

TOWN OF KENT INLAND WETLANDS COMMISSION

41 Kent Green Boulevard
P.O. Box 678
Kent, CT 06757
Phone (860) 927-4625 Fax (860) 927-1313

REGULAR MEETING MINUTES

The Inland Wetlands Commission held a regular meeting at 7:00 p.m. on Monday, March 28, 2022, 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; Hilary Clifton, Ken Deitz, Anthony Palumbo,
Paul Yagid

Staff Present: Donna M. Hayes, LUA

Ms. Werner elevated Ms. Clifton and Mr. Palumbo to voting status.

3. READING OF MINUTES OF PREVIOUS MEETINGS

3.A. Regular Meeting Minutes, February 28, 2022.

Mr. Yagid moved to approve the Regular Meeting Minutes, February 28, 2022, as submitted. Ms. Werner seconded and the motion carried unanimously.

3.B. Special Meeting Minutes, March 25, 2022.

Mr. Yagid moved to approve the Special Meeting Minutes, March 25, 2022, as submitted. Ms. Werner seconded and the motion carried unanimously.

4. NEW BUSINESS

- 4.A.** Modification to Application #1255-21, Brian Neff, P.E., for Akai Associates, LLC, 99A Cobble Road, Map 10 Block 22 Lot 1, demolition of existing single-family dwelling; construction of new single-family dwelling; new septic; and associated site work: **Modification to include: new underground electric service; new transformer, new electric meter pedestal; new emergency generator; and, slight relocation of proposed driveway.**

Kent Inland Wetlands Regular Minutes 3/28/2022

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Mr. Brian Neff was present to discuss the modification with the Commission. He explained that the property owners were requesting the modification to provide up-to-date underground electric service. This will also entail the addition of a new transformer and new meter pedestal. At the same time, the property owners have decided to include the installation of a new emergency generator and a slight relocation of the driveway bringing the new driveway closer to the house.

Ms. Hayes asked if the driveway will be paved or gravel. Mr. Neff said that he believed it would be paved. He explained that the driveway will be constructed to sheet off to both sides and that he thought paving it would create less erosion as a paved driveway does not have to be regraded/regraveled year after year. The movement of the driveway would allow for the underground utility conduit to be buried. Mr. Yagid asked what the grade of the driveway was and Mr. Neff said that it was a 10% grade going up to the house.

*Having no further questions, Mr. Yagid moved to approve Modification to Application #1255-21, Brian Neff, P.E., for Akai Associates, LLC, 99A Cobble Road, Map 10 Block 22 Lot 1, demolition of existing single-family dwelling; construction of new single-family dwelling; new septic; and associated site work: **Modification to include: new underground electric service; new transformer, new electric meter pedestal; new emergency generator; and, slight relocation of proposed driveway.** Mr. Palumbo seconded and the motion carried unanimously.*

- 4.B.** Extension of Permit #1150-17, Arthur H. Howland & Associates, LLC, for Timothy & Eve Sommerfield, 11 Preston Mountain Road, Map 3 Block 3 Lot 4, construction of garage and driveway with associated drainage. Transfer name on permit from Sommerfield to Burnet/Gatto, new owners.

Ms. Hayes explained that the original owner submitted the application as an incentive to sell the house. Shortly after the permit approval, the house was sold. The current owners were planning on constructing the garage and driveway but with the onset of covid and the increase in construction costs, they determined that there was no way the construction could start within the time limits of the permit. She continued that the property owners were requesting a 5-year extension. In addition, Ms. Hayes thought that it would be a good idea to change the name on the permit to the current owners at this point in time.

Mr. Yagid moved to approve the Extension of Permit #1150-17, Arthur H. Howland & Associates, LLC, for Timothy & Eve Sommerfield, 11 Preston Mountain Road, Map 3 Block 3 Lot 4, construction of garage and driveway with associated driveway. Transfer name on permit from Sommerfield to Burnet/Gatto, new owners. Mr. Palumbo seconded and the motion carried unanimously.

5. OLD BUSINESS

- 5.A.** Application #1277-22F, Timothy Casey for Hillside North Main, LLC, 0 North Main Street, Map 10 Block 42 Lots 4 and 5, forestry operation.

Ms. Werner explained that this was the application associated with the site walk conducted on Friday afternoon. Mr. Yagid commented that he believes this was the best way to remove the logs as there was only one stream crossing. Ms. Werner agreed. There was some concern expressed about possible runoff from the east side of the logging road but Mr. Viola, Forester, had said that he would be adding a swale that will bring any runoff to the opposite side of the logging road into a large, grassy area filled with a thick underbrush. This will slow down any runoff into the stream below the bridge. In addition, Mr.

Yagid had requested, and Mr. Viola agreed, to add some additional haybales to the north side of the existing bridge.

