

CONSERVATION COMMISSION

Salisbury, Conn. 06068

Tuesday-April 8, 1980

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ATTENDANCE- Those in attendance were: Chairman Williams, Cuddy, Legg, Walker, Warner, Stevens. Silta & Bushnell. (Mrs. Legg left at 8:50)

MINUTES- A motion was made by Mr. Warner, seconded by Mrs. Legg, and carried unanimously to approve the minutes of 2/13/80, as corrected, on 3/11/80.

A motion was made by Mrs. Legg, seconded by Mr. Warner, and carried unanimously to approve the minutes of 3/11/80.

OLD BUSINESS :

Ackerman- No follow up has been done on the Ackerman application which was approved on 2/13/80, to place sand in front of a boat house.

Maltby- (Mr. Warner disqualified himself from this matter, due to a conflict of interest.) Attorney C. Vail was present at tonight's meeting. The members of the Commission were brought up to date on the Maltby-Burton Road subdivision report. Mr. Vail would like to know the areas of concern of the Conservation Commission, and to determine what permits will be required by the applicant. Mr. Vail was asked certain questions by Mr. Williams, and the rest of the Commission, concerning the calculations listed in the Drainage Impact Study, and the way in which they came up with a 0% runoff. According to Mr. Vail, they ~~cannot~~ feel they can develop the property with a 0% runoff for the 60 lot design. Mr. Vail was asked by the Commission if he would object to a 200 foot buffer zone, rather than a 150' buffer zone. Mr. Vail said this would be agreeable.

Members of the Commission discussed in detail a list of recommendations to be passed on to the Planning & Zoning Commission concerning this application. A motion was made by Mrs. Walker, seconded by Mrs. Cuddy, and carried unanimously to recommend the following three (3) points to the P&Z Commission.

1. A maximum lot number of approximately 60 as a total.
2. A 200 foot buffer strip.
3. The provisions of the Erosion and Sediment Control Handbook be required of the subdivision lot owners. (This handbook is put out by the Soil Conservation Service.)

It was unanimously agreed by the members of the Commission that the road construction and the sedimentation basin have the potential for a significant activity and will require a permit and a public hearing. Mr. Vail at this time, filed an application with the Conservation Comm., and left nine (9) maps, and the engineering plans as exhibits for the Conservation Commission.

A motion was made by Mrs. Cuddy, seconded by Mr. Stevens, and carried unanimously to accept the Maltby-Burton Road subdivision application as complete, and set May 13, 1980 at 8:00 P.M. as the Public Hearing Date. The vote-aye-Williams, Cuddy, Walker, ~~Warner~~ Stevens. (Mrs. Legg was not present for this voting.)

Mr. Vail was asked if the Conservation Commission will have the right to

Conservation Commission

Tues.-April 8, 1980

Page-2-

inspect and look over the project, if it is approved. Mr. Vail replied that they will have the right to inspect it.

NEW BUSINESS :

Twin Lakes Beach Club- A motion was made by Mrs. Walker, seconded by Mrs. Cuddy, and carried unanimously to approve Application # 30 dated 3/28/80 of the Twin Lakes Beach Club, for the removal of weeds and muck from the beach area, with the stipulation that the spoil area be graded and seeded; pursuant to Sect. 6 $\frac{1}{3}$  of the Conservation Commission Regs. Mr. Len Godding, contractor, was present, and acknowledged that this would be done.

Fair Acres- A motion was made by Mrs. Walker, seconded by Mrs. Cuddy, and carried unanimously to approve the date Wednesday, April 23, 1980 at 8:00 P.M. as the date for the Public Hearing on the Fair Acres application.

On April 11, 1980 at 10:30 A.M. D.E.P. Water Resources personnel have an appointment at the Ortiz cemetery area to inspect the Fair Acres property.

Members of the Commission were told by Mr. Warner, and Mrs. Cuddy that Kings Mark has reversed their decision and will do an update on the Fair Acres application, as requested by the Conservation Commission. Mr. Warner spoke to the Commission members concerning his feelings about the Kings Mark report, and reasons why they did not want to do another update. Mr. Warner told the members that he feels that the Commission needs, in addition to King's Mark and the DEP, an expert who could take all the data and analyze the project, and put it all together and tell the Commission what to expect. An expert could also be an interpreter for information received, and help in making decisions and guide the Commission. The members of the Commission all agreed with Mr. Warner. Mr. Warner suggested the names of two expert consultants, namely, Dr. William Neiring, Professor, and Dr. Richard Benoit. All members of the Commission were in agreement for getting expert advice, therefore Mr. Williams will speak to Mrs. Reid about this, and Mr. Warner will contact the ~~Dr. Williams~~ Professor's, to see if they would be available.

