

# TOWN OF KENT INLAND WETLANDS COMMISSION

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## REGULAR MEETING MINUTES

The Kent Inland Wetlands Commission held a regular meeting on January 25, 2021 at 7:00 p.m. via Zoom.

### 1. CALL TO ORDER

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

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

Commissioners Present: Lynn Werner, Chairman; Marge Smith, Ken Deitz, Paul Yagig and Ken Johnson (7:22 pm)

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, December 14, 2020.

*Ms. Smith moved to approve the Regular Minutes of the December 14, 2020. Mr. Yagid seconded and the motion carried unanimously.*

### 4. NEW BUSINESS

#### 4.A. Application #1244-21, Craig Bibb, 80 Lake Waramaug Road, Map 17 Block 27 Lot 11, removal of dead and deceased trees from wetlands and regulated area.

Mr. Bibb came forward and explained that there are many dying trees on his property that he would like to remove. There are several varieties of about 60 trees to be removed. The site is across the street from the lake, but at the lower portion of the property between the house and the lake. He reported that there are already a lot of down trees.

The members suggested the replanting of the area with shrubs and trees to slow the runoff of water coming off the hill. Mr. Bibb noted that this would be costly. It was agreed that the property owner would remove invasives to encourage the natural growth of natives and then the site would be revisited in July 2022 to observe the status of the runoff.

Ken Johnson joined the meeting and was seated at 7:22 p.m.

The Commission requested that Mr. Bibb provide a good sense of how many trees were being removed and how many will remain on the site. Photos of the site with the marked trees were requested to be submitted at the next meeting along with a list of the diseased trees and what trees will remain. Donna Hayes will research how to tie the July 2022 follow-up visit to the permit.

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Kent Inland Wetlands Regular Meeting Minutes 01/25/2021

These are draft minutes. Corrections may be made by the Commission at the subsequent meeting. Please refer to subsequent meeting minutes for possible corrections and approval of these minutes.

*Mr. Yagid moved to table application #1244-21, Craig Bibb, 80 Lake Waramaug Road, Map 17 Block 27 Lot 11, removal of dead and deceased trees from wetlands and regulated area. Ms. Smith seconded and the motion carried unanimously.*

- 4.B.** Application #1245-21, Campland, Inc., 70 Kenmont Road, Map 15 Block 22, Lot 106, installation of two sheds and additional sand surfacing of existing road.

Attorney Bill Manasse came forward to represent Campland and reported that these sheds are the same construction as garden sheds placed on 4x4s and set on crushed stone. The potholes on the roadway were filled. The roadway has been there for over 100 years. Paul Yagid questioned whether electric service was provided to the previous sheds. Michael Kulchin of Campland confirmed that there was electrical service to the previous sheds.

*Ms. Smith moved to approve Application #1245-21, Campland, Inc., 70 Kenmont Road, Map 15 Block 22, Lot 106, installation of two sheds and additional sand surfacing of existing road. Mr. Deitz seconded and the motion carried unanimously.*

*Ms. Smith moved to modify the agenda to hear item 5B. Mr. Deitz seconded and the motion carried unanimously.*

- 5.B.** Notice of Violation 02-20, Campland, Inc., 70 Kenmont Road, Map 15 Block 22 Lot 106, installation of two (2) additional buildings and additional sand surfacing to existing roadway without permit.

*Mr. Yagid moved to release the Notice of Violation 02-20, Campland, Inc., 70 Kenmont Road, Map 15 Block 22 Lot 106, installation of two (2) additional buildings and additional sand surfacing to existing roadway without permit with the granting of the after-the-fact application #1245-21. Mr. Deitz seconded and the motion carried unanimously.*

- 4.C.** Application #1246-21F, Nick Yanick for Preston Mountain Club, 14 Preston Mountain Road, Map 3 Block 3 Lot 1, heavy thinning of approximately 80 acres and clean up of storm damaged trees.

Nick Yanick explained that they would like to do a hard thinning on 80 acres adjacent to area included in application #1213-20. 60 to 70 percent of the trees will be removed. There are no wetlands associated with this application. He stated that this is a good habitat cut. The members requested that the forester certify that the ash trees are not infected with the Emerald Ash Borer. Mr. Yanick agreed to provide this certification for the next meeting.

*Mr. Yagid moved to table Application #1246-21F, Nick Yanick for Preston Mountain Club, 14 Preston Mountain Road, Map 3 Block 3 Lot 1, heavy thinning of approximately 80 acres and clean up of storm damaged trees. Ms. Smith seconded and the motion carried unanimously.*

- 4.D.** Application #1247-21, Paul Szymanski, PE, Arthur H. Howland & Associates, PC, for Raphael and Courtney Posner, 21 Oak Ridge Road, Map 10 Block 41, Lot 19, construction of a one-bedroom, detached dwelling unit/pool house, driveway, proposed deck, subsurface sewage disposal system, grading and other related site work.

Donna Hayes reported that Mr. Szymanski is not present; however, she will forward any questions to him. She noted that her only concern is that the Zoning Commission may require screening; therefore, she will ask the applicant to consider this and add it to the plan, if necessary, prior to next meeting.

The members requested a confirmation regarding the septic proposal and clarification of this on the plan. Donna Hayes will request confirmation regarding the propane tanks as well.

