

TOWN OF KENT INLAND WETLANDS COMMISSION

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2016 APR 28 P 3:10

BY *Donna Hayes*
TOWN CLERK

REGULAR MEETING MINUTES

The Kent Inland Wetlands Commission held a regular meeting on April 25, 2016 at 7:00 p.m. in the Kent Town Hall, 41 Kent Green Boulevard, Kent, CT.

CALL TO ORDER

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

2. ROLL CALL AND APPOINTMENT OF ALTERNATES, IF REQUIRED

Commissioners Present: Marge Smith, Vice Chairman; Eric Cieplik, Paul Yagid, and Fred Hosterman

Staff Present: Donna Hayes, Land Use Administrator
Jennifer Calhoun, Land Use Clerk

Mr. Yagid moved to add to agenda, item 7.A.3. DEEP Permit Application for the Use of Pesticides in State Waters for: South Kent School Pond. Mr. Cieplik seconded and the motion carried unanimously.

3. READING OF MINUTES OF PREVIOUS MEETINGS

3.A. Regular Meeting Minutes, March 28, 2016.

Mr. Yagid moved to approve the regular meeting minutes of March 28, 2016. Mr. Cieplik seconded the motion carried unanimously.

4. APPLICATIONS

4.A. Application #1128-16, Virginia Bush-Suttman, 8 Bluff Road, seasonal/removable dock, Map 19 Block 15 Lot 38.

No one was present to represent the application. Mrs. Hayes noted that she had received an approval letter from Jesse Klingenberg of the Housatonic River Commission. She added that the letter stated that the proposed dock was a small dock similar to the large dock that had been there, but that he had some concerns about the anchoring to a tree. The Commission requested that Mrs. Hayes ask Ms. Suttman for more information on the anchoring of the dock before the next meeting.

Mr. Yagid moved to table application #1128-16. Mr. Cieplik seconded and the motion carried unanimously.

Kent Inland Wetlands Regular Minutes 4/25/16

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.

4.B. Application #1129-16, Steven Abbate, 99B Cobble Road, removal of beaver dam from driveway culvert, Map 10 Block 22 Lot 2.

Mr. Steven Abbate was present for the application. Mrs. Hayes stated that Mike Callahan of Beaver Solutions had reviewed the dam and recommended that it be removed with machinery. He added that Mr. Abbate may want to see if he can get approval to trap the beaver from the DEEP. Mr. Abbate noted that he contacted local licensed trappers, but had not received a call back.

Ms. Smith stated that beavers had been present on Cobble Brook for a long time and thought there was enough places for the beaver to build a dam on the brook.

Mr. Yagid asked about the disposal method of the debris from the dam and Mr. Abbate noted that he did not know where it was going, but that Billy McCann would be removing it from his property.

Mr. Abbate explained that it was becoming very hard for him to get in and out of his driveway and felt that this constituted an emergency. He asked about the procedure for being able to remove the dam right away.

Mrs. Hayes noted that they could approve it tonight because it was an emergency, but that he would need to wait 15 days after publication in the newspaper to start the project. She recommended that he keep removing the material by hand until the waiting period is over.

Mr. Yagid moved to approve application #1129-16 with the condition that the approval shall become effective 15 days after the legal notice is published and shall be null and void if a petition for a public hearing is filed with the agency within the 15 days pursuant to Public Act 98-209. Mr. Cieplik seconded and the motion carried unanimously.

4.C. Application #1130-16, Jeremiah O'Brien, 52 Dugan Road, deposition of woodchip material within regulated area, Map 14 Block 21 Lot 2.

Mr. Jeremiah O'Brien was present for the application. Mrs. Hayes noted that there was a map on file and she showed the Commission the area of concern. She noted that there is a pile of wood chips with no erosion controls near the Kent Falls Brook. She suggested that the Commission conduct a site walk of the property.

Mr. O'Brien stated that the wood chips were mainly from the dead hemlocks on his property and asked Mrs. Hayes to explain her specific concerns and the process of the site walk and application. He added that he did not think that you could get one wood chip into the brook with a fire hose.

Mrs. Hayes explained that at the site walk the Commission would determine whether erosion controls were necessary or if the pile would need to be removed.

Mr. Cieplik moved to table application #1130-16 until the site walk on May 28, 2016 at 5 p.m. Mr. Cieplik seconded and the motion carried unanimously.

4.D. Application #1131-16, South Kent School Corporation, 0 Bulls Bridge Road, installation of artificial turf, Map 6 Block 38 Lot 2.

Dave Bjorklund of Spath Bjorklund Associates, Inc., Mabel Gutliph of Clark Companies and Rich Chavka of the South Kent School were present for the application. Mr. Bjorklund explained that there is an existing grass soccer field and 2 grass practice fields in the area of the proposed turf field. He added that they are not encroaching into the wetlands and the total disturbance is 3 acres. He noted that these types of fields actually create a positive

impact to the wetlands. He then explained the construction process. They would remove the topsoil, add stone and then the synthetic turf. Any water that falls on the field is essentially sucked into a large filter. The field enhances groundwater recharge. There is an attenuation of peak run-off for all the major storm events. There is a network of underground drains and a grass swale that discharges into the wetlands. The South Kent School would like to light the fields, so they have submitted a lighting plan that shows where they would be located.

