

# TOWN OF KENT INLAND WETLANDS COMMISSION

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BY *S. Brady*  
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## REGULAR MEETING MINUTES

The Kent Inland Wetlands Commission held a regular meeting on September 25, 2017 at 7:00 p.m. in the Kent Town Hall, 41 Kent Green Boulevard, Kent, CT.

### 1. CALL TO ORDER

Ms. Werner called the meeting to order at 7:00 p.m.

### 2. ROLL CALL AND APPOINTMENT OF ALTERNATES, IF REQUIRED

Commissioners Present: Lynn Werner, Chairman; Eric Cieplik, Fred Hosterman, Paul Yagid  
Staff Present: Donna Hayes, Land Use Administrator and Tai Kern, Land Use Clerk

### 3. READING OF MINUTES OF PREVIOUS MEETINGS

3.A. Regular Meeting Minutes, August 28, 2017.

3.B. Special Meeting Minutes, September 7, 2017.

*Mr. Cieplik moved to approve the Meeting Minutes, August 28, 2017 and September 7, 2017. Mr. Yagid seconded and the motion carried unanimously.*

### 4. APPLICATIONS

4.A. Application #1160-17, Charles J. Kollar, 22 Sumner Road, installation of fence within regulated area, Map 12 Block 40 Lot 4

Mr. & Mrs. Kollar came forward. Donna Hayes noted that her only concern is that the proposal is very close to the stream. She reported that she has discussed the limits of disturbance with the applicants. Mr. Kollar explained that holes for 12 4x4s will be dug. The area is fairly level and any excess dirt will be moved away from the stream.

*Mr. Cieplik moved to table application # 1160-17, Charles J. Kollar, 22 Sumner Road, installation of fence within regulated area, Map 12 Block 40 Lot 4 to the next regular meeting. Mr. Hosterman seconded and the motion carried unanimously.*

### 5. OLD BUSINESS

5.A. Application #1158-17F, Preston Mountain Club, forestry operation, Map 3 Block 3 Lot 1.

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Nick Yanick came forward and submitted a letter for the record from Ian Branson, Forester of Record, satisfying requirement #12. Donna Hayes reminded Mr. Yanick that he must submit certified receipts of notifications to abutters and NY State regarding this activity three days prior to commencement.

*Mr. Cieplik moved to approve application #1158-17F, Preston Mountain Club, forestry operation, Map 3 Block 3 Lot 1. Mr. Hosterman seconded and the motion carried unanimously.*

**5.B Application #1159-17, Arthur H. Howland & Associates for Charles and Ellen Cogut, 25 Bulls Bridge Road, septic system and associated site work, Map 6 Block 38 Lot 4.**

Jeremy Oskandy of AH Howland came forward. Donna Hayes reported that a new application was received September 1, 2017 clarifying that the only activity within the wetlands regulated area is the septic system.

*Mr. Yagid moved to approve application #1159-17, Arthur H. Howland & Associates for Charles and Ellen Cogut, 25 Bulls Bridge Road, septic system and associated site work, Map 6 Block 38 Lot. 4. Mr. Cieplik seconded and the motion carried unanimously.*

**5.C. Notice of Violation 01-17, Charles Hirschler, 255 Segar Mountain Road, breaching of beaver dam, Map 10 Block 22 Lot 16.**

Donna Hayes reported that Mike Callahan of Beaver Solutions has attempted to contact the appointed representative on several occasions without a response. It was agreed that a letter should be sent directly to Charles Hirschler advising that fines will be levied if the activity continues.

*Mr. Yagid moved to continue Notice of Violation 01-17, Charles Hirschler, 255 Segar Mountain Road, breaching of beaver dam, Map 10 Block 22 Lot 16 to the next regular meeting. Mr. Hosterman seconded and the motion carried unanimously.*

**5.D. Violation #02-17, Michael & Melissa Hrabcsak, 29 Mountain Rd., excavation in wetlands area without permit. Map 12 Block 40 Lot 14**

Donna Hayes reported on her separate site walks with members Yagid and Hosterman. Mr. Yagid reported that a driveway that had been paved on an above property is causing increased water runoff through an eroded culvert onto the Hrabcsak property. The group also discussed a log on an abutting property diverting the water.

It was reported that, as a short term solution, 12 feet of rip rap was placed by the wall to slow the water, trap sediment and divert water from running directly into the stream. The area has been seeded and hayed. Donna Hayes explained that she has requested that a consultant from the NW Conservation district view the site and offer long term water management suggestions.

Chairman Werner inquired as to who owns the road and culverts in question. Donna Hayes reported that it is unknown at this time, but this will be further researched. Donna Hayes noted that she reviewed the subdivision deeds back to the 1940s and did not see any indication of who owned the road. A hose with a spicket was viewed on the site walk coming from the Cooper's property and draining into the culvert. Chair Werner suggested that Mr. Cooper be contacted to determine for what the spicket is used.

Chair Werner confirmed that the members are satisfied with the short term plan. Donna Hayes suggested that additional rip rap be added directly before the wall. She will review the site once this is complete.

It was agreed that the input of the NW Conservation District and Rick Osborne will be requested in an effort to formulate a long term plan. Donna Hayes agreed to obtain a tax map showing all of the associated owners.

A letter received from the Kollars was acknowledged for the record. Chair Werner reviewed the letter from the Kollars and confirmed that the Commission is aware that the depression has been dug and that the stone wall is being addressed by the addition of rip rap up to the area in front of the stone wall. She clarified that selective cutting of trees is permitted and that Commission is in a process of formulating a long term plan.

*Mr. Yagid moved to continue violation #02-17, Michael & Melissa Hrabcsak, 29 Mountain Rd., excavation in wetlands area without permit. Map 12 Block 40 Lot 14 to the next regular meeting. Mr. Cieplik seconded and the motion carried unanimously.*

6. **NEW BUSINESS** - N/A

7. **COMMUNICATIONS TO THE COMMISSION**

A. **WRITTEN**

7.A.1. Permit Application for the Use of Pesticides in State Waters:

There were no permits submitted for review this month. It was noted that the signs regarding the pesticide application to North Spectacle Lake have not yet been removed.

7.A.2. Monthly Financials –July 2017: N/A

B. **VERBAL**

A complaint was received regarding garbage at a property along Hatch Pond. This complaint cannot be visibly confirmed from the road. Donna Hayes has contacted the property owner regarding this matter and has not yet received permission to enter upon his property. Donna Hayes will discuss this with the TAHD and determine what legal rights she has to view the property.

8. **ADJOURNMENT**

*Mr. Yagid moved to adjourn at 7:58 p.m. Mr. Hosterman seconded and the motion carried unanimously.*

Respectfully submitted.

Tai Kern

Tai Kern,  
Land Use Clerk

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