Ms. Clifton expressed concern regarding the integrity of the existing bridge. Mr. Yagid explained that the new bridge will not lay on top of the existing bridge but would be installed over and not touching the existing bridge. She also asked if any gravel would be removed from the stream. Ms. Werner said that she did not think that would be a major issue based on the swale and the haybales.

Mr. Yagid asked if there will be anti-tracking pads placed at the entrance to the logging road from Cobble Lane. It was confirmed that there will be. Ms. Werner questioned whether or not caution signage with regard to logging trucks entering onto Route 7 needed to be included. Ms. Hayes said that she would look into that and get back to the property owner and forester.

Mr. Yagid moved to approve Application #1277-22F, Timothy Casey for Hillside North Main, LLC, 0 North Main Street, Map 10 Block 42 Lots 4 and 5, forestry operation with the condition that haybales be placed on the northeastern side of the stream crossing and that a swale and water bars be added on the northerly, uphill side of the roadway to the upper meadow as discussed during the site walk on March 25, 2022. Ms. Clifton seconded and the motion carried unanimously.

After the motion, Mr. Casey was asked when the operation would begin. He replied that Mr. Viola was trying to get a crew together to start as soon after the 15-day waiting period as possible. If he couldn't do that, the plan would be to start sometime in the fall.

- 5.B.** Application #1279-22, John & Gerri Gleason, 12 Halls Lane, Map 9 Block 22 Lot 43, construction of inground pool, pool equipment, fencing, landscaping, and associated site work.

Having no further questions for the applicant and the applicant stating that the application had not changed, the following motion was made:

Mr. Yagid moved to approve Application #1279-22, John & Gerri Gleason, 12 Halls Lane, Map 9 Block 22 Lot 43, construction of inground pool, pool equipment, fencing, landscaping, and associated site work. Ms. Clifton seconded and the motion carried unanimously.

6. COMMUNICATIONS TO THE COMMISSION

A. WRITTEN

6.A.1. Monthly Financials: July 2021 – XXXXX, 2022

No information was received/submitted.

6.A.2. Permit Application for the Use of Pesticides in State Waters: 1 Anderson Acres Rd; 40 Bulls Bridge Rd.

Mr. Yagid stated that he has some issues with the application for 40 Bulls Bridge Road and asked Ms. Hayes to send an email to her contact at the DEEP with his following concerns: #15 was not filled out and this pond does empty into Hatch Pond; Hatch Pond does have public access; will there be any affects downstream; will there be impacts on any other species; and, what is the impact over a length of time.

Kent Inland Wetlands Regular Minutes 3/28/2022

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With regard to the pond on Anderson Acres, Ms. Clifton asked if it was really necessary to add chemicals for algae since this was a warm water pond. She wondered whether or not there was some other way to prevent algae from growing. Ms. Hayes explained that there was a large waterfall towards the back of the pond and a small swimming area towards the front. Ms. Werner asked if there was just grass between the pond and the house or was a planting area added. Mr. Yagid asked if the requirement to provide a buffer between lawn and a lake would apply to a pond. Ms. Werner said that she was going to take a drive by the property. She also asked for better mapping; Ms. Hayes said that she would try to do google earth maps for the applications in the future.

6.A.3. Response from Karen Zyko, DEEP, regarding pesticide application at Amsterdam Pond, Kent Hollow Rd.

The response from Ms. Zyko was discussed and it was decided that Ms. Zyko's response be forwarded to the applicator along with a copy to the homeowner. That letter should request that water be held back after each treatment until it can be determined whether or not there was any impact to the headwaters of the West Aspetuck River.

6.A.4. Notification from Town of Washington of proposed work within 500 feet of Town of Kent.

Ms. Werner asked Ms. Hayes to contact the Town of Washington and express our concern with this project especially since the Town of Kent has worked really hard with Kent landowners to retain as natural a wetlands foundation as possible. Ms. Hayes said that she will contact Ms. Shelley White, Land Use Administrator for the Town of Washington. Ms. Werner also asked if there was any way to get a site plan and Ms. Hayes said that she would contact Mr. Paul Szymanski of Arthur H. Howland & Associates. She said that she will also try to reach out to Mr. Sean Hayden of the Lake Waramaug Authority to see if he had made any comment.

B. VERBAL

Ms. Hayes reported that she will be out of the office beginning April 26, 2022, returning on Monday, May 2, 2022.

7. ADJOURNMENT

Mr. Yagid moved to adjourn at 8:07 p.m. Ms. Clifton seconded and the motion carried unanimously.

Respectfully submitted,

Donna M. Hayes

Donna M. Hayes, Land Use Administrator

Kent Inland Wetlands Regular Minutes 3/28/2022

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