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TOWN OF KENT INLAND WETLANDS COMMISSION

41 Kent Green Boulevard P.O. Box 678 Kent, CT 06757 Phone (860) 927-4625 Fax (860) 927-1313



REGULAR MEETING MINUTES

The Kent Inland Wetlands Commission held a regular meeting on February 24, 2020 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 7:01 p.m.

2. ROLL CALL AND APPOINTMENT OF ALTERNATES, IF REQUIRED

Commissioners Present: Lynn Werner, Chairman; Marge Smith, Paul Yagid, Fred Hosterman, and

Ken Deitz

Staff Present: Donna Hayes, Land Use Administrator and Tai Kern, Land Use Clerk

3. READING OF MINUTES OF PREVIOUS MEETINGS

3.A. Regular Minutes, January 27, 2020.

Ms. Smith moved to approve the Regular Minutes of the January 27, 2020. Mr. Hosterman seconded and the motion carried unanimously.

4. **NEW BUSINESS**

N/A

5. <u>COMMUNICATIONS TO THE COMMISSION</u>

5.A. Application #1212-20, Spath-Bjorklund for The Kent School Corporation, 25 Skiff Mountain Road, Map 3 Block 9 Lot 24, construction of six (6) single-family dwellings for faculty housing.

Donna Hayes reported that a revised submission was made to Anchor Engineering and Denise Lord responded that she had no further comment. Mrs. Hayes also reported that she reviewed the previous wetland approval and found that there were no conditions. The applicants noted that this proposal was approved as a modification by the Zoning Commission and it is expected to be approved by the Sewer

Kent Inland Wetlands Regular Meeting Minutes 02/24/2020

Commission. Mrs. Hayes asked if they had gone to the Housatonic River Commission. Mr. Wolinski replied that they had not but would reach out to them.

Mr. Hosterman moved to approve application #1212-20, Spath-Bjorklund for The Kent School Corporation, 25 Skiff Mountain Road, Map 3 Block 9 Lot 24, construction of six (6) single-family dwellings for faculty housing. Ms. Smith seconded and the motion carried unanimously.

5.B. Application #1214-20, Arthur H. Howland & Associates for Michael Hagerman, 324 Kent Hollow Road, Map 17 Block 32 Lot 1, demolition of existing house and rebuild of new SFD, new septic system, new well and associated site work.

Chris Francis of Arthur H. Howland came forward and reviewed the plan dated January 10, 2020 entitled Proposed Site Development & Soil Erosion Control Plan. Donna Hayes reported that she walked the property with Paul Szymanski. The proposed site is 107 feet from the brook. The area between the house and brook will remain meadow. There will be no tree cutting along the brook.

Mr. Francis discussed increase in runoff and advised it will be captured in an oversized system. He submitted the runoff calculations for the record. A new well is proposed; however, the old well will not be abandoned. The house is 2800 square feet with a 1200 square foot patio that has been considered as part of the calculations.

Mr. Yagid moved to approve application #1214-20, Arthur H. Howland & Associates for Michael Hagerman, 324 Kent Hollow Road, Map 17 Block 32 Lot 1, demolition of existing house and rebuild of new SFD, new septic system, new well and associated site work. Mr. Hosterman seconded and the motion carried unanimously.

5.C. Notice of Violation 01-20, Lynn Novick and Dorothy Novick, 355 Skiff Mountain Road, Map 8 Block 8 Lot 7, cutting of approximately 75 – 100 trees in a regulated area without permit.

Donna Hayes reported that she sent out this NoV February 13th via Certified Mail and the return receipt has not yet been received back. The neighbor has advised that they have had a conversation with the property owners and who agreed that they would allow for any remediation that they would like to do. It was noted that the owner would need to submit an application for this work.

The neighbor's agent came forward and explained that the property owners are seasonal and would not receive the certified mailing until they are in the area. Donna Hayes explained that the mailing was sent to the address of record; however, she will research their present address as there is nothing that can be done until a response is received. She is also researching the name of the forester who did this work.

Ms. Smith moved to continue discussion regarding Notice of Violation 01-20, Lynn Novick and Dorothy Novick, 355 Skiff Mountain Road, Map 8 Block 8 Lot 7, cutting of approximately 75 – 100 trees in a regulated area without permit. The motion was seconded by Yagid and carried unanimously.

6. <u>COMMUNICATIONS TO THE COMMISSION</u>

A. WRITTEN

6.A.1. Permit Application for the Use of Pesticides in State Waters: 33 Ore Hill Rd.

Reviewed

6.A.2. Response from DEEP regarding 108 Anderson Road pesticide application.

