

TOWN OF NEWINGTON
CONSERVATION COMMISSION
MEETING MINUTES

January 16, 2024

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Town Clerk

This meeting was presented as a Zoom Webinar/Hybrid Meeting

I. CALL TO ORDER

Chairman Zelek called the meeting to order at 7:00 p.m.

II. ROLL CALL

Commissioner Conway *(via Zoom)*
Commissioner Paskewich *(via Zoom)*
Commissioner Sadil *(via Zoom)*
Commissioner Wagner
Commissioner Wemett
Chairman Zelek

Also present:

Paul Dickson, Town Planner
Erik Hinckley, Inland Wetland Agent
Susan Gibbon, Recording Secretary *(via Zoom)*

Chairman Zelek: Next item is Acceptance of Minutes, Approval Of Minutes From Special Meeting December 13, 2023.

III. ACCEPTANCE OF MINUTES

A. Approval Of Minutes From Special Meeting December 13, 2023

Chairman Zelek: Everyone should have received this as an electronic pdf. Does anyone have any updates they'd like to make to the minutes?

Commissioner Paskewich: Yes, Chairman Sadil, Chairman Zelek, sorry.

Chairman Zelek: Go ahead Commissioner Paskewich.

Commissioner Paskewich: Page 20, last paragraph, second sentence. The word mining should be lining.

Chairman Zelek: Ok, so, right now we are just looking at the special meeting that was for the election of officers.

Commissioner Paskewich: I wasn't at that meeting. For some reason I wasn't able to go online with the host. I did go online to be received but it buffered on me for quite some time, and I revisited it and by that time it was the next meeting. So, I don't know what happened there, but I was there. But it didn't receive the amount to go into the election.

Chairman Zelek: Ok. Duly noted. Any other commissioners have any other updates for the special meeting minutes? Ok. Seeing none, can I get a motion to accept the special meeting minutes.

Commissioner Wemett: So moved.

Chairman Zelek: Ok. Can I get a second please.

Commissioner Wagner: Second.

Chairman Zelek: Second by Commissioner Wagner. All in favor say aye.

Commissioners: Aye.

Chairman Zelek: Abstentions?

Commissioner Paskewich: Yes. Alan Paskewich.

Chairman Zelek: Thank you. Motion passes. Next item is Approval Of Minutes From Regular Meeting December 13, 2023.

B. Approval Of Minutes From Regular Meeting December 13, 2023

Chairman Zelek: Again, this is the regular meeting minutes, and this was sent out electronically in pdf. Commissioner Paskewich you had an update.

Commissioner Paskewich: Yes, on page 20, last paragraph, second sentence. The word mining should actually be lining which is what the MDC is doing to the piping. Not mining as in m, so that's a word correction.

Chairman Zelek: Very good. Anything else?

Mr. Hinckley: Commissioner Conway has her hand raised.

Chairman Zelek: Commissioner Conway.

Commissioner Conway: This doesn't concern the minutes I just wanted to let everybody know that the audio is in and out, it's been a little funky. So, I'm not hearing everything that's going on hopefully I'm able to vote properly {audio glitched} and hear everything that's going on I just wanted to make you aware of the audio not being perfect.

Chairman Zelek: Thank you Commissioner. Any other commissioners have any updates for the minutes. See can I get a motion to accept the meeting minutes of December 13, 2023.

Commissioner Wemett: So moved.

Chairman Zelek: So moved by Commissioner Wemett. Can I get a second please?

Commissioner Paskewich: Second.

Chairman Zelek: Second by Commissioner Paskewich?

Commissioner Paskewich: Yes.

Chairman Zelek: All in favor?

Commissioners: Aye.

Chairman Zelek: Abstentions? Seeing non, motion passes. Moving on to Public Participation on Non-Agenda Items, each speaker limited to 2 minutes.

IV. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS (each speaker limited to 2 minutes)

Chairman Zelek: We have no one in the room from the public.

Mr. Hinckley: There is no one online Mr. Chairman.

Chairman Zelek: And no one online. We will then move on to New Business.

V. NEW BUSINESS

Chairman Zelek: We have no New Business this evening. Moving on to the next item, which is Old Business, Application 2023-17: For Sanitary Sewer Easement Vegetation Maintenance Within MDC Easements In The Town Of Newington, Applicant: The MDC, Owners: Various, Contact: Susan Negrelli. Is the applicant online?

