

**CONSERVATION COMMISSION
REGULAR MEETING MINUTES
April 11, 2016 7:30 P.M.
MEETING ROOM B MADISON TOWN CAMPUS**

Subject to approval: Minutes of the Meeting of April 11, 2016 - 7:30 p.m. - Meeting Room B- Madison Town Campus

Members present: Chairman Heather Crawford, Vice Chairman Christine Bouchard, L. Kealoha Freidenburg, Joan O'Neill, and Richard Gedney.

Members absent: Clyde Burkhardt and George McManus.

Additional attendees: Inland Wetlands Officer Robert Kuchta; Director of Planning and Economic Development David Anderson.

1. **Call meeting to order:** Chairman Crawford called the meeting to order at 7:35 p.m.
2. **Call for additional agenda items:** Commissioner O'Neill asked that mosquitos be placed on the agenda under the educational item.
3. **Application Review: P&Z 16-07. 2076 Durham Road. Map 160, Lot 33. RU-1 District. Owner/Applicant: William G. Butterly, III 2076 Durham Road LLC. Special Exception Permit Modification to re-establish stabling of horses on a 6.6 acre parcel.**

Director of Planning and Economic Development David Anderson explained that there were three separate parcels, until Mr. Butterly acquired the property, and now it is one parcel; it has been used as stables before, up to 18 stalls were on the site in 2014; approval from the Planning and Zoning Commission requires a special exception permit modification in a rural residential zone. One of the highlights of the proposal is that a manure management system will be used, according to Mr. Anderson. It will be an enclosed system, which should cut down on the numbers of flies and odors, according to Chairman Crawford. Mr. Anderson explained that there is a residence about 150 feet away from the manure management system and a second residence about 200 feet away, and he suggested it might be a better idea to locate that system east of the barn, to give it more buffer from adjacent property owners. It has a containment system, Inland Wetlands Officer Robert Kuchta stated. Chairman Crawford stated that trails in the back of the property are being mentioned, but the entire back half of the property is wetlands. Trails have always been discouraged, due to the manure and horses stirring up the wetlands, Mr. Kuchta stated. There is an existing house and an existing accessory apartment on the site; plans are to rent out the house as well as the accessory apartment; the stables manager is expected to be renting the accessory apartment, according to Mr. Anderson. There will be no building or stable expansion on the property, according to Mr. Anderson. Chairman Crawford stated that before a trail system is developed, she would want the area surveyed and walked, before horses are brought back there, since obviously it is a huge wetlands area, containing a tributary of the Hammonasset River; in addition, there is Regional Water Authority property nearby, but it is located in Killingworth. Mr. Anderson stated that his understanding is that trails are exempt from inland wetlands, but Mr. Kuchta stated that they would have to get a ruling from the Inland Wetlands and Watercourses Agency. Chairman Crawford stated that if the property owner has any plans to do anything in the paddock or ring area, those plans would have to go before the Inland Wetlands and Watercourses Agency. A soil scientist should review the wetlands area, before a trail system is created, Commissioner Freidenburg stated. Mr. Anderson suggested that a letter from the Conservation Commission should state that trails or any expansion of the pasture area, paddock, or ring

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area will require inlands wetlands review. Any letter should make it clear that it is all wetlands soils in the back, stated Commissioner Freidenburg. It is upstream of the Hammonasset reservoir, which is drinking water, and it is connected, according to Chairman Crawford. The Conservation Commission letter should also state that if the plans are to stay within the existing footprint, the new manure management system should be as far away from wetlands, as feasible, and any expansion of the property on the east side should require wetlands delineation, according to Chairman Crawford.

Commissioner O'Neill made the motion that the Conservation Commission chairman draft and send a letter to the Planning and Zoning Commission that includes the above-mentioned recommendations; it was seconded by Commissioner Freidenburg and unanimously approved.

Vote to have the chairman write the letter passed, 5-0-0.

IN FAVOR: Chairman Crawford, Vice Chairman Bouchard, and Commissioners Gedney, O'Neill, and Freidenburg.

OPPOSED: None.

ABSTAINED: None.

