and a non-engineered system was approved.

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 AND UPLAND REVIEW/BUFFER AREA: (Use additional sheet if needed)

See attached survey map. Proposed clearing area would be approximately 150' of pond frontage by 100' deep.

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: 8/30/2010

LIST ALTERNATIVES TO APPLICATION PROPOSAL WHICH WERE CONSIDERED AND WHY THE APPLICATION PROPOSAL WAS CHOSEN: (Use additional sheet if needed)

There are no alternatives

ACREAGE OF WETLANDS AND WATERCOURSES ALTERED:

A. Soil type(s) (if available) [See map ACRES] CrD, WxC, WyB

ACREAGE OF WETLANDS OR WATERCOURSES CREATED: ... [0] ACRES

LINEAL FEET OF STREAM ALTERATION. [0] FEET

TOTAL AREA OF WETLANDS ON PROJECT SITE. [10] ACRES

TOTAL AREA OF UPLAND REVIEW/BUFFER ON SITE. [See map ACRES]

TOTAL LAND AREA OF PROPERTY [26.46] ACRES

ATTACH SITE PLAN AS PRESCRIBED IN SECTION 7

I, the property owner, hereby grant permission to the Inland Wetlands Commission and its designated agents to access the property involved in this application during its consideration and during the implementation of any resulting permit

Signed: [Signature] Date: 8/30/2010
(Property Owner)

(To be completed by the Commission)

Application Approved: Date: 11-16-10

Conditions of Approval, if any: APPROVED WITH CONDITIONS

#1. The Conservation Official must be contacted before doing any work in upland review area. #2. 75' from the edge of the wetland can not be
Expiration Date: disturbed and can be brush hogged only.

Extension Date: _____

Date of Review of Completed Work: _____

Application Denied: Date: _____

Reasons for Denial: _____

[Signature] 11-16-10

Signature of Chairman or Secretary of Commission



CONNECTICUT DEPARTMENT OF
ENVIRONMENTAL PROTECTION
79 Elm Street
Hartford, CT 06106-5127

Gina McCarthy, Commissioner

GIS CODE #:
For DEP Use Only

Statewide Inland Wetlands & Watercourses Activity Reporting Form

Please complete and mail this form in accordance with the instructions. Please print or type.

PART I: To Be Completed By The Inland Wetlands Agency Only

- DATE ACTION WAS TAKEN: Year 2010 Month November
- ACTION TAKEN (circle one): (A) B C D E F G H
- WAS A PUBLIC HEARING HELD? Yes _____ No X
- NAME OF AGENCY OFFICIAL VERIFYING AND COMPLETING THIS FORM:
(print) Hans Kuist (signature) Hans L. Kuist

PART II: To Be Completed By The Inland Wetlands Agency Or The Applicant

- TOWN IN WHICH THE ACTION IS OCCURRING: Lisbon, Ct.
Does this project cross municipal boundaries? Yes _____ No ✓
If Yes, list the other town(s) in which the action is occurring: _____
- LOCATION: USGS Quad Map Name: 7.5 Minute Quadrangles AND Quad Number: 72
Subregional Drainage Basin Number: _____
- NAME OF APPLICANT, VIOLATOR OR PETITIONER: DZIENGIEL, Walter A + VALERIA
- NAME & ADDRESS/LOCATION OF PROJECT SITE: (Lot #7) Preston Allen Road
Briefly describe the action/project/activity: _____
- ACTIVITY PURPOSE CODE: G
- ACTIVITY TYPE CODE(S): 12
- WETLAND / WATERCOURSE AREA ALTERED [must be provided in acres or linear feet as indicated]:
Wetlands: 0 acres Open Water Body: 0 acres Stream: 0 linear feet
- UPLAND AREA ALTERED [must be provided in acres as indicated]: .344 acres
- AREA OF WETLANDS AND / OR WATERCOURSES RESTORED, ENHANCED OR CREATED: 0 acres
[must be provided in acres as indicated]

DATE RECEIVED:

PART III: To Be Completed By The DEP

DATE RETURNED TO DEP:

FORM COMPLETED: YES NO

FORM CORRECTED / COMPLETED: YES NO

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Labonne application cont.

