

# TOWN OF KENT INLAND WETLANDS COMMISSION

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## REGULAR MEETING MINUTES

The Kent Inland Wetlands Commission held a regular meeting on July 27, 2015 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 7:03 p.m.

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

Commissioners Present: Lynn Werner, Chairman; Eric Cieplik, Fred Hosterman and Marge Smith.  
Staff Present: Donna Hayes, Land Use Administrator  
Jennifer Calhoun, Land Use Clerk

*Ms. Smith moved to elevate Mr. Hosterman to voting status. Mr. Cieplik seconded and the motion carried unanimously.*

*Ms. Smith moved to add items 4.2 and 7.A.1. to the agenda. Mr. Cieplik seconded and the motion carried unanimously.*

### 3. READING OF MINUTES OF PREVIOUS MEETINGS

#### A. Regular Meeting Minutes, June 22, 2015.

Ms. Werner stated that she would like to change the wording on page 2 of the minutes. She would like to change the word "like" to "that" in the 3<sup>rd</sup> sentence and add a comma after the word Commission. Mr. Cieplik noted that the word "long" should be added before mound on page 5.

*Mr. Cieplik moved to approve the regular meeting minutes of June 22, 2015 with the changes stated above. Ms. Smith seconded and the motion carried unanimously.*

#### B. Special Meeting Minutes, July 17, 2015 (13 Brown Road).

Ms. Smith noted that Richard Couch should be changed to Richard Crouch.

*Ms. Smith moved to approve the special meeting minutes of July 17, 2015 for 13 Brown Road with the change stated above. Mr. Cieplik seconded and the motion carried unanimously with Ms. Werner abstaining from the vote.*

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Kent Inland Wetlands Regular Minutes 7/27/15

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C. Special Meeting Minutes, July 17, 2015 (25 Brown Road).

*Ms. Smith moved to approve the special meeting minutes of July 17, 2015 for 25 Brown Road. Mr. Cieplik seconded and the motion carried unanimously.*

4. **APPLICATIONS**

- 4.1. Application #1112-15, Rick Osborne for Town of Kent, repair 3 culverts: Carter Road (Map 6 Block 12 Lot 20), Anderson Road (Map 17 Block 32 Lot 19), Bulls Bridge Road (Map 14 Block 22 Lot 5).

Rick Osborne, Road Foreman for the Kent Highway Department, was present for the application. Mr. Osborne explained that he would like to repair 3 culverts in town. Across from 47 Carter Road, he would like to remove one, 4 foot section of 18" pipe that has separated, install a catch basin with a grate top and extend the outlet 10 feet to fill around the basin. He would also like to install a catch basin on outlet pipe with grate top and extend the outlet pipe 10 feet to backfill basin and reduce scouring on Anderson Road about 940 feet from Treasure Hill Road. And finally, he would like to remove stone blocks, install a cement block wall to the rear of the drop inlet to support a basin top, from the inlet of drop, install 40 feet of 12" pipe parallel with the road so the ditch can be brought to grade and line an additional 20' of ditch with riprap so edge of road can be regarded at 229 Bulls Bridge Road.

Ms. Werner noted that these seemed to be simple repairs. The Commission agreed with Ms. Werner. They had no further questions.

*Mr. Cieplik moved to table application #1112-15. Ms. Smith seconded and the motion carried unanimously.*

- 4.2. Application #1113-15, Wes Wheeler for Rachel Fitch, LLC, 164 Kenmont Road, construction of drywell for discharge of potable water treatment system, Map 15 Block 22 Lot 97.

Brian Neff, Professional Engineer, was present for the application. Mr. Neff explained that the application was for the construction of a drywell on the east side of the house for discharge of the potable water treatment system. He noted that it currently discharges into the septic and that is not allowed by Torrington Area Health Department. So, they would like to construct the dry well as recommended by TAHD. He noted that the plan shows the piping to the drywell, stockpiled material area, erosion controls. He added that the limit of disturbance is 86 feet from North Spectacle Lake.

Mrs. Hayes noted that she remembered seeing a stormwater treatment system on the original plans. She searched for the plan, but could not find it.