4. Application Review: P&Z 16-09. 390 Horsepond Road. Map 80, Lot 11. RU-2 District. Owner: Seashore Construction, Inc.; Applicant: Cornerstone Construction Services, Inc. Petition for Zone Boundary Change from RU-2 District to Open Space Conservation District (OSCD).

Director of Planning and Economic Development David Anderson explained that this application is the first step of a two-step process before the Planning and Zoning Commission; first being sought is approval of the open space conservation district, and then approval will be needed for the subdivision; the open space has been increased through the current application. At least, preliminarily, the Land Trust is interested in being the recipient of the open space, according to Mr. Anderson. Chairman Crawford stated that the application contains inaccurate information in that it says that the site does not have unique habitat or special areas, yet the property line lies along the Hammonasset River, and the application also inaccurately states that there is no managed or dedicated open space, but the property actually shares a boundary with open space. The Conservation Commission needs to state that commissioners think this application is a good idea, they like the way it is laid out, and the plans protect the Hammonasset River and the associated wetlands. Commissioner Freidenburg stated that she likes it, overall, because it provides more open space.

Commissioner Gedney made the motion that the Conservation Commission write a letter to the Planning and Zoning Commission that includes the above mentioned recommendations; it was seconded by Commissioner O'Neill and unanimously approved.

Vote to have the chairman write the letter passed, 5-0-0.

IN FAVOR: Chairman Crawford, Vice Chairman Bouchard, and Commissioners Gedney, O'Neill, and Freidenburg.

OPPOSED: None.

ABSTAINED: None.

5. Application Review: P&Z 16-10+CSP. 16 Fort Path Road. Map 37, Lot 6. LI District. Owner/Applicant: Town of Madison. Special Exception Permit Modification to seek approval to locate new above ground gasoline and diesel storage tanks and associated dispensing equipment to the northern portion of the site instead of the southeast portion of the site as was originally approved. Coastal Site Plan Review Required.

Chairman Crawford stated that the underground oil tanks will be excavated, removed to the back of the property, and placed above ground. Director of Planning and Economic Development David Anderson stated that the above ground oil tanks will be tucked away in a corner; neighbors were upset with the original placement, but they are now happy with this plan. This proposal has two benefits: It puts the oil tanks farther away from wetlands and moves them farther away from the neighbors, Chairman Crawford stated. Commissioner Freidenburg stated that this seems to be an improvement over the previously approved plans.

Commissioner Freidenburg made the motion that the Conservation Commission write a letter to the Planning and Zoning Commission with favorable comments on the application; it was seconded by Commissioner Bouchard and unanimously approved.

Vote to have the chairman write the letter passed, 5-0-0.

IN FAVOR: Chairman Crawford, Vice Chairman Bouchard, and Commissioners Gedney, O'Neill, and Freidenburg.

OPPOSED: None.

ABSTAINED: None.

6. Application Review: ZBA 8188. 20 Toffee Lane. Map 13, Lot 120. R-5 District.

Owner/Applicant: Stephen Carrabba. Request to vary Secs. 2.8 and 12.6 of the Madison Zoning Regulations to allow 1,477 sq. ft. coverage where 1,384 sq. ft. is allowed to permit addition to non-conforming dwelling.

Chairman Crawford stated that existing deck will be removed to make a code compliant septic system for the addition; this house is sitting at about a four-foot elevation near the water, and this is a seasonal structure. A stone wall will be built, and 30 inches of fill will be brought in, raising the septic system 30 inches, Chairman Crawford stated, adding this is part of the coastal site plan review. Director of Planning and Economic Development David Anderson stated that a letter from the Conservation Commission could have a statement that would be a general comment that the commission does not support enlarging the size of already non-complying structures in areas such as this. Chairman Crawford reiterated that 30 inches of fill has to be brought in for the septic system, and Inland Wetlands Officer Robert Kuchta stated that they will have a big cliff in the middle of the yard, and they will have to step up to it. Chairman Crawford also stated that the application states that the proposed septic system is designed for normal use and that it has not been designed to withstand flooding, hurricanes, tropical storms, or higher than average tides. It is a two-story addition, she stated. Mr. Anderson stated that the septic system does not fall under the review of the Zoning Board of Appeals; it is in the jurisdiction of the town health director. Chairman Crawford stated that the letter will state that the Conservation Commission is opposed to the expansion of nonconforming coverage in a coastal flood zone.