Mrs. Labonne submitted a fee of \$525. for application #10-15

NEW APPLICATIONS:

1. Marc Coen -Subdivision Route 169 and Ames Road.

COMMUNICATIONS AND BILLS:

Communications:

1. Bookkeeper re: October budget statement
2. Board of Finance re: 2011-2012 budget request.
3. Reappointments -
4. Letter, Zoning Enforcement Officer re: 54 Strawberry Street, use of ATV's on open space land and 50 Strawberry Street, placement of shed near wetland. Motion by Rick Hamel to have the C.E.O. investigate. Second by Dennis Savage.

VOTE UNANIMOUS, MOTION CARRIED.

5. CT Transportation Institute re: Safety Workshop
6. DEP re: Segment 3 Training Program.
7. Wildlife – Sept/Oct issue
8. The Habitat – Fall 2010 issue

Bills:

Statement from Joseph Theroux dated 8/1/2010 invoice #69-10 for the month of October in the amount of \$700. Motion by Rick Hamel to pay the bill. Second by Dennis Savage.

VOTE UNANIMOUS, MOTION CARRIED.

REPORTS OF OFFICERS, COMMITTEES & STAFF: None

UNFINISHED BUSINESS:

1. ABS Development-320 N. Burnham Hgwy.
CEO Joseph Theroux reported he had been in contact with Mr. Koziol and explained the work has to be performed soon and stated he is sending a list of Soil Scientists to Mr. Koziol.
2. Open Space Plan. Nothing to report
3. PSK .

CEO Joseph Theroux stated he has observed stockpiling of earth in the buffer, a test hole where the pond was proposed to be and stated if the Commission wished they could have the Town Attorney issue an injunction, issue a cease and desist or revoke the application.

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PENDING APPLICATIONS: Cont.

Application #10-15, James Labonne, 109 Newent Road.

Chairman Kvist explained that after the Commission's field walk on October 23rd he had contacted CLA Engineers, Inc. to view 109 Newent Road and give the Commission their findings. Lee Szruba read the report. (Report attached.) Robert Russo, C.S.S. was in attendance and gave the Commission a brief report on his findings and offered to answer any questions the Commission might have. Chairman Kvist asked if the members had any concerns Mr. Russo could address. Rick Hamel expressed concern that the building was not placed where it would be the least impact to the wetlands and questioned an alternative placement of the garage; Mr. Russo explained he did not see a significant difference between run off from the existing blacktop and the building. He stated he would suggest the tree that had been damaged be replaced. Rick Hamel stated his concern of gas or diesel being spilled in the garage and running into the wetlands. Chairman Kvist questioned if requiring a curb on the driveway would help with run off. Mr. Russo suggested a 2" drop in the garage floor would address any concerns Chairman Kvist questioned gutter run off. Mr. Russo stated the project would require a stable site for runoff from both the curtain drain and the gutters and replanting of the down slope into the wetland. Rick Hamel suggested tabling of the application for 30 days so the Commission could get the Town Attorney's opinion. Chairman Kvist suggested a motion to accept the application with the conditions a 2" drop be required in the garage floor, Tree be replanted, a plunge area be created for both the gutters and the curtain drain and a review and approval by the Town Attorney. Lee Szruba stated she would make the motion. Dennis Savage questioned the procedure on previous applications that were after the fact. Chairman Kvist stated the point of referring the application is because the applicant is a board member. Joe Lewerk questioned the fees for complex applications. After researching the fee schedule Chairman Kvist stated in a complex application the applicant can be made to pay additional fees incurred. Joe Lewerk amended the motion to have the applicant pay the additional fees once they were established. Motion second by Rick Hamel.

VOTE AMENDMENT:

Leonora Szruba, No.
Richard Hamel, Yes.
Dennis Savage, Yes.
Joseph Lewerk, Yes.
Hans Kvist, Yes.

AMENDMENT CARRIED.

VOTE UNANIMOUS, MOTION CARRIED.