VI. OLD BUSINESS

A. Application 2023-17: For Sanitary Sewer Easement Vegetation Maintenance Within MDC Easements In The Town Of Newington, Applicant: The MDC, Owners: Various, Contact: Susan Negrelli.

MDC Rep: Yes, we are.

Chairman Zelek: I don't believe that the commission requested any further information at the last meeting is there anything tells that the MDC needs to present this evening.

MDC Rep: Not unless the commission has any additional questions for us.

Chairman Zelek: Commissioners, do you have any additional questions for the MDC?

Commissioner Paskewich: None here.

Chairman Zelek: Erik, nobody raising their hand.

Mr. Hinckley: No commissioners have their hands raised Mr. Chairman.

Chairman Zelek: Very good. We do have a draft motion which does include our standard conditions. There was an additional condition that added...there was a request from our town council liaisons because this project spans several years, they were looking to get an annual update to keep the public informed. So we've drafted a condition which we're requesting that the MDC provide an annual report prior to December 31 of each year. Is the applicant amiable and will they accept that condition?

Jason Waterbury, MDC: Yeah, the only question I have is what format you want that report in. Is it written, is it a presentation at a commission meeting.

Chairman Zelek: I think a written annual report is fine, we don't need a presentation and then we will share that material with the council members or any other town department that wishes to see it.

Mr. Waterbury: And you're just looking for a basic description of what work was done and what work remains?

Chairman Zelek: Yes. Erik, any other comment?

Mr. Hinckley: No, I think the only other thing...there is a note in there about unanticipated wetland issues and how they were resolved if you come across anything...anything out of the ordinary that you didn't expect. But I don't, just for the Conservation Commission.

MDC Speaker: Ok, and then Erik, I know...I think in here, I'm toggling because I'm on my laptop here at home so, but I believe there was a commission...there was a requirement to have you field verify the work with us I believe if I remember correctly.

Mr. Hinckley: I can be available to do some of that, yes.

MDC Speaker: And then the only other question we had was regarding Item 4 - Office Notification of Actions onto tracings. I guess the first question is, is the notification of action, is that the conditions of the permit.

Mr. Hinckley: Yes, that'll be the condition of approval that you will receive whatever they vote on tonight.

MDC Speaker: Ok. And then the second thing, is, um, these are not your typical plans and specs stamped by PE, so as long as the commission understands that. It's going to take us a while to get this number of color mylars made if that's what the commission wants.

Chairman Zelek: Yeah, the commission, the condition is six months.

MDC Speaker: Ok.

Mr. Hinckley: The condition is six months, the other option Mr. Chairman, if the commission is amenable to it, is again, he can provide us with an electronic set of plans and if you want he can just file the cover sheet with a certificate of action for you to sign and we can maintain the rest of the set. It might be...it'll be easier for us to store A and it would alleviate them from doing a bunch of work. Because, as he says, the plans aren't being stamped by a PE or LS, it's basically just a graphic representation, so there's no, you know, hard and fast things that they're going to be doing, it's just the areas, the general areas of the work.

Chairman Zelek: So it's not a standard site plan.

Mr. Hinckley: Correct. So if you guys are amenable to that, you can discuss that, and you can either strike the condition out, if you choose to do that or...

Chairman Zelek: No, I'm find with it, with the option to have the come in electronically.

Mr. Hinckley: Ok.

Chairman Zelek: Any other commissioners want to comment on that? Ok, seeing none, Commissioner Conway, as secretary, do you have a copy of the draft motion.

Commissioner Conway: I do.

Chairman Zelek: Ok. Could you read the entire motion into the record for us, with each of the conditions. Thank you.

Commissioner Conway: Hopefully, my dog is not too loud in the background.