Mrs. Cuddy will follow up on the King's Mark report, and will contact Mr. Rick Lynn, and notify him of the date of the Public Hearing, and tell him that the Commission would like King's Mark at the hearing.

COMMUNICATIONS :

Memo- A memo dated 4/7/80 from Charlotte Reid was read to the members. The memo deals with complaints she has received with regard to excessive

CONSERVATION COMMISSION

Tues.-April 8, 1980

Page-3-

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dust from the sod area at Fair Acres, and other complaints she has received. Mr. Warner suggested that this matter be tabled until after Friday, April 11, 1980, when the Conservation Commission can inspect the site. All of the members were in agreement with Mr. Warner. A conclusion of the Comm. will be arrived at at the next meeting of the Conservation Commission. Mr. Williams will notify Mrs. Reid of the Commissions decision.

Various letters and responses were passed around to the members of the Commission for them to look over.

Future legal council and attorneys was discussed by the Commission members. This discussion will be continued ~~etc~~ further, at a later meeting.

The meeting was adjourned at 10:20.

/cb

APPROVED Doris R. Walker

CONSERVATION COMMISSION



**TOWN OF SALISBURY**  
**CONNECTICUT**

LEGAL NOTICE  
TOWN OF SALISBURY  
CONSERVATION COMMISSION

The Conservation Commission will hold a public hearing on Tuesday, May 20, 1980 at 8:00 P.M. in the Town Hall on an application by Richard E. Maltby, Jr. for construction of a sedimentation pond and road building. This property is located Westerly of Lincoln City Road and bounded generally on the North by Terence Solan, Ira Ames, Richard E. Maltby, Jr., Gail S. Reed, Selleck Hill Land Corp., Upland Meadow Road, Joanne Carlisle: East by Karen B. Chase, Lincoln City Road, Robert F. & Sandra Haiko, Judith Snyder, Kathleen R. & Justin Rosenblatt, Jr.: South by Porter Street, Gordon S. & Charlotte Reid, Burton Brook, Lena R. Shapiro, Jonathan Stephen Canno: West by Stanley W.G. Lehman, Richard E. Maltby, Jr., Theodore O. Rudd, Robert McGrath, Mildred Moore, George E. Dyke, Alice B. Yoakum, Selleck Hill Land Corp.

The application and plans are on file at the Town Hall. At this hearing interested persons may be heard and written communications received.

Dated at Salisbury, Ct. this 8th. day of May 1980.

Conservation Commission  
of Salisbury  
Dorothy R. Walker, Secretary

or publication in the Lakeville Journal issue of May 8, 1980.

CONSERVATION COMMISSION

Salisbury, Conn. 06068

Tues. May 20, 1980

PUBLIC HEARING-MALTBY PLAN

Tape-No. 1-Side A-0 min to end. Side B-0 min to end.

Tape-No. 2-Side A-0 min to 13 min.

ATTENDANCE - Those in attendance were: Chairman Williams, Briscoe, Stevens, Cuddy, Walker, Warner. Silta & Bushnell. (Mr. Warner was present, but disqualified himself from this hearing.)

Chairman Williams called the Public Hearing to order at 8:00 P.M. He then introduced the members of the Commission to the audience.

Mrs. Walker read the call concerning:

An application by Richard E. Maltby, Jr. for construction of a sedimentation pond and road building. This property is located Westerly of Lincoln City Road.

Chairman Williams explained the procedure of the Public Hearing to the audience. Mr. Silta presented to the Commission the application and the documents, and introduced Mr. C. Vail, attorney representing the applicant. Mr. Vail told the Commission that the three recommendations of the Conservation Commission to the Planning & Zoning Commission have been agreed to. The revised plans to be submitted to the Planning & Zoning Commission were shown to the Conservation Commission. Mr. Vail told the Conservation Commission that they are prepared to agree to a 63 lot limitation. Mr. Vail told the Commission that the recommendations and standards of the Erosion and Sedimentation Control Handbook have been incorporated on the sub-division plan, and that further lot development is designed so the run-off is not increased. The impact as designed is a 0% runoff.