Commissioner O'Neill made the motion that the chairman of the Conservation Commission write a letter to the Zoning Board of Appeals that includes the previously discussed recommendations; it was seconded by Commissioner Freidenburg and unanimously approved.

Vote to have the chairman write the letter passed, 5-0-0.

IN FAVOR: Chairman Crawford, Vice Chairman Bouchard, and Commissioners Gedney, O'Neill, and Freidenburg.

OPPOSED: None.

ABSTAINED: None.

Chairman Crawford stated that the septic system at 20 Toffee Lane is a really interesting precedent to set,
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since the property is right on the water, and the plans are to be adding fill in a wash-away area; it is a concern. Mr. Anderson suggested that those concerns be addressed, separately, to the director of health, and Chairman Crawford agreed to do so.

7. **Project/Issue Updates**

~ **URI Grad student Steven Koch: Southern Ocean Glacier Melt and Madison, CT:** Chairman Crawford stated that she is inviting Mr. Koch to do a presentation on the Southern Ocean Glacier and Madison with her at the Garden Club event, Wednesday, April 20, 2016, at 7 p.m., at the Memorial Town Hall.

~ **Residential Lighting ~ Presentation Update:** Chairman Crawford stated the presentation is being rescheduled to sometime after July.

~ **Boundary documentation draft letter:** Chairman Crawford stated that she submitted the draft letter to Mr. Anderson, who responded with suggestions; she will forward the letter with Mr. Anderson's suggestions to Commissioner O'Neill

~ **Public Education/Outreach for 2016:** Commissioner O'Neill wondered whether the Conservation Commission could engage in educational outreach on mosquitos and the threat of diseases. Commissioner Freidenburg would like to research the chemical composition of disks that can be placed in standing water to destroy mosquito larvae. Those disks are not to be placed in ponds, only in rain barrels, according to Chairman Crawford. Research will begin on the topic.

~ **Plans for Green-Up Clean-Up Day, April 23rd:** Chairman Crawford stated the event is on a Saturday, from 9 a.m. to 12 noon, and there will be two dumpsters—one at Robert's Food Center and a second at Memorial Town Hall.

8. **Budget spend-down for 2015-2016:** Vice Chairman Bouchard researched lanyards and identification pouches that can be worn by Conservation Commissioners when they go on site walks or attend other public events. A total of 25 pouches, which are worn around the neck and can also hold pens or pencils, as well as identification tags made out of cardstock, would cost about \$42, with an additional cost for the cardstock.

Commissioner O'Neill made the motion that the pouches and cardstock be purchased for identification purposes; it was seconded by Commissioner Freidenburg and unanimously approved.

Vote to buy the pouches and cardstock passed, 5-0-0.

IN FAVOR: Chairman Crawford, Vice Chairman Bouchard, and Commissioners Gedney, O'Neill, and Freidenburg.

OPPOSED: None.

ABSTAINED: None.

9. **Minutes:** Review and approve minutes of March 14, 2016

Commissioner O'Neill made the motion to accept the March 14, 2016 minutes, as submitted; it was seconded by Commissioner Freidenburg and unanimously approved.

Vote to accept the March 14, 2016 minutes as submitted passed, 5-0-0.

IN FAVOR: Chairman Crawford, Vice Chairman Bouchard, and Commissioners Gedney, O'Neill, and Freidenburg.

OPPOSED: None.

ABSTAINED: None.

10. **Adjournment**

Commissioner Freidenburg made the motion to adjourn at 9:15 p.m.; it was seconded by Chairman Crawford and unanimously approved.

Vote to adjourn passed, 5-0-0.

IN FAVOR: Chairman Crawford, Vice Chairman Bouchard, and Commissioners Gedney, O'Neill, and Freidenburg.

OPPOSED: None.

ABSTAINED: None.

Respectfully submitted,
Marlene H. Kennedy, clerk