*Ms. Smith moved to table and the application #1247-21, Paul Szymanski, PE, Arthur H. Howland & Associates, PC, for Raphael and Courtney Posner, 21 Oak Ridge Road, Map 10 Block 41, Lot 19, construction of a one-bedroom, detached dwelling unit/pool house, driveway, proposed deck, subsurface sewage disposal system, grading and other related site work. Mr. Deitz seconded and the motion carried unanimously.*

- 4.E.** Application #1248-21, Brian D. Wood for Balis, Bibb, Spring & Holland, 0 Lake Waramaug Road, Map 17 Block 27 Lot 10, improve shoreline access/recreational area; removal of dead, diseased and dying trees; removal and management of invasive species; and, preservation of existing natural area.

Brian Wood came forward with Suvi of Seagreen to review drawings for Mr. Bibb's property. She noted the trees that will remain after the removal of the dead and invasive vegetation. There will be replanting, from the native planting list provided, as soils are disturbed. She reviewed the areas to be leveled and where boulders would be added. Any reseeding would be with a no mow mix.

Suvi reviewed the plan for the Spring property noting that everything north would stay intact. On the south side of the property the dead and dying vegetation would be removed. The plan shows what will remain. A pathway would lead to the water. The existing State drain areas would be built up to create a proper plunge pool. The existing steps will remain; however, may be adjusted within the cleared area. A large umbrella is proposed to be installed in a 2x3 concrete pad concrete footing. She reviewed the planting plan for several birch trees.

Suvi reported that silt fence will be utilized and soils will be staged in order to limit disturbance. It was requested that this information be added to the plan. Brian Wood noted that there is existing rip rap; therefore, there should not be much disturbance within the plunge pools. Hay bales and straw bales will be available on site to control disturbance. A stock pile area will be defined on the plan. All work around the plunge pools will be done by hand in dry weather.

Lisa Turoczi of Earth Tones came forward to review the plan for the Holland property. There will be a pull off area for something such as a golf cart. Pea stone gravel and boulders would be added. Much of the existing vegetation and trees will remain. Japanese knotweed will be removed and replaced with dogwood shrub. Two dying hemlocks will be removed. The roots will be removed along the shore and the shore will be built back with boulders. Native plants will be filled in where possible.

Donna Hayes suggested that Brian Wood reach out to the State to share this plan. The members agreed that they were pleased with this plan. Mr. Wood reported that the three neighbors are working on an agreement with regard to this permit.

*Ms. Deitz moved to table application #1248-21, Brian D. Wood for Balis, Bibb, Spring & Holland, 0 Lake Waramaug Road, Map 17 Block 27 Lot 10, improve shoreline access/recreational area; removal of dead, diseased and dying trees; removal and management of invasive species; and, preservation of existing natural area. Mr. Yagid seconded and the motion carried unanimously.*

## **5. OLD BUSINESS**

- 5.A.** Application #1237-20, Putnam Tennis Courts for Ashley Shackelton, 398A Segar Mountain Road, Map 16 Block 25 Lot 10 construction of 120' x 60' tennis court with 10' partial fence system.

There was no one present to represent this application. It was noted that this was the last date to act on this application. The group reviewed the site map and determined that all of the wetlands have not been delineated on the map. The members agreed that they could not act on an application that they still have questions about and do not fully understand.

*Ms. Smith moved to deny without prejudice application #1237-20, Putnam Tennis Courts for Ashley Shackelton, 398A Segar Mountain Road, Map 16 Block 25 Lot 10 construction of 120 'x 60 'tennis court with 10 'partial fence system and waive fee for reapplication. Mr. Yagid seconded and the motion carried unanimously.*

- 5.C.** Modification to Permit #1173-18, 200 Kenmont LLC, 200 Kenmont Road, Map 15 Block 22 Lot 96, lakefront recreation improvements; stone wall and sand terrace, stone terrace, cabana, landscaping and tree work. Modification to include: installation of 16 'x 20 'storage shed.

Adam Manes came forward and reported that the applicants chose Shed Location #1. The shed is below the 400 square foot requirement for a foundation; therefore, sonotubes will be used. A gravel bed will be laid in one day.

*Ms. Smith moved to approve modification to Permit #1173-18, 200 Kenmont LLC, 200 Kenmont Road, Map 15 Block 22 Lot 96, lakefront recreation improvements; stone wall and sand terrace, stone terrace, cabana, landscaping and tree work. Modification to include: installation of 16 'x 20 'storage shed. Mr. Deitz seconded and the motion carried unanimously.*

- 5.D.** Application #1242-20, Stefan Peters & Ashley Rosebrook, 99 Macedonia Brook Road, Map 2 Block 5 Lot 13, improvement to pre-existing, non-conforming driveway, demolition of existing garage and rebuild new with parking area and breezeway to existing house; inground swimming pool, equipment and pool deck.

Donna Hayes reported that the applicant is not present tonight. There was a lot of information asked to be submitted at the last meeting that is still required before a determination can be made.

*Mr. Deitz moved to table application #1242-20, Stefan Peters & Ashley Rosebrook, 99 Macedonia Brook Road, Map 2 Block 5 Lot 13, improvement to pre-existing, non-conforming driveway, demolition of existing garage and rebuild new with parking area and breezeway to existing house; inground swimming pool, equipment and pool deck. Mr. Yagid seconded and the motion carried unanimously.*

## **6. COMMUNICATIONS TO THE COMMISSION**

### **A. WRITTEN:**

#### **6.A.1.** Emergency dam repair at Hilltop Pond.

Donna Hayes reported this was done under the supervision of the DEEP.

### **B. VERBAL: N/A**

## **7. ADJOURNMENT**

*Ms. Smith moved to adjourn at 9:45 p.m. Mr. Deitz seconded and the motion carried unanimously.*

Respectfully submitted.

*Tai Kern*

Tai Kern,  
Land Use Clerk