CONSERVATION COMMISSION
TOWN OF LISBON
1 Newent Road
Lisbon, Connecticut 06351

NOTICE OF DECISION
TOWN OF LISBON
CONSERVATION COMMISSION

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RE: Application #10-15

Mr. & Mrs. Labonne:

At the regular meeting of the Lisbon Conservation Commission held in Town Hall on November 16, 2010, the application that was submitted for 109 Newent Road was approved with the following conditions

- #1. A drop of 2" in the garage floor is required.
- #2. The damaged tree is to be replaced.
- #3. A plunge area be created for the gutters and the curtain drain.
- #4. Slope into wetlands be vegetated.
- #5. Review of hearing and opinion of the Town Attorney is received and reviewed.
- #6. Payment of additional fees be paid by applicant.

If you have not already done so, you should contact the Building and Zoning office to determine other permit requirements, if any, on your project.

If you have any questions or need more information, please feel to contact Joseph Theroux, Conservation Enforcement Officer at 860-376-6842.

Sincerely,

Hans Kvist, Chairman

HLK: sr

Cc: R. Adams, Chairman, planning & Zoning
B. Hull, Zoning Enforcement Official
C. Brown, Building Official
File

STATEWIDE INLAND WETLAND & WATERCOURSE ACTIVITY REPORT
SUBMITTED TO D.E.P.

APPLICATION FOR PERMIT FOR USE OF
INLAND WETLANDS AND WATERCOURSES OR UPLAND REVIEW/BUFFER AREAS
Lisbon, Connecticut

NAME OF APPLICANT:

JAMES & NANCY LABONNE

To be completed by Commission:

Application No.: 10-15

Date of Receipt: 11-16-2010

Application Fee: _____

ADDRESS OF APPLICANT:

Home: 109 NEWENT ROAD, LISBON CT. 06351

Business: _____

NAME OF PROPERTY OWNER: JAMES & NANCY LABONNE

ADDRESS: 109 NEWENT ROAD, LISBON CT. 06351

TELEPHONE: Applicant 860-376-0892 Owner 860-376-0892

**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)

ADDITION TO HOUSE WITH 3 CAR GARAGE
ATTACHED TO HOUSE, FINISH DATE, 12-2010, EXCESS FILL
FROM SITE USED IN BACK YARD.

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 AND UPLAND REVIEW/BUFFER AREA: (Use additional sheet if needed)

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: 10/2/2010

Nancy Labonne

10/2/10

FORM #IWWC07-01

**TO REPORT PROPOSED PERMITTED OR NON-REGULATED ACTIVITY ON ACREAGE CONTAINING
WETLANDS/WATERCOURSES OR UPLAND REVIEW/BUFFER AREAS
(This is an informational report, not an application)**

Name of property owner: JAMES & NANCY LABONNE

Address of property owner: 109 NEWENT ROAD
LISBON CT. 06351

Telephone number of property owner: 860-376-0892

Name of person proposing the activity, if other than owner:

PROPERTY OWNER

Address: _____

Telephone number: _____

LOCATION OF PROPERTY TO BE AFFECTED BY THE PROPOSED ACTIVITY:

DRIVE WAY AT END OF DRIVEWAY

RIGHT SIDE OF

WILL THE PROPOSED ACTIVITY IN ANY WAY DISTURB THE NATURAL AND INDIGENOUS CHARACTER OF THE
WETLAND/WATERCOURSE OR UPLAND REVIEW AREA/BUFFER? ☒ Yes ☒ No

PURPOSE AND DESCRIPTION OF THE ACTIVITY (PLEASE INCLUDE SUFFICIENT INFORMATION TO ENABLE
THE CONSERVATION COMMISSION TO DETERMINE THAT THE PROPOSED OPERATION OR USE IS A
PERMITTED OR NON-REGULATED USE OF THE WETLANDS/WATERCOURSES OR UPLAND REVIEW
AREA/BUFFER IN ACCORDANCE WITH CURRENT REGULATIONS. AND STANDARDS).

ADDITION TO
HOME WITH A THREE CAR GARAGE, EXCESS FILL FROM SITE WILL
BE USED TO CREATE A BIGGER BACK YARD, BUT WILL NOT
IMPACT WET LANDS, SLOPED GROUND TO WETLANDS WILL
BE SEEDED TO PREVENT EROSION. SILT FENCE WAS INSTALLED
FOR CONSTRUCTION PURPOSES

Received by: Hans L. Kist

At mtg dtd.: _____

Agency determination: APPROVED WITH CONDITIONS

*See back of form
for conditions

Dated: 11-16-10

CLA Engineers, Inc.