Mr. Robert Isabelle, Engineer, explained to the Commission his 50 year drainage impact study. He also explained to the Commission how a detention pond works.

Mr. Vail and Mr. Isabelle told the Commission members that detention ponds will be put in before the construction of the road, beyond the ten (10) lots.

Chairman Williams requested the applicant to establish a one-foot maximum Back-Water Runoff for Burton Brook. Mr. Isabelle told the Commission that he considered this in his study, however, this doesn't apply, and that standard is not appropriate. He told the Commission that the net effect of their design is 0% impact, and that no more water will be put in the brook, and that there will be no runoff. Mr. Vail raised a strenuous objection to this request and told the Commission that he would not recommend this to his client. He told the Commission that if the water were to rise at the bridge, which was listed as a stress point, from any other source, how would they be able to prove that it wasn't their fault. Mr. Williams told ~~that~~ Mr. Vail that this was the recommendation of an engineer that he spoke to. Mr. Vail told Mr. Williams that he disagrees with this request.

Mr. Vail was asked by the Commission if any study has been done on the effect of chemicals and salt to be used on the road in the winter months. Mr. Vail replied that there have been no studies done on this.

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Mr. Dunbrow asked the Commission members why a new standard is being requested now, and told the Commission that this seems like a delaying tactic.

Mr. Williams told Mr. Dunbrow that this has just been brought to his attention.

Mr. H. Roberts told the members of the Commission that he feels it would be a good idea for the Commission to have an independent engineer do a study, and told the Commission that he feels that there will be an impact on Burton Brook.

Mr. William Silta asked Mr. Vail and Mr. Isabelle to explain the difference between a 50 year storm and a 100 year storm, Mr. Isabelle explained the difference

Mr. I. Ames asked questions concerning their plan for maintaining the facilities. Mr. Vail explained that the lot owners will share the cost proportionately with the owner for the maintenance, until when and if the town takes over the road, at which time the town will take over the maintenance of the facilities.

The meeting was adjourned at 10:00.

/cb

APPROVED Doris R. Walker

CONSERVATION COMMISSION

Salisbury, Conn. 06068

Tuesday-June 3, 1980

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SPECIAL MEETING

ATTENDANCE- Those in attendance were: Chairman Williams, Walker, Briscoe, Cuddy, Legg, Silta & Bushnell.

MINUTES- A motion was made by Mrs. Walker, seconded by Mrs. Legg, and carried unanimously to approve the minutes of 5/13/80.

MALTBY - Members of the Commission met tonight for an evaluation of the Maltby application. Mr. Williams reported to the Commission that he conducted an investigation with the D.E.P. as to their opinion of the Back Water Increase Standard, and according to Mr. Williams report, they do have a different opinion with regard to this standard.

Mr. Williams reported to the Commission that he spoke to Attorney Vail and both parties agreed that rather than using the Back Water Increase Standard, a logical alternative would be to use a 100 year storm level standard. The opinion of the D.E.P. is that this would be a very satisfactory and adequate alternative. Mr. Williams recommended that the Commission accept this as a very desirable alternative.

Mr. Isabelle, Civil Engineer, presented the Commission members with a Supplemental Drainage Impact Study for a 100 year storm, and went over it with the Commission members. He told the members that it is the same drainage plan, as previously received, however, it has been upgraded for a 100 year storm. There are no essential changes.

A motion was made by Mrs. Legg, seconded by Mrs. Briscoe, and carried unanimously that the application submitted be accepted as modified.

Mrs. Cuddy voiced her concern with regard to possible pollution of Burton Brook resulting from salt and chemicals used on the road. Commission members were in agreement that they have no control over this matter.

A motion was made by Mrs. Legg, seconded by Mrs. Briscoe, and carried unanimously to approve the plan as submitted and revised.- So ordered.