Motion by Secretary Conway: **Application 2023-17: For Sanitary Sewer Easement Vegetation Maintenance Within MDC Easements In The Town Of Newington, Applicant: The MDC, Owners: Various, Contact: Susan Negrelli.**

MOTION TO APPROVE (WITH CONDITIONS):

- 1. Permits are not transferable without the prior written consent of the Agency.***
- 2. FAILURE TO COMPLY WITH ANY CONDITION REQUIRED BY THIS PERMIT SHALL AUTOMATICALLY REVOKE THIS PERMIT AND SUBJECT THE APPLICANT, HEIRS, SUCCESSORS AND ASSIGNS TO THE ENFORCEMENT AUTHORITY OF THE COMMISSION.***
- 3. All conditions listed on this permit must be printed on the approved plan(s) within six (6) months of the report issued by the Commission. The annotated plan(s) must be presented to the Commission for signature by the Chairman within six (6) months of the report issued by the Commission; otherwise this permit is null and void.***
- 4. Applicant will incorporate the "Official Notification of Action" onto original tracings.***
- 5. When the actual field conditions differ from those asserted by the approved plans, the Town Engineer in consultation with the Chairperson may direct that certain modifications or amendments be made to accomplish the intent of this permit.***

6. *No regulated activity within the designated wetlands, watercourses, and/or buffer area shall be performed on the site until all soil and erosion control measures are installed in accordance with the plans approved by the Town Engineer.*
7. *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.*
8. *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 Newington, 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 the subject land or activity.*
9. *In conducting the authorized activities, the permittee shall implement such management practices consistent with the terms and conditions of the permit as needed to control storm water discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands and watercourses.*
10. *This permit is valid for wetlands only; additional approvals/permits may be required from other Town departments, State or Federal agencies. It is the responsibility of the applicant to verify what other approvals/permits may be required for this project.*
11. *For the duration of the project the applicant shall provide an annual written report that documents the ongoing progress as well as any unanticipated wetland issues that were resolved in the field. The report is to be received no later than December 31st of each year. That document will be provided to the Conservation Commission for their review.*

Chairman Zelek: Thank you. Can I get a second on the motion please.

Commissioner Wemett: Second.

Chairman Zelek: Second by Commissioner Wemett. Any further discussion on the motion? All right, seeing none from the commissioners. Can I get a vote. All in favor?

Commissioners: Aye.

Chairman Zelek: Any abstentions? Seeing none, motion passes and that's it, we're done with that application, and we'll move on now to Public Participation on Non-Agenda Items, each speaker limited to 2 minutes.

VII. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS (each speaker limited to 2 minutes)

Chairman Zelek: Anyone from the public joined online?

Mr. Hinckley: No one is online Mr. Chairman.

Chairman Zelek: All right, very good, we'll move on to the next item, which is Communications and Reports, Agent Communications.

VIII. COMMUNICATIONS AND REPORTS

A. Agent Communications

Mr. Hinckley: I have nothing at this time. I believe we will have one application, at least, for next month's meeting.

Chairman Zelek: Ok. Town Council Liaison Communications.

B. Town Council Liaisons Communications

Chairman Zelek: Have we received anything?

Mr. Hinckley: No I have not.

Chairman Zelek: Ok. Town Council members are not here this evening.

Mr. Hinckley: There are in executive session next door.

Chairman Zelek: Yup. Next item is Pond Life Research and Education.

C. Pond Life Research And Education

Chairman Zelek: Commissioner Paskewich would you like to have us to continue to keep this on Communications and Reports or can we strike this and just have you provide an update when you do have something.

Commissioner Paskewich: Well actually I have an observation of the pond, Mill Pond. I was cycling around the other day, and I noticed masses of limbs and logs and things in the water along the shoreline, as far as from the south bridge, coming forward to the front of the pond...quite a bit of it in the water and you know I'm concerned, it's been there for a while and now it's starting to show more evidence of it floating around. It could be a big concern if it moves further towards the dam and also toward the outlet of the brook. It could impede a lot of things and cause problems. I think the parks department, or someone, should be notified as soon as possible to remediate this.

Chairman Zelek: Thank you Commissioner Paskewich. Erik, do we have an appropriate town department which could investigate.

Mr. Hinckley: Yep, I will reach out to the parks department tomorrow.

Chairman Zelek: Very good, thank you. All right, anything else Alan?

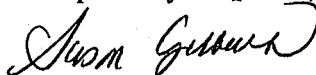
Commissioner Paskewich: No, um, no, but I would like to continue on the Communications and Reports, there will be things coming forward that I will discuss. Thank you.

Chairman Zelek: Thank you, very good. With that we move on to adjournment. Can I get a motion to adjourn.

IX. ADJOURNMENT

Motion by Commissioner Wemett to adjourn the meeting at 7:17 p.m. Seconded by Commissioner Wagner. Motion passes unanimously.

Respectfully submitted,



Susan Gibbon
Recording Secretary