

TOWN OF KENT INLAND WETLANDS COMMISSION

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REGULAR MEETING MINUTES

The Inland Wetlands Commission held a regular meeting on Monday, January 24, 2022, at 7:00 p.m. via zoom.

1. CALL TO ORDER

Ms. Werner called the meeting to order at 7:03 p.m.

2. ROLL CALL AND APPOINTMENT OF ALTERNATES, IF REQUIRED

Commissioners Present: Lynn Werner, Chairman; Marge Smith, Hilary Clifton, Ken Johnson, Ken Deitz (7:07 p.m.), Anthony Palumbo

Staff Present: Donna M. Hayes, LUA

Ms. Smith moved to elevate both Ms. Clifton and Mr. Palumbo to voting status.

3. READING OF MINUTES OF PREVIOUS MEETINGS

3.A. Regular Meeting Minutes, December 20, 2021.

Ms. Smith asked that the word “but” be changed to “be” in agenda item 3.A., first line and that the words “to look” be deleted from agenda item 6.A.2., so that the comment reads: “Ms. Werner said that now might be a good time for Ms. Hayes...”.

Ms. Smith moved to approve the Regular Meeting Minutes of December 20, 2021 as amended. Mr. Johnson seconded and the motion carried unanimously.

At the end of this discussion, Mr. Deitz arrived.

Mr. Deitz moved to de-elevate Ms. Clifton to voting status. Mr. Johnson seconded and the motion carried unanimously.

Ms. Hayes asked that a Pesticide Application be added to agenda 6.A.2. It was received by her office at 3:00 p.m. today.

Ms. Smith moved to add Pesticide Application for Fuller Mountain Pond to agenda item 6.A.2. Mr. Deitz seconded and the motion carried unanimously.

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4. NEW BUSINESS

- 4.A.** Application #1274-22, Dan Greenbaum, 30 Kenmont Road, Map 16 Block 22 Lot 3, burying two 1,500 plastic septic tanks; crushing and filling existing 2 cesspools.

Ms. Hayes explained that the applicant had recently purchased two properties on the lake and that in order to use them, a new septic system needed to be installed. The current system will be replaced and two 1500-gallon plastic storage tanks will be buried outside of the upper cottage. In addition, they will be filling and crushing two existing cesspools. She continued that she had a conversation with Ms. Cathy Weber, Town Sanitarian, today who said that this application was being referred to the State Health Department who might require either a lot line revision to join the two lots or a legal easement to allow a discharge onto an adjoining piece of property.

Mr. Greenbaum, the property owner, was present to answer questions from the Commission. He said that, with regard to the comment made by Ms. Weber, their deed states that they can add a septic.

Ms. Werner asked how the tanks were linked together and when do they get pumped. Mr. Greenbaum said that the waste water from the lower house will be pumped up to the new storage tanks and a septic line will run from the upper house to the new tanks. These two tanks will be pumped when they are full; there will be no leaching fields installed. When one tank is full, the waste water will overflow into the second tank. Mr. Johnson asked if there was an alarm system in place to let them know when the tanks needed to be pumped. He also asked what would happen in the winter. Mr. Greenbaum said that he did not think there was an alarm system and that the cottages are 3 season cottages and all water will be drained in the winter.

With regard to the existing line from the lower cottage to the tank, Mr. Greenbaum said that he did not think that line would be replaced as it was in good condition. He also commented that the line is above ground and would need to be drained in the winter months to prevent freezing. The line could not be buried due to the amount of ledge on the property.

Mr. Greenbaum was asked if they would need to bring in fill and he replied that the tanks were very low profile and did not think any fill would be required and if they did it would be minimal.

Ms. Werner expressed concern about the possibility of a catastrophic failure which would end up with effluent running down the hill to the lake and was hoping that the health department could verify the technology.

Ms. Clifton asked if there was a yearly inspection to prevent leaks and Ms. Werner asked about a regular maintenance schedule. Mr. Palumbo asked if routine inspections were done when the tanks were pumped. Since these were all very good questions, the Commission asked Mr. Greenbaum to find out as much as he could about the maintenance of the tanks. They said it would be a good idea to have the manufacturer's specs for the file.

Mr. Greenbaum asked that the installation of a propane tank be added to the application. Ms. Hayes asked that Mr. Greenbaum have this information added to the site plan for the next meeting. Mr. Greenbaum said that he would try to get the additional information for the next meeting.