The DEEP responded to the questions of this Commission noting that the permit would be conditioned to make sure there is no outflow. Three treatments will occur as early as April and as late as October

6.A.3. Housatonic Railroad Company, Inc. Vegetation Management Plan for 2020.

Donna Hayes reported that this is a copy of their yearly plan as an FYI. The Commission noted that this treatment can be an issue along streams; however, the IWC does not have any oversight regarding this matter.

6.A.4. Monthly Financial - January, 2020 - Reviewed

B. VERBAL

Donna Hayes reported that the finalized plan for 59 Kenico Rd was received today and it looks good. The TAHD picked up a couple thing that will need to be adjusted.

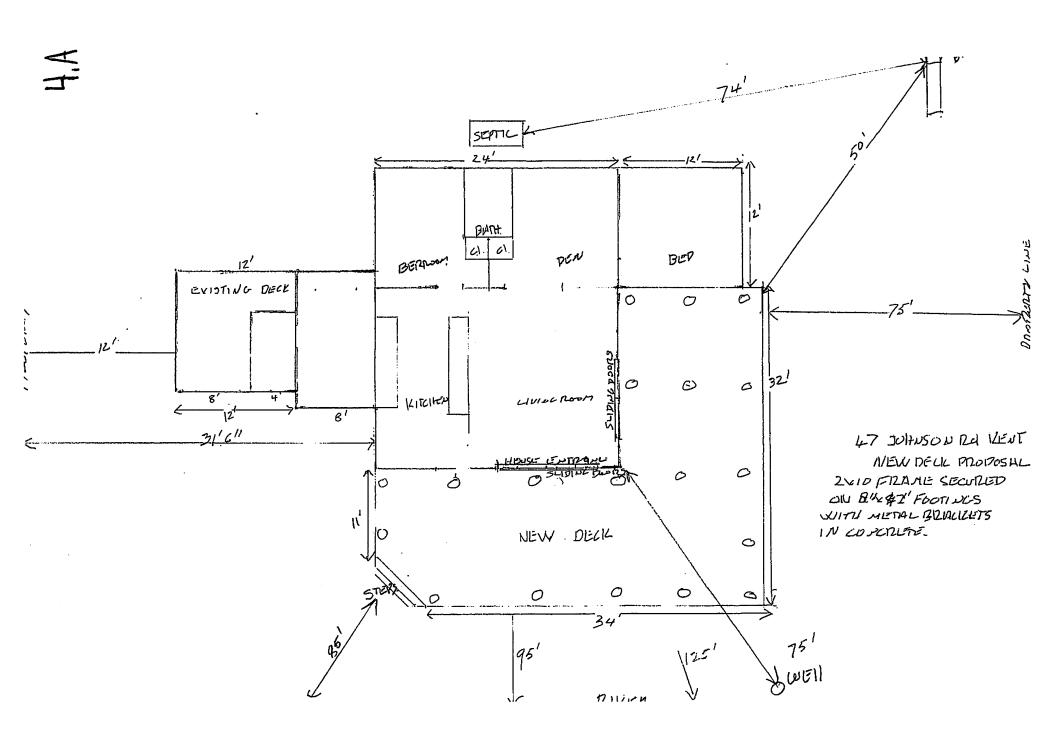
7. ADJOURNMENT

Mr. Yagid moved to adjourn at 7:47 p.m. Mr. Deitz seconded and the motion carried unanimously.

Respectfully submitted.

Tai Kern

Tai Kern, Land Use Clerk





Town of Kent Inland Wetlands Commission

41 Kent Green Blvd.

P.O. Box 678

Kent, CT 06757

Phone: (860)927-4625

Fax: (860)927-4541

Application for a permit to conduct a regulated activity within the regulated area of an inland wetland or watercourse in the Town of Kent.

ALL APPLICATIONS REQUIRE THE FOLLOWING (APPLICATIONS NOT INCLUDING ALL REQUESTED INFORMATION WILL NOT BE ACCEPTED):

- A. The original and 8 copies of the completed application form.
- B. If the applicant is not the owner of the property, a letter of consent from the owner authorizing the applicant to act as the
- C. One copy of the completed "Statewide Inland Wetland Activity Reporting Form."
- D. Filing Fee of \$100.00 made out to the Town of Kent.
- E. 8 copies of a site plan and other information noted on the checklist.
- F. List of names and mailing addresses of adjacent land owners.
- G. Field flagging and staking as noted on the checklist.

