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# TOWN OF KENT INLAND WETLANDS COMMISSION

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## SPECIAL MEETING MINUTES

The Kent Inland Wetlands Commission held a special meeting on January 30, 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, Ken Deitz, Fred Hosterman, Marge Smith, Paul Yagid

Staff Present: Donna Hayes, Land Use Administrator

### 3. READING OF MINUTES OF PREVIOUS MEETINGS

3.A. Regular Meeting Minutes, December 19, 2016.

*Mr. Yagid moved to approve the Regular Meeting Minutes, December 19, 2016, as written. Mr. Hosterman seconded and the motion carried unanimously.*

### 4. APPLICATIONS

4.A. Application #1146-17, John Worthington for Kent Housing for the Elderly, Inc., 16 Swifts Lane, installation of drainage from repaved parking lot, Map 19 Block 12 Lot 4.

Mr. John Worthington and Mr. Michael Gawel were present to address the Commission. Mr. Worthington explained that they planned on resurfacing the existing parking lot at the above property and that during the resurfacing they were going to be adding 4 new catch basins along with the associated piping. Ms. Werner asked how far from the brook the work was being done. Mr. Worthington said they were out of the regulated area. Ms. Hayes explained that the result of the work would be the draining of the parking lot runoff into a catch basin and ultimately into the stream in South Commons Park.

Mr. Worthington explained that the existing drywell on the northern end of the parking lot is nonfunctioning; it floods then freezes creating an unsafe surface for the residents. This parking lot area, which is 48' x 117', does not drain into the existing catch basin. The plan is to add two new catch basins along with 10" pipes in that area. Piping from these two catch basins will run in a southerly direction to the middle of the parking lot where they will empty into a new catch basin. Two existing pipes will also empty into this new catch basin. A new 10" pipe will run in a southerly direction to an existing catch basin with a 10" outlet. On the westerly side of the most southern area of the parking, a new catch basin will be installed with a 10" outlet. The outlet for this new catch

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basin will run in an easterly direction and will empty into the existing catch basin. Water from the existing catch basin will empty into an existing catch basin located on Swifts Lane. It is this catch basin that empties into the stream that runs between Kent Housing for the Elderly and the South Commons Park.

Ms. Werner asked if a new parking area will be constructed. Mr. Worthington said that no new parking area will be constructed. They will be resurfacing all that is existing. Ms. Werner asked if he knew how much more water will be added. Mr. Worthington said that it would all depend on the amount of rain. He agreed that there would be a substantial amount of water, but it is smaller than what is existing.

Mr. Gawel explained that there would not be that much more water as the parking area on the northerly area already sheet flows into the existing catch basin; it just does it very slowly and when it is cold, it freezes. Mr. Yagid asked if the area was going to be regraded. Mr. Gawel said that they would not be changing the grades as it would be too costly. Ms. Smith clarified that they would be using what was there more efficiently. Mr. Gawel agreed.

Mr. Yagid asked if the existing catch basins have the capacity to handle more water. Mr. Gawel said that they would. Mr. Yagid asked if they were going to be putting any rip-rap on the outlet side of the 12" pipe. Mr. Gawel said that they had not planned on doing that, but they could. Ms. Werner said that she did not think adding rip-rap would help unless there was room for vegetation to grow. Mr. Worthington added that the property where the drain empties is on Town property. Mr. Yagid felt that adding rip-rap to the outlet would slow down the water and help to eliminate any erosion. Ms. Smith asked if there was any way that some sort of screening could be added to the catch basins as this would help to filter the water before it enters the stream on the outlet side. Mr. Gawel said that there is some room in the catch basins to catch the salt and sand. Ms. Werner said that it would only catch the sand and not the salts which is what is concerning to her. Mr. Gawel said that the new catch basins with the sediment traps provide additional filtering.

Ms. Werner said that a permit is necessary but the Commission determined that there would be mitigated impact with the screening in the catch basins. There were no further questions or comments.

*Mr. Yagid moved to table Application #1146-17, John Worthington for Kent Housing for the Elderly, Inc., 16 Swifts Lane, installation of drainage from repaved parking lot, Map 19 Block 12 Lot 4 to the next regular meeting. Ms. Smith seconded and the motion carried unanimously.*

## **5. OLD BUSINESS**

- 5.A.** Application #1137-16, William Gawel for Drew Taraian, 0 Macedonia Road, construction of bridge across Bog Hollow Brook, Map 3 Block 4 Lot 2.

Ms. Hayes explained that she had conversations with both Mr. Taraian and Mr. Jeremy Oskandy of Arthur H. Howland and Associates regarding the application. Mr. Oskandy informed Ms. Hayes during those conversations that they will not have the information ready for discussion and possible approval at this meeting. Since the application had reached its action deadline, it was recommended that Mr. Taraian withdraw his application. The required information will be completed by the next regular meeting at which time Mr. Taraian will be applying for the bridge construction via a modification to permit #1022-12. Ms. Hayes went on to explain that she had contacted Mr. Taraian via email and explained that permit #1022-12 is due to expire in August of this year and if work had not begun by June, he will need to apply for an extension of that permit. She also advised him that once the work has started, he would have one year to complete all construction.