The four (4) conditions of the Conservation Commission have been met by the applicant, therefore the application and the plan have been approved by the Commission. ( The four conditions are-1. A maximum lot number, 2. A 200 foot buffer strip, 3. The provisions of the Erosion and Sediment Control Handbook be required of the subdivision lot owners, and 4. The 100 year run-off standard. )

NEW BUSINESS

BRUSH- Members of the Commission spoke to Attorney Vail about the Cease and Desist order which was sent to Mrs. Brush for a pond which is being excavated without a permit. Attorney Vail told the Commission members that he has spoken to Mr. Bruce Kelly of New York City, who is the landscape architect, and Mr. Kelly told Mr. Vail that he did not know about local requirements. Mr. Vail has requested Mr. Kelly to come up with a plan which can be submitted to the Conservation Commission at their next meeting.

CONSERVATION COMMISSION

Tues.-June 3, 1980

Page-2-

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WASHINEE HEIGHTS - Mr. Williams reported to the Commission that it has been brought to his attention by Mrs. Reid, that a Mr. Haupt of Between The Lakes Road is concerned about a run-off problem in a cultivated ~~field~~ field at Washinee Heights. This matter will be tabled until the next meeting of the Commission, and in the meantime, any member who is able to go and look over the area, is urged to do so.

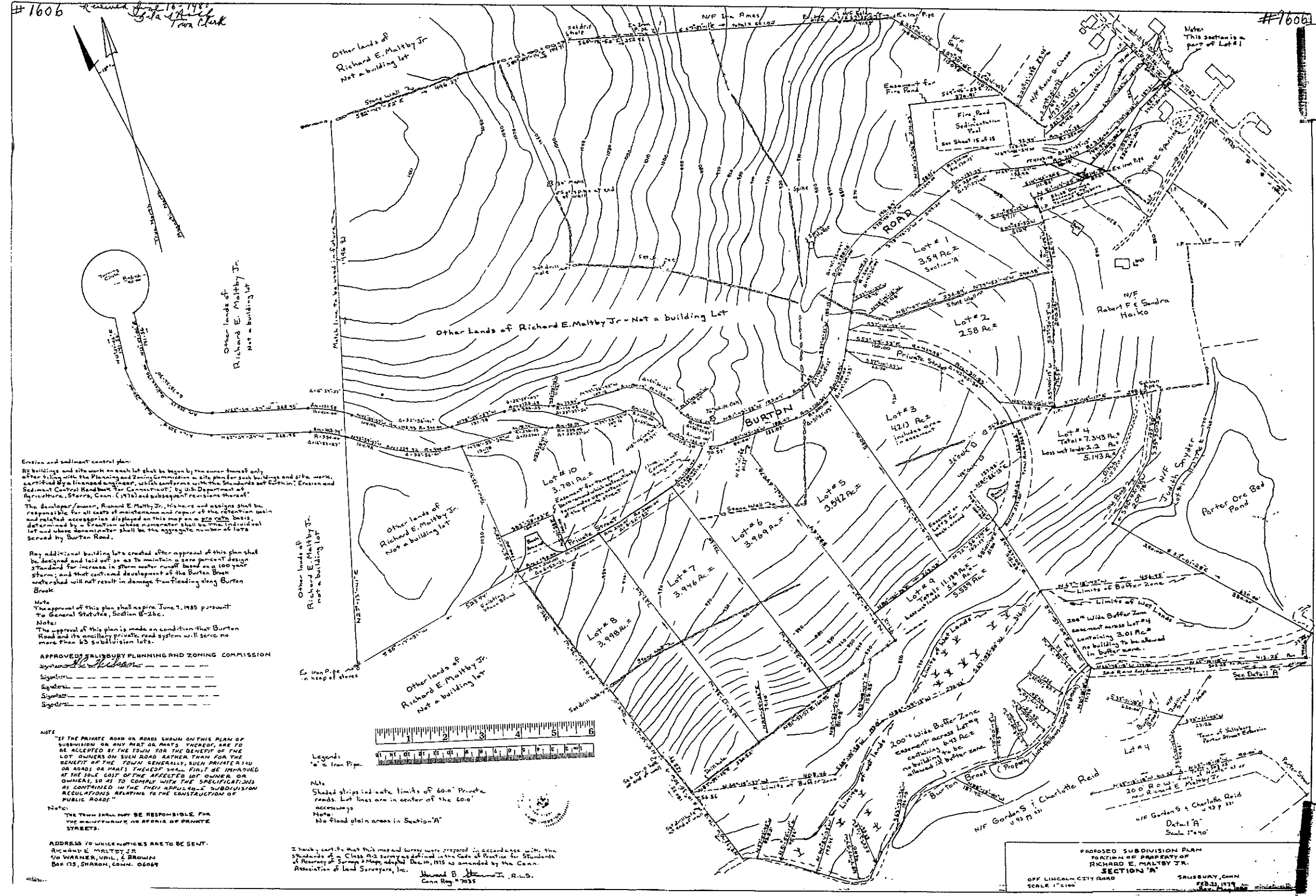
DOTTY SMITH INC. - Members of the Commission looked over a Site Plan Study for Dotty Smith Inc. This property is located behind the L.P.M. It was suggested to the Commission members that they visit the site and look it over.

