

TOWN OF KENT INLAND WETLANDS COMMISSION

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REGULAR MEETING MINUTES

The Inland Wetlands Commission held a regular meeting via zoom on Monday, September 19, 2022, beginning at 7:00 p.m.

1. CALL TO ORDER

Ms. Werner called the meeting to order at 7:01 p.m.

2. ROLL CALL AND APPOINTMENT OF ALTERNATES, IF REQUIRED

Commissioners Present: Lynn Werner, Chairman, Ken Deitz, Ken Johnson,
Marge Smith

Staff Present: Donna M. Hayes and Tai Kern, LUA

3. READING OF MINUTES OF PREVIOUS MEETINGS

3.A. Regular Meeting Minutes, August 22, 2022.

Ms. Smith moved to approve the Regular Meeting Minutes, August 22, 2022. Mr. Johnson seconded and the motion carried unanimously.

Ms. Smith moved to add to the agenda Stephan Peters/Ashley Rosenbrook, 99 Macedonia Brook Road, Map 2, Block 5, Lot 13 Modification to approval to remove entire back parking lot turnaround and passthrough, revert to original garage location, revert to pre-existing original stone walls. Mr. Deitz seconded and the motion carried unanimously.

4. NEW BUSINESS

4.A. Application #1291-22, Linda M. Sheldon, 155 Upper Kent Hollow Road, Map 17 Block 26 Lot 3, replacement of existing rotting culvert pipe under driveway.

Bill Segalla came forward and reviewed this proposal for an emergency replacement of a 4-foot metal culvert that has deteriorated. He explained that it is not safe to cross by vehicle to access the property and they would like to do this work while the stream is dry. He noted that the headwalls are in good condition and that they would replace the culvert in kind and it would be set not to impede the flow of water.

The Commissioners reviewed the sketches provided as part of the application and asked that the applicant follow up with a site plan showing topography for the record. They agreed that this would be permitted as

Kent Inland Wetlands Regular Minutes 09/19/2022

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an emergency repair; thereby, eliminating the requirement of a second meeting with the Commission. The applicant will be required to allow for the 15-day appeals period prior to the start of work.

Mr. Johnson moved approve Application #1291-22, Linda M. Sheldon, 155 Upper Kent Hollow Road, Map 17 Block 26 Lot 3, replacement of existing rotting culvert pipe under driveway as an emergency repair subject to the submission of a site plan showing topography and allowance for 15 day appeals period. Ms. Smith seconded and the motion carried unanimously.

- 4.B.** Application #1293-22, A.H. Howland & Assoc. for John & Mary Cesarz, 324 Kent Hollow Road, Map 17, Block 32, Lot 1, demo of existing house, new construction of single-family dwelling, septic, well and associated site work in regulated area.

Paul Szymanski of A.H. Howland came forward and reviewed proposal noting that a similar activity had been previously approved by this Commission for the former owners; however, this permit had expired. In this revised plan, the house is approximately 30 feet further from the brook. The septic, driveway and underground infiltrators remain in the same place as previously approved. The existing house will be demolished.

Ms. Smith moved table Application #1293-22, A.H. Howland & Assoc. for John & Mary Cesarz, 324 Kent Hollow Road, Map 17, Block 32, Lot 1, demo of existing house, new construction of single-family dwelling, septic, well and associated site work in regulated area to the next meeting. Mr. Johnson seconded and the motion carried unanimously.

- 4.C.** Application #1294-22, Wyrick Assoc. for Leslie Powell, 49 Spectacle Ridge Road. Map 16, Block 25, Lot 25, construction of addition and deck in regulated area.

Laura O'Rourke of Wyrick Assoc. and Gary Hock came forward as agents for this application and reviewed the proposed construction of the addition and deck within the regulated area, which is part of a larger project on this site. Mr. Hock confirmed that there will be no tree cutting between the proposed activity and the lake. Photos of the site were reviewed showing the location of the proposal.

The Commission noted the limited topography on the site plan submitted and asked for a more detailed plan showing the topography between the proposal and the lake be submitted prior to the next meeting.

Ms. Smith moved table Application #1294-22, Wyrick Assoc. for Leslie Powell, 49 Spectacle Ridge Road. Map 16, Block 25, Lot 25, construction of addition and deck in regulated area to the next meeting. Mr. Deitz seconded and the motion carried unanimously.

5. OLD BUSINESS

- 5.A.** Application #1287-22, Wyrick Associates for Nataliya and Aleksey Novikova, 0 Stonewall Lane, Map 14, Block 22 Lot 30, construction of new single-family dwelling, septic, driveway extension and associated site work in regulated area.

Brian Neff came forward and the group reviewed the revised plan submitted September 9, 2022 showing proposed erosion control measures. Mr. Neff discussed the limitations with regard to the placement of the septic.

Kent Inland Wetlands Regular Minutes 09/19/2022

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Mr. Deitz questioned the placement of the single-family dwelling and whether a feasible alternative would be in the area of the future pool. Mr. Neff stated that he felt the proposed location was best for the dwelling. The members agreed that this may be an overdevelopment of this site and that a note should be placed on the file that the future pool and future barn projects should return for an upland review when the owners decide to move forward with that portion of the project.