Civil • Structural • Survey

317 MAIN STREET • NORWICH, CT 06360 • (860) 886-1966 • (860) 886-9165 FAX

Mr. Hans Kvist
Chairman
Inland Wetlands
1 Newent Road
Lisbon, CT 06351

November 11, 2010

RE: 109 Newent Rd Review, Lisbon
CLA-4738

Dear Mr.: Kvist

At your request CLA has conducted an on-site review of the referenced property, 109 Newent Rd, Lisbon CT. This review was conducted due to concerns raised by the commission due to work being performed on the property in close proximity of inland wetlands. The site walk was conducted on November 10, 2010 in the presence of the owner, Mr. Labonne. Mr. Labonne also provide a copy of a site plan prepared by Mark Sullivan, L.S. and C.S.S. and pictures of the site that were taken before soil disturbance occurred.

CLA notes the following:

1. Based on field review and the site plan, no filling of wetlands occurred.
2. Based on field review, silt fence is in place along the edge of the wetland and is functioning properly.
3. Based on field review, there was no evidence that sediments had entered the wetland.
4. Based on the site plan, and field review, the garage and associated grading are within the upland review zone and require a permit from the commission.
5. Based on photographs provided by the owner and a review of the 2004 CTDEP air photographs, much of the area to be covered by the garage was paved driveway and the remainder was lawn.
6. The site plan shows the location of side lot and front setbacks, the septic system and the well. These indicate that the most feasible location for a garage is as proposed by the owner.
7. During the site walk, a new footing drain was found (also shown on plan) to allow future discharge near the wetland edge.
8. One tree was removed near the wetland edge

Based on the site plan, the findings made in the field, and photographs of pre-existing conditions CLA believes that the activities proposed and partially completed require a permit from the Inland Wetlands and Watercourses Commission. CLA also believes that the garage construction has not had direct wetland impacts, and based on the fact that it is largely replacing paved driveway, it is unlikely to have long-term wetland impacts.

CLA noted two areas of minor concern during the site walk: the footing drain outlet and the tree that had been pushed over. It is recommended that the footing drain outlet be improved to

protect against erosion (i.e. cut it back flush to the bank and place stone to slow water flows) and that 2-3 small red maple trees (1 inch caliper) be planted where the tree was removed.

Based on the lack of wetland impacts and lack of other, better places to locate the garage, CLA believes that the garage and associated grading are activities for which a permit can be granted, should the commission be so inclined.

Sincerely,


Robert C. Russo, C.S.S.

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Motion by Joe Lewerk to have the CEO revoke application #09-07 because of non payment application fee of \$380., buffer replanting not implemented and work being preformed in an upland review area. Second by Lee Szruba.

VOTE UNANIMOUS, MOTION CARRIED.

PREVIOUSLY APPROVED APPLICATIONS: No action required.

NEW BUSINESS:

1. LCS Student Ambassadors

Judy Fontaine addressed the Commission requesting ideas for projects for the Student Ambassadors to promote wetland awareness.

2. Reappointments:

Motion by Joe Lewerk to request the Board of Selectmen reappoint Hans Kvist, Leonora Szruba and Richard Hamel to the Commission. Second by Dennis Savage.

VOTE UNANIMOUS, MOTION CARRIED.

3. FY 2011/2012 Budget

Motion by Lee Szruba to request funding for LI# 52030 in the amount of \$9000. and LI # 53050 in the amount of \$2500. Second by Joe Lewerk.

VOTE UNANIMOUS, MOTION CARRIED.

4. Turkey Run

No one present.

ANY OTHER BUSINESS:

CEO Joseph Theroux stated Jamie Rabbit had spoken to him concerning the excavation done at 180 Newent Road.

ADJOURNMENT:

Motion to adjourn by Rick Hamel. Second by Joe Lewerk. Meeting adjourned at 7:20 P.M.


Susan G. Rainville, Clerk


Hans Kvist, Chairman

RECEIVED FOR RECORD AT LISBON.
CT ON 11/19/2010 AT 9:55 AM
ATTEST. BETSY M. BARRETT, TOWN CLERK