A motion was made by Mrs. Legg, seconded by Mrs. Walker, and carried unanimously to adjourn the meeting at 9:17.

/cb

APPROVED Doris R. Walker





Erosion and sediment control plan:  
 All buildings and site work on each lot shall be begun by the owner thereof only after filing with the Planning and Zoning Commission a site plan for such buildings and site work, certified by a licensed engineer, which conforms with the Standards set forth in Erosion and Sediment Control Handbook for Connecticut, by US Department of Agriculture, State, Conn. (1978) and subsequent revisions thereof.  
 The developer/owner, Richard E. Malby Jr., his heirs and assigns shall be responsible for all costs of maintenance and repair of the retention basin and related accessories displayed on this map on a pro rata basis, determined by a fraction whose numerator shall be the individual lot lot and whose denominator shall be the aggregate number of lots served by Burton Road.

Any additional building lots created after approval of this plan shall be designed and laid out so as to maintain a zero percent design standard for increase in storm water runoff based on a 100 year storm; and that continued development of the Burton Brook watershed will not result in damage from flooding along Burton Brook.

Note:  
 The approval of this plan shall expire June 1, 1985 pursuant to General Statutes, Section 8-23c.

Note:  
 The approval of this plan is made on condition that Burton Road and its ancillary private road system will serve no more than 63 subdivision lots.

APPROVED SALISBURY PLANNING AND ZONING COMMISSION  
 Signature: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Signature: \_\_\_\_\_

NOTE:  
 "IF THE PRIVATE ROAD OR ROADS SHOWN ON THIS PLAN OF SUBDIVISION OR ANY PART OR PARTS THEREOF, ARE TO BE ACCEPTED BY THE TOWN FOR THE BENEFIT OF THE LOT OWNERS ON SUCH ROAD, RATHER THAN FOR THE BENEFIT OF THE TOWN GENERALLY, SUCH PRIVATE ROAD OR ROADS OR PARTS THEREOF SHALL FIRST BE IMPROVED AT THE SOLE COST OF THE AFFECTED LOT OWNER OR OWNERS, SO AS TO COMPLY WITH THE SPECIFICATIONS AS CONTAINED IN THE THEN APPLICABLE SUBDIVISION REGULATIONS RELATING TO THE CONSTRUCTION OF PUBLIC ROADS."  
 Note:  
 "THE TOWN SHALL NOT BE RESPONSIBLE FOR THE MAINTENANCE OR REPAIR OF PRIVATE STREETS."  
 Legend:  
 "x" Iron Pipe  
 Note:  
 Shaded strips indicate limits of 60' Private roads. Lot lines are in center of the 60' accessways.  
 Note:  
 No flood plain areas in Section 'A'

ADDRESS TO WHICH NOTICES ARE TO BE SENT:  
 RICHARD E. MALBY JR.  
 50 WARMER, WIL., 2 BROADWAY  
 BOX 175, SHARON, CONN. 06089

I hereby certify that this map and survey were prepared in accordance with the Standards of a Class A2 Survey as defined in the Code of Practice for Standards of Accuracy of Survey Maps, adopted Dec 10, 1975 as amended by the Conn. Association of Land Surveyors, Inc.  
 Howard B. Stewart, R.L.S.  
 Conn Reg #7035

PROPOSED SUBDIVISION PLAN  
 PORTION OF PROPERTY OF  
 RICHARD E. MALBY JR.  
 SECTION 'A'  
 OFF LINCOLN CITY ROAD  
 SCALE 1"=100'  
 SALISBURY, OHIO  
 FEB 22, 1980