With regard to the engineering fees, Ms. Hayes explained that according to the fee ordinance for Inland Wetlands, consulting fees are payable by the applicant only after the Commission has determined that the application contains significant activity. Since that was not done with this application, Mr. Taraian was not liable for the

engineering costs. Ms. Hayes told the Commission that Planning & Zoning does not handle their consulting fees that way. Ms. Werner asked that "fee ordinance" be placed on the next agenda for discussion and possible revision. Ms. Werner asked Ms. Hayes to include a copy of Planning & Zoning's fee schedule to the meeting.

*Ms. Smith moved to accept the withdrawal of Application #1137-16, William Gawel for Drew Taraian, 0 Macedonia Road, construction of bridge across Bog Hollow Brook, Map 3 Block 4 Lot 2. Mr. Yagid seconded and the motion carried unanimously.*

**5.B. Application #1145-16, Ron Saltz, 1 Anderson Acres Road, demolition of existing 5- bedroom house and reconstruction of 6-bedroom house on existing footprint, Map 16 Block 24 Lot 16.**

Due to her membership on the Board of Selectmen Historic Structure Task Force, Ms. Smith recused herself from this discussion.

Mr. Brian Baker from Civil I was present to address the Commission. He explained that since the last time he was before the Commission, they had obtained Torrington Area Health District approval. There have been a couple of changes since the last discussion. It has been decided that the house will remain a 5-bedroom house instead of 6, and will remain on the exact footprint. Initially, there was a chance that a reserve area would need to be placed up by the solar array but after an evaluation of the existing system and the conclusion that the septic system was working well, it was decided that a reserve could be placed in the front yard of the existing house. Mr. Baker continued that they did identify the catch basin on the site plan and also indicated on the site plan the location of all silt fencing.

With regard to the house itself, Mr. Baker said that the original main house (to the east) would remain. The house will be lifted 8' so that a new foundation can be built. After the foundation is done, the house will be lowered on to it. The kitchen addition to the west will be removed in its entirety and a new structure, built on the existing footprint, will be constructed. Mr. Yagid asked what would happen to any construction debris. Mr. Baker said that it will either be removed from the site or buried on site outside of the wetland regulated area.

Mr. Allan Shope, architect, said that they were 99% sure that the original house will remain. Ms. Hayes asked if there would be a construction trailer on site and if so where it would be placed. Mr. Shope said that there will be no construction trailer. The contractor who was awarded the job is currently constructing a new house in the vicinity and he will use the trailer on that property. Ms. Hayes asked for an approximate start date and Mr. Shope said March 15, 2017.

*Mr. Hosterman moved to approve Application #1145-16, Ron Saltz, 1 Anderson Acres Road, demolition of existing 5- bedroom house and reconstruction of 6-bedroom house on existing footprint, Map 16 Block 24 Lot 16 based on the revised plans submitted and dated January 5, 2017. Mr. Cieplik seconded and the motion carried unanimously.*

**5.C. Possible Modification and/or Approval of the By Laws of the Kent Inland Wetlands Commission**

Ms. Smith returned to the meeting.

Ms. Hayes said that she had placed the new paragraph under Article VII, Section 2. Ms. Werner told the Commission that the new paragraph was written by the consultant for HVA for their own bylaws. After a brief discussion on what constitutes a meeting, the following motion was made:

*Mr. Yagid moved to approve the Kent Inland Wetlands Commission By Laws as amended by the inclusion of a new Section 2 under Article VII. Mr. Cieplik seconded and the motion carried unanimously.*

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6. **NEW BUSINESS**

No action taken.

7. **COMMUNICATIONS TO THE COMMISSION**

A. **WRITTEN**

- 7.A.1. Permit Application for the Use of Pesticides in State Waters: 476 Skiff Mountain Road Pond; Rock Coble Farm; Ore Hill Pond

The Commission reviewed each of the permit applications and asked Ms. Hayes to get in touch with her contact at the DEEP with regard to: the treatment of cattails; Blatz' pond proximity to the Kent Land Trust Skiff Mountain Pond; and, the use of Clear Cast. The Commission also asked Ms. Hayes to contact the Inland Wetlands Agent for the Town of New Milford with regard to the treatment of the ponds located at Cobble Rock Farm.

- 7.A.2. Monthly Financials: July through November, 2016.

Ms. Werner asked how engineering costs were paid for since there was no budget line. Ms. Hayes said that she did not know but would ask the Town Treasurer. She would also ask that a line be added to the budget to cover any consultant costs.

- 7.A.3. Connecticut Land Use Law for Municipal Land Use Agencies, Boards and Commissions, March 25, 2017, Seminar

No action taken.

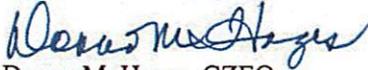
B. **VERBAL**

No action taken.

8. **ADJOURNMENT**

*Mr. Yagid moved to adjourn at 8:15 p.m. Mr. Cieplik seconded and the motion carried unanimously.*

Respectfully submitted,



Donna M. Hayes, CZEO  
Land Use Administrator