Ms. Smith moved to continue Application #1274-22, Dan Greenbaum, 30 Kenmont Road, Map 16 Block 22 Lot 3, burying two 1,500 plastic septic tanks; crushing and filling existing 2 cesspools to the next regular meeting. Mr. Johnson seconded and the motion carried unanimously.

4.B. Application #1275-22, Brian Neff for Benjamin Rosen, 23 Mauwee Brook Way, Map 9 Block 22 Lot 3, house addition and new walkway to existing courtyard.

Mr. Brian Neff was present to address the Commission. He explained that the application was for an 18' x 30' single story addition to the rear of the existing house. This addition will serve as the property owner's office. The addition will be 60' from the brook and will either be built on a slab or would have a crawl space. In addition, there will be a walk way connecting the addition to the existing stone patio/courtyard and the maple tree that is currently there would be moved approximately 5' or 6' towards the brook as the current owners love the tree and wish for it to remain. Mr. Neff said that the stone wall between the back of the existing house and the brook had recently been rebuilt and was 3.5' tall and 3' wide.

Ms. Werner asked if moving the tree will require significant excavation. Mr. Neff said that the excavation will be equivalent to the existing dripline of the tree which is approximately 16' in diameter. He believes that all the work will be done by hand as he did not think they would be able to bring in equipment with a tree spade.

Ms. Clifton asked where the easement was located and Mr. Neff said that it was outside of the excavation area, on the eastern side of the property. He informed the Commission that he had sent a letter to the conservation holder and was waiting for their approval.

Ms. Werner commented that the new addition would not be any closer to the brook than the existing house. Mr. Neff agreed. It was noted that the existing rock wall would be a good barrier and would help to prevent any erosion from entering the brook.

Mr. Neff said that any equipment would be driven over the existing landscaping and gravel driveway on pads which would eliminate extreme damage to the existing areas. Ms. Clifton asked if Mr. Neff could extend the silt fencing past the break in the rock wall. He said that he would be happy to do that. With regard to any excavated material, Mr. Neff said that what little stockpiled material there would be will be either used on the grounds or trucked out.

With no further questions, Ms. Smith moved to continue Application #1275-22, Brian Neff for Benjamin Rosen, 23 Mauwee Brook Way, Map 9 Block 22 Lot 3, house addition and new walkway to existing courtyard to the next regular meeting. Mr. Johnson seconded and the motion carried unanimously.

5. OLD BUSINESS

5.A. No action taken.

6. COMMUNICATIONS TO THE COMMISSION

A. WRITTEN

6.A.1. Email from Mr. Novick dated January 6, 2022, regarding Blatz Pond repair work.

Ms. Hayes explained that she had received an email from Mr. Novick about a delay in the work to the Blatz Pond. She will keep the Commission up to date on any changes. Ms. Werner commented that her main concern was whether the delays would force them to do the work when the water was at its highest level.

6.A.2. Permit Application for the Use of Pesticides in State Waters: Williams Pond, 6 Camps Rd.; Fuller Pond.

The Commission expressed concern with using so many chemicals on the pond located at 6 Camps Road as that pond was only .11 acres. Ms. Clifton did some research on the chemicals being used and shared it with the Commission. A discussion was held on the effectiveness of chemicals on phragmites and asked each other to advise if they heard of any other treatments.

Ms. Hayes asked if Fuller Pond had easements since it was part of the Pond Mountain Trust. Ms. Smith said that she did not think so. With regard to public access, there was none and if people were kayaking on the pond, they were doing it in violation of the rules.

B. VERBAL

Ms. Werner asked Ms. Hayes to review her job description to see if any changes were required before her retirement. She also asked if it was necessary to keep the clerk position. Ms. Hayes said that she would review her job description and felt that the clerk position was critical to the department even if Inland Wetlands was only responsible for 10% of the total budget. Ms. Werner also asked Ms. Hayes to gather some salary information for the upcoming budget meetings.

Ms. Hayes advised the Commission that the inland wetlands training was available again through the DEEP website, would do some research on how to register and let them know the process.

Before the meeting was over Ms. Clifton sent along the information referred to during the meeting.

7. ADJOURNMENT

Mr. Deitz moved to adjourn at 8:20 p.m. Mr. Johnson seconded and the motion carried unanimously.

Respectfully submitted,

Donna M. Hayes

Donna M. Hayes, CZEO
Land Use Administrator

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