Mr. Yagid asked about the trenching for the power supply and Mr. Chavka explained that it would be go across the road and then underground to the lighting poles.

Mr. Bjorklund explained that an anti-tracking pad would be installed temporarily for construction vehicles.

Mr. Yagid asked about the make-up of the turf fields and if there had been problems with the material. Mr. Bjorklund noted that it was granulated rubber and that they had looked into it and there would be no impact to the wetlands. He added that the wetlands were a dead, flat swamp.

Mr. Hosterman asked who did the delineation of the wetlands. Mr. Bjorklund stated that Richard Daily of Milone and MacBroom did it a month and a half ago.

Mrs. Hayes asked how many gallons of water would be discharged into the wetlands. Ms. Gutliph noted that it was 465 cubic feet with a holding of 763 cubic feet. She stated that the discharge would not be leaving faster than the existing conditions.

Mrs. Hayes asked about weirs and Mr. Bjorklund noted that they would not be needed because of the pipes. He added that there were significant reductions in the 10 and 25 year storm events.

Mrs. Hayes asked about the stockpile of materials and Mr. Chavka noted that it would kept by the maintenance shed on another South Kent School property. Mr. Bjorklund submitted an aerial photograph showing the properties.

Mrs. Hayes asked how many truckloads would be removed from the site. Ms. Gutliph calculated that it would be 174 truckloads.

Mrs. Hayes suggested that the Commission send it to the town engineer, Anchor Engineering for them to review it because of the complexity of the application. The Commission agreed.

Mr. Yagid moved to table application #1131-16. Mr. Cieplik seconded and the motion carried unanimously.

5. OLD BUSINESS

- 5.A. Application #1124-16, Catherine M. Mazza, 14 Judd Avenue, addition of screened porch, removal of 9' x 9' deck, general landscaping, Map 19 Block 13 Lot 32.

No one was present for the application. Mrs. Hayes noted that there was a question about cantilevering the porch over the sewer easement. The Sewer Commission approved the request and Mrs. Hayes read the motion into the record. The Housatonic River Commission also approved the porch and added that they liked the red oaks and red maples along the bank for stabilization. Ms. Mazza submitted a revised planting plan and updated pictures of the site since the last meeting. The Commission was satisfied with the updated information.

Mr. Cieplik moved to approve application #1124-16. Mr. Hosterman seconded and the motion carried unanimously.

- 5.B.** Application #1127-16, Town of Kent, Camps Flat Road (multiple locations), removal of guide wire; installation of new railings and associated site work, Map 12 Blocks 40 & 37, Lots 16, 14 & 15.

No one was present for the application. Mrs. Hayes noted that the Commission discussed the application at the last meeting with Mr. Osborne and that he had sent a letter stating that he would not be able to make the meeting and if the Commission would like him to add silt fencing or haybales as a condition for the approval, he would be okay with that. The Commission noted that haybales on the downhill side where there is a potential for erosion should be implemented.

Mr. Yagid moved to approve application #1127-16 with the condition that siltation control be installed in obvious areas for potential erosion. Mr. Hosterman seconded and the motion carried unanimously.

- 5.C.** Replacement of Carter Road Culvert over Kent Falls Brook.

Mrs. Hayes reported the following information:

Per BOS meeting on 4/5/16:

- The state is not enforcing the bat exemption; therefore, the deadline to remove the trees by 4/15/16 does not apply.
- They received the DEEP Fisheries verbal approval; still waiting for official signoff.
- The original construction amount was \$1.4 mil with the Town being responsible for 20%. \$290K has already been funded.
- Actual bid was \$2.1 mil. The Town has 3 options: use some LOSIP money from Rick; bring it to another Town meeting to ask for an additional \$100,000; or put it out to bid again with a new design. If the town does that, there is a possibility that the State can say NO to the funding, the town would then be responsible for the entire amount or the road would be closed indefinitely.

She noted that she would keep this item on agenda for future reporting.

6. NEW BUSINESS

7. COMMUNICATIONS TO THE COMMISSION

A. WRITTEN

- 7.A.1.** DEEP Permit Applications for the Use of Pesticides in State Waters for: Davis Pond; 33 Ore Hill Road

Mr. Yagid moved to hear application 7.A.3. with application 7.A.1. Mr. Cieplik seconded and the motion carried unanimously.

Mrs. Hayes noted her concern about removal of cattails with pesticides, but noted that the DEEP will only look at the chemicals and the Commission could voice its concern about the vegetation removal. The Commission took no action.

- 7.A.2. US Army Corps of Engineers, Public Notice for the Proposed Replacement and Revision of the Department of the Army Connecticut General Permit (GP), Dated March 8, 2016

Mrs. Hayes noted that the Army Corps of Engineers are revising a statewide general permit to update it for another 5 years.

- 7.A.3. DEEP Permit Application for the Use of Pesticides in State Waters for: South Kent School Pond.

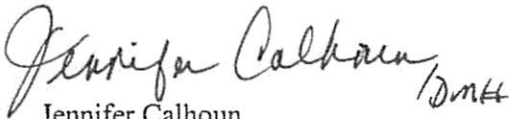
See agenda item 7.A.1.

A. VERBAL

ADJOURNMENT

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

Respectfully submitted,


Jennifer Calhoun
Land Use Clerk

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