

TOWN OF KENT INLAND WETLANDS COMMISSION

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BY *Lynn Werner* TOWN CLERK

REGULAR MEETING MINUTES

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

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, Marge Smith, Vice Chairman; Eric Cieplik and Fred Hosterman

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

Ms. Werner elevated Mr. Hosterman to voting status.

3. READING OF MINUTES OF PREVIOUS MEETINGS

A. Regular Meeting Minutes, December 14, 2015.

Ms. Smith moved to approve the regular meeting minutes of November 16, 2015. Mr. Cieplik seconded the motion carried unanimously.

Ms. Smith made a motion to add item 7.A.4 to the agenda. Mr. Cieplik seconded and the motion carried unanimously.

4. APPLICATIONS

4.A. Application #1121-16F, James Gillespie for Harold Howe, Jr., timber harvest, Jennings Road, Map 11 Block 40 Lot 6.

This application was heard with application #1122-16F.

4.B. Application #1122-16F, James Gillespie for William Arnold, timber harvest, Route 341 and Jennings Road, Map 10 Block 40 Lots 32 and 27.

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James Gillespie, Forrester, was present to represent both applications. He stated that the timber harvests were tied together because the Howe timber is landlocked by wetlands. Mr. Arnold, who was also present at the meeting, stated that he would be allowing access and harvesting some timber on his property. Mr. Gillespie continued to explain that there would be no new wetlands crossings. They would use the four, existing crossings from the last harvest on Mr. Arnold's property.

Mr. Hosterman was concerned about two of the crossing being so close together on the plan. Mr. Gillespie assured Mr. Hosterman that the crossings were 50-60 feet apart.

Mr. Gillespie continued by adding that they would be utilizing the same skid trail on the Arnold property too. They would be utilizing a temporary driveway off of Segar Mtn. Road that would be approved by the State of CT DOT. Mrs. Hayes questioned the sight line and safety of the driveway and Mr. Gillespie stated that the sight lines were over 500 feet and Mr. Arnold stated that it is a relatively flat area and the trucks would not have an issue gaining speed quickly.

Ms. Werner questioned the distance any tree removal would be to the streams on the property and Mr. Gillespie stated that the closest was approximately 80 feet away.

Mr. Arnold added that he thought Mr. Gillespie did a terrific job avoiding wetlands areas.

Mr. Gillespie noted that they would be removing 70 trees from the Arnold property and approximately 200-250 trees from the Howe property. They would like to begin the project after April, 2016, but definitely not in the spring.

Mr. Hosterman asked Mr. Gillespie what "tops" were and he explained that they were the top of the tree being harvested. They would be left no higher than 6 feet in height and left to rot.

There was some confusion in the application where Mr. Gillespie referenced a pond and it should have been a swamp.

Ms. Werner questioned the acreage of the harvest. Mr. Gillespie stated that the Howe property was 59 acres and that they would be harvesting 15 acres of very old, decadent timber that would be harvested moderate to heavy. The Arnold property is 80 acres and about 15 acres would be selectively harvested.

The Commission had no further questions. Mrs. Hayes noted that she would walk the property with Mr. Gillespie and Mr. Hosterman noted that he was interested in walking the property also.

Mr. Cieplik moved to table applications 1121-16F and 1122-16F. Ms. Smith seconded and the motion carried unanimously.

- 4.C. Application #1123-16, Chris Spring/Martha Holland, 74 Lake Waramaug Road, removal of 23 trees within regulated area, Map 17 Block 27 Lot 9.

John Stefanko and Brian Wood were present to represent the application.

Ms. Werner asked if they had reached out to Tom McGowan from the Lake Waramaug Task Force and Mr. Wood stated that they had not.

Mr. Wood explained that the only trees they would like to remove are dead, diseased or dying. There are also hazardous trees in the State Right-of-Way that they are in discussion with the State to remove.

Trees had illegally been cut on the property in the past. The plan now is to have an arborist come in every 3 years to make recommendations to remove trees. The arborist will perform all pruning and removals. This will promote healthy canopy, nut/fruit species and food sources. There would also be selected girdled trees to provide cavity nesting opportunities.