Ms. Werner asked Mr. Neff if the proposal would change the topography. Mr. Neff replied that it would not. They would excavate a trench into the existing topography.

Mr. Neff added that he sent Cathy Weber of TAHD the plan last week.

There were no further questions as the Commission agreed that there were no better, alternative sites for the proposed drywell.

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*Mr. Cieplik moved to table application #1113-15. Ms. Smith seconded and the motion carried unanimously.*

## **5. OLD BUSINESS**

- 5.1.** Application #1107-15, Wyrick Associates for Douglas Garfinkle, 18 Highland Road, construction of new house, septic and related site work, Map 5 Block 12 Lot 88.

Mr. Wesley Wyrick, Architect, and Brian Neff, Professional Engineer, were present for the application.

Mrs. Hayes noted that she had visited the site and took pictures. She continue to show the Commission the pictures of the site. She also received a new plan showing the topography of the entire site. She showed pictures of the watercourse on site. The water bed was dry at this time as well as the wetland area on site. She noted that there was a plateau on the site and in her opinion, she thought it was the only area a house could be constructed on the site.

Mr. Neff explained the septic testing sites and proposed area of the septic system. The proposed limit of disturbance for the septic system is approximately 30' from the wetlands. Ms. Werner asked Mr. Neff if there was an alternative septic site and he stated that there was not.

The Commission then discussed leaving the area between the limit of disturbance of the septic system and the wetland area as is. They would like the area to remain wooded. Ms. Werner stated that they could add this condition to the permit as a mitigation measure.

Mrs. Hayes questioned how the septic location would be accessed during construction. Mr. Neff stated that they would go down the steep hill between the house and septic system. He noted the area was shown on the plan. The Commission questioned whether erosion controls in this area would be necessary. Mr. Neff stated that it was not sloping towards the watercourse, but he would install some anyway.

Mrs. Hayes noted that this project should be completed during the dry season. Mr. Wyrick agreed to this suggestion.

*Ms. Smith moved to approve application #1107-15 with the condition that as a form of mitigation, the area between the limit of disturbance of the septic system and the wetland area should remain as is and no clearing or tree cutting shall be done in this area. Mr. Cieplik seconded and the motion carried unanimously.*

- 5.2.** Application #1108-15, James Howley, 25 Brown Road, wrap around deck and expansion of lawn into wetland area, Map 11 Block 40 Lot 25.

James Howley was present for the application. Mr. Cieplik, Mr. Yagid and Mrs. Hayes had visited the site since the last meeting. Mr. Howley had also submitted a soil scientist report for the wetlands on the property. This report included an aerial photograph of the site showing the wetland limit line. The wetlands were shown to be 160' from the proposed deck. Mr. Howley noted that he would like to encroach into the wetland area to plant fruit trees.

Mrs. Hayes noted that during the site walk, Mr. Cieplik, Mr. Yagid and herself, thought it would be appropriate for Mr. Howley to clear up to the 100' regulated area line and plant the fruit trees there. The Commission agreed with that proposal.

Mrs. Hayes noted that this 100' regulated area line can be marked out in the field by measuring 60' from the proposed deck. Mr. Howley agreed to this proposal.

*Mr. Cieplik moved to approve application #1108-15 with the modification that the clearing and planting of fruit trees stay out of the regulated area. Ms. Smith seconded and the motions carried unanimously.*

- 5.3. Application #1109-15, Rick Osborne for the Town of Kent, 38 Maple Street, removal of buried oil tank in regulated area, Map 4 Block 12 Lot 4.

Rick Osborne, Road Foreman for the Town of Kent Highway Department, was present for the application.

Mrs. Hayes stated that the tank was empty and has been abandoned for a couple of years.

Ms. Werner asked why Mr. Osborne needed to pull the tank out and he stated that it needs to come out before it collapses. After Ms. Werner asked, Mr. Osborne explained the process of remediation if the tank is found that it leaked. He did not think that the leaking of the tank, if it is found to have leaked, would leach into the wetlands on the site.