Ms. Smith moved to approve Application #1287-22, Wyrick Associates for Nataliya and Aleksey Novikova, 0 Stonewall Lane, Map 14, Block 22 Lot 30, construction of new single-family dwelling, septic, driveway extension and associated site work in regulated area. Mr. Johnson seconded and the motion carried 3-0-1. Mr. Deitz abstained.

- 5.B.** Application #1289-22Sub, Tom Willis for High Watch Recovery Center, 25 Carter Road, Map 14 Block 21 Lot 16, subdivision of existing lot into 3 total lots.

John Mack and Jeremy Spath of Stuart Somers came forward to review the revised site plans and soils report for this proposed subdivision. Mr. Mack noted that the area where contours show a depression on Lot 2 discussed at the last meeting were reexamined and determined not to be wetlands. He noted the flagged wetland on Lot 1 along the proposed driveway area.

The Commissioners questioned the need for the 60-foot-wide shared driveway along the wetlands and whether that size could be reduced to afford more distance from the wetlands. Mr. Mack reviewed the proposed galleries to catch runoff along the area, but noted that adjustments can be made to move the driveway further from the wetlands as part of the applications for the individual site developments for Lots 1 and 2 that will ultimately come before this Commission.

There was discussion about potential runoff and the need to maintain vegetation on Lots 2 and 3. Mr. Spath agreed to add to the plan limits of disturbance of approximately 25 feet around proposed structures.

Mr. Johnson moved to approve Application #1289-22Sub, Tom Willis for High Watch Recovery Center, 25 Carter Road, Map 14 Block 21 Lot 16, subdivision of existing lot into 3 total lots with the condition that limits of disturbance be added to the plan. Ms. Smith seconded and the motion carried unanimously.

- 5.C.** Application 1290-22, Chris Pierzga for Daniel J. Greenbaum and Jill Scholsohn, 30 Kenmont Road, Map 16 Block 22 Lot 3, repair piers under accessory dwelling unit due to decay.

Chris Pierzga came forward and reviewed construction sequence and best management practices to be utilized to perform this repair as per his letter dated August 31, 2022. The corresponding illustration and plot plan was reviewed. It was explained that plywood forms would be built to pour cement to rebuild footings. The footings would be accessed from the interior of the structure through the floor.

Mr. Yagid moved to approve Application 1290-22, Chris Pierzga for Daniel J. Greenbaum and Jill Scholsohn, 30 Kenmont Road, Map 16 Block 22 Lot 3, repair piers under accessory dwelling unit due to decay. Ms. Smith seconded and the motion carried unanimously.

- 5.D.** Possible Notice of Violation, Stanley Greenbaum, 247 Bulls Bridge Road, Map 6 Block 11 Lot 1, refuse and work done in a regulated area.

Kent Inland Wetlands Regular Minutes 09/19/2022

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The group was reminded that Mr. Greenbaum noted that he would not be present at this meeting and stated that he would be available for the October meeting. The members reviewed the Soils Mapping and Wetland Delineation report submitted by Jay Fain & Associates, LLC noting that there were no regulated wetlands reported as found on this property. The members requested that this report be sent to Cynthia Rabinowitz at the NW Conservation District with a request that she compare with her findings and locate wetlands as noted during her site visit on map.

6. COMMUNICATIONS TO THE COMMISSION

A. WRITTEN

No action taken.

B. VERBAL

6.B.1. Appointment of Wetlands Agent effective October 7, 2022

Ms. Smith moved to appoint Tai Kern as Wetlands Agent effective October 7, 2022. Mr. Johnson seconded the motion carried unanimously.

6.B.2. Updated Job Description for Assistant Land Use Administrator

Tai Kern presented the updated job description to the entire Commission for approval noting that Chair Werner had previously been consulted in the revision. She explained that she and the Building Official are working with the First Selectman to satisfy her concerns and have reformatted the job description per her request to comply with the official Town format.

Ms. Smith moved to approve Updated Job Description for Assistant Land Use Administrator. Mr. Deitz seconded the motion carried unanimously.

6.B.3. Stephan Peters/Ashley Rosenbrook, 99 Macedonia Brook Road, Map 2, Block 5, Lot 13 Modification to approval to remove entire back parking lot turnaround and passthrough, revert to original garage location, revert to pre-existing original stone walls.

Mr. Peters came forward and reported that he has had some difficulties with the contractor throughout this project that was approved in 2020 and would like to scale back the proposal. He would like to modify the permit to remove entire back parking lot turnaround and passthrough, revert to original garage location, and rebuild pre-existing original stone walls. The pool has been installed; however, not precisely as approved. The members agreed that this modification could be handled as an agent approval. It was directed that Mr. Peters supply a detailed narrative of the changes as part of the application to modify.

7. ADJOURNMENT

Ms. Smith moved to adjourn at 9:26 p.m. Mr. Deitz seconded the motion carried unanimously.

Respectfully submitted,

Tai Kern

Tai Kern

Land Use Administrator

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