They would also like to maintain a view corridor and keeping the brush along the ground.

Ms. Werner noted that she thinks this information should be summarized in the permit.

Mrs. Hayes noted that she thought this application could be an administrative permit because there is relatively no impact to wetlands and/or watercourses. Ms. Werner felt that the applicant's plan proposed no real risk to the lake and was comfortable with an agent permit. She did, however, point out that she did not think that every cutting in this manner would qualify for an agent permit. Mrs. Hayes agreed.

Ms. Smith made a motion to affirm that this application can be approved as an agent permit. Mr. Cieplik seconded and the motion carried unanimously.

5. OLD BUSINESS

- 5.1. Application #1117-15, Virginia Bush Suttman, 8A Bluff Road, cutting down 4 dying trees, pruning two others, mowing the area, Map 19 Block 15 Lot 38.

Virginia Bush Suttman was present for the application. The Commission had no further questions or comments since the last meeting. Ms. Bush Suttman stated that for the record she would be utilizing a forest mower.

Mr. Cieplik moved to approve application #1117-15. Ms. Smith seconded and the motion carried unanimously.

6. NEW BUSINESS

6.A. Election of Officers

Mr. Hosterman made a motion to nominate and elect all those who had previously served on the Commission; that being Lynn Werner, Chairman, Marge Smith, Vice-Chairman and Eric Cieplik, Secretary. Mr. Cieplik seconded and the motion carried unanimously.

7. COMMUNICATIONS TO THE COMMISSION

A. WRITTEN

- 7.A.1. Copy of Letter from CT DEEP dated December 17, 2015 Regarding Replacement of Carter Road Culver over Kent Falls Brook.

The Commission discussed this letter and Ms. Werner noted that the issues that caused the denial from the CT DEEP were asked by the Commission, they were just not shown on the plan. They would need to come back before the Commission if any modifications are made to the plan. Mrs. Hayes stated that she would get in contact with the Engineer.

7.A.2. DEEP 2015 Legislation and Regulation Advisory

Mrs. Hayes explained the changes to the Commission but added that the changes did not affect the Commission's regulations.

7.A.3. Monthly Financials, July through November, 2015

The Commission received this document.

7.A.4. Connecticut Federation of Planning and Zoning Agencies, Quarterly Newsletter, Winter 2016; *No Adverse Impact Excuses Need to Show No Feasible and Prudent Alternative.*

The Commission received this document.

B. VERBAL

At this time, Karl Rider from Rock Cobble Farm, handed out case studies from central Pennsylvania on removing sediment from watercourse and recreating wetland habitats.

The Commission noted that they would review the material presented to them and thanked Mr. Rider for the information.

Mr. Hosterman then asked the Commission some questions regarding criteria for rejection and also procedural questions. Mrs. Hayes noted that she would get more information to Mr. Hosterman regarding his questions.

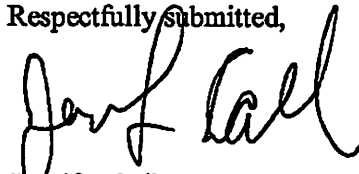
7.B.1. Notice of Hearing and Order to Show Cause, Docket #FIC 2015-279, Pamela Dudgeon-Eisenlohr against Chairman, Inland Wetlands Commission, Town of Kent; Inland Wetlands Commission, Town of Kent; and Town of Kent, 41 Kent Green Boulevard, P.O. Box 678, Kent, CT 06757.

Mrs. Hayes stated that she and Joyce Kearns went to the disposition hearing in Hartford and she was informed that the Commission had done everything right in executive session except that they would not have talked about who would be on the interviewing committee. The Commission members all disagreed that they talked about that in executive session. Mrs. Hayes added that the Hearing Officer stated that after hearing both sides, decided that she had heard that in the disposition and declared it unethical. Mrs. Hayes was informed that the Commission should not talk about an interviewing committee in executive session. The hearing is now over and the case is closed.

ADJOURNMENT

Mr. Cieplik moved to adjourn at 8:18 p.m. Ms. Smith seconded and the motion carried unanimously.

Respectfully submitted,



Jennifer Calhoun
Land Use Clerk

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BY *Debra Brady*
TOWN CLERK

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