The Commission had no further questions.

*Mr. Cieplik moved to approve application #1109-15. Ms. Smith seconded and the motion carried unanimously.*

- 5.4. Application #1110-15, Bruce Schnitzer, 29 Spectacle Ridge Road, addition of new entry and 2 decks in regulated area, Map 16 Block 25 Lot 23.

David Wilson, Professional Engineer, was present for the application. Mrs. Hayes had visited the property and showed pictures of the proposed deck sites to the Commission.

Ms. Werner wondered how close the decks were to South Spectacle Lake. Mr. Wilson noted that they were 90 feet away. She also asked what was in the location of the proposed decks and Mr. Wilson noted that it was currently a parking area. She then asked if the deck would be on piers and Mr. Wilson stated that it would.

Mrs. Hayes noted that she was not concerned with the current proposal. She added that John Dineen had informed her that he would be installing silt fencing. Mr. Wilson stated that they installed the fencing today.

The Commission had no further questions.

*Mr. Cieplik moved to approve application #1110-15. Ms. Smith seconded and the motion carried unanimously.*

- 5.5. Application #1111-15, Bruce Bennett, Kent Greenhouse, for John Veltri, 13 Brown Road, after the fact clearing of regulated area, pond dredging and pool retaining wall construction, Map 11 Block 40 Lot 27.

Ms. Werner recused herself from this application.

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No one was present for the application.

Mr. Yagid, Mr. Cieplik and Mrs. Hayes had all walked the property since the last meeting. Mrs. Hayes noted that the proposal is to remove the cement by the pool and crush it and place it above the boulders currently on the property. These boulders will be moved a couple feet further away from the watercourse then were they currently stand. They would place landscapers cloth on the hillside and against the boulders. After the pond is dredged, they would place the spoils on the cloth for dewatering. Once the spoils have dewatered, they would place another set of boulders on the dewatered spoils.

Mrs. Hayes explained that the pond overflow creates a watercourse that flows onto 25 Brown Road and creates the wetlands on that property.

Mr. Hosterman question what the finished grade would be behind the boulders and Mr. Cieplik noted that it would remain the same.

Mrs. Hayes would like to move the proposed hay bales further down from the outlet. She added that the applicants were aiming to do the work in August.

Mr. Hosterman asked how deep the pond is and Mrs. Hayes noted that it was 4 feet deep and they would be removing 2 feet of silt.

The Commission had no further questions.

*Mr. Cieplik made a motion to approve application #1111-15 with the following conditions:*

*The order of sequence for the boulder placement should be: one row of boulders, the cracked concrete, a siltation barrier inside and behind the wall and finally the silt from the pond. By placing the material in this order, the siltation barrier will act as a natural dewatering spot for the silt. In addition, the cracked concrete wall will also afford proper drainage for the entire area. The machinery needed to do the work will remain inside the silt fencing that was indicated on the presented plan.*

*With regard to the pond, the hay bales will be moved further down slope from the pond, that the spill way direction be maintained in order to allow the pond to spill over and run it's natural course.*

*Mr. Finucane seconded and the motion carried unanimously.*

6. **NEW BUSINESS**

7. **COMMUNICATIONS TO THE COMMISSION**

A. **WRITTEN**

1. Undated, unsigned complaint letter regarding treatment of beaver dam in Camps Road Pond and possible drainage ponds and ditches on Camps Road Farm.

Mrs. Hayes noted that she would send a letter or e-mail to Camps Road Farm explaining the process of removing beavers from their property. She would also remind them that any excavation, not related to the farming operation may need a permit. She noted that she was there a couple of weeks ago and did not see any unauthorized work.

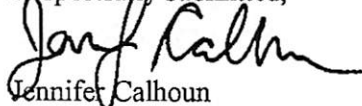
The Commission agreed to this idea.

**B. VERBAL**

**8. ADJOURNMENT**

*Ms. Smith moved to adjourn at 8:06 p.m. Mr. Cieplik seconded and the motion carried unanimously.*

Respectfully submitted,



Jennifer Calhoun  
Land Use Clerk

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