1. P	RO	PE	RT	Y A	VD	\mathbf{DR}	ES	S:
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47 Johnson Rd. Kent, CT

2. MAP: **BLOCK:**

19/15/29

LOT:

29

3. APPLICANT'S INFORMATION:

Name Mailing Address

City ST ZIP Code

Home Phone

Work Phone E-Mail Address Suzanne Tanner 414 Rivers de Ave. Westport, CT 06860 203-557-4561 310-293-3378

suzanne tanner e asl. com

4. OWNER'S INFORMATION:

Mailing Address

City ST ZIP Code

Home Phone

Work Phone

E-Mail Address

May Ellen Carey 47 Ihran Re P.O. Box 491 Kbut PT 06757

5. APPLICANT'S INTEREST IN THE PROPERTY:

Owner (future)

Permission letter attached (com letter w/ co-signatures)

Other (please list)

FOR OFFICE USE ONL Y Application # 1215-2

Filing fee S_ Date of receipt 3 6

Approved Denied



TOTAL ACREAGE OF PROPERTY
TOTAL ACREAGE OF WETLANDS AND OR WATERCOURSES DISTURBED (sq. ft. divided by 43,560)
TOTAL ACREAGE OF DISTURBED REGULATED AREA (sq. ft. divided by 43,560)
7. PLEASE DESCRIBE, IN DETAIL, THE PROPOSED ACTIVITY: (If needed, please attach additional pages.)
Ground-level (24" high) deck on corner of south and west of house 14' x 24' in front (west) 14' x 32' on side (south)
8. PLEASE DESCRIBE ALTERNATIVES CONSIDERED AND STATE WHY THIS PROPOSAL WAS CHOSEN:
Patio was determined to have higher impact (regarne) on eminimant.
9. ARE THERE ANY EASEMENTS OR OTHER ENCUMBRANCES NOTED ON THE PROPERTY DEED FILED AT THE TOWN HALL? IF SO, PLEASE DESCRIBE OR ATTACH.
Private road at end of Johnson RJ.
10. PLEASE CERTIFY WHETHER:
A. Any portion of the property on which the regulated activity is proposed is located within five hundred (500 feet of the boundary of an adjoining municipality. Yes No (If yes, the applicant shall give written notice of the application by certified mail, return receipt requested, on the same day to the inland wetlands agency of such other municipality).
B. Traffic attributable to the completed project on the site will use streets within the adjoining municipality to enter or exit the site. Yes No
C. Sewer or water drainage from the project site will flow through and impact the sewage or drainage system within the adjoining municipality. Yes You
D. Water run off from the improved site will impact streets or other municipal or private property within the adjoining municipality. Yes No
11. AGREEMENT AND SIGNATURE
The undersigned applicant hereby swears that the information supplied in the completed application is accurate, to the best of his/her knowledge and belief and is aware of the penalties for obtaining a permit through deception or through inaccurate or misleading information.
Signature Date 1 (202)
Date 3 6 2030

6. PLEASE PROVIDE THE FOLLOWING INFORMATION: (Please be exact)



TOWN OF KENT INLAND WETLANDS COMMISSION

PERMISSION FOR INSPECTION

Property Address:	47 Johnson Road, Kent, Co	:
Map/Block/Lot:	19/15/29	
Application/Permit #:		

The undersigned applicant hereby consents to necessary and proper inspections of the above-mentioned property by the Inland Wetlands Commission and/or its authorized agents, at reasonable times, both before and after the permit in question has been granted by the Commission.

. Name (printed)	Suzanne Tanna	Many Eller Coses
Signature	Dan	Marshen Mais
Date	3-6-2020	J

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March 6, 2020

Town of Kent Inland Wetland Commission 41 Kent Green Blvd. P.O. Box 678 Kent, CT 06757

RE: Application for deck at 47 Johnson Rd, Kent

Dear Wetlands Commission:

I respectfully submit this application for a ground-level (24" high) deck with 14' x 24' front deck adjoining a 14' x 32' side deck (784 total s.f./sketch attached) on the southwest corner of 47 Johnson Rd, Kent, CT within all known property setbacks (the property presently has a small side deck on the northern side). The parcel of land is .7 acres (7/10) and abuts the Housatonic River. The property is due to be transferred to me on March 12^{th} by seller MaryEllen Casey. I am acting as agent with her express permission to submit this application (by co-signature) in the hopes of completing the deck in time for full spring/summer 2020 enjoyment.

This extension of Johnson Road is a private road with three additional known domiciles, as follows:

Stanley M. and Deborah Oskwarek (42 Johnson Rd) P.O. Box 234 Kent, CT 06757

Ginger Giles and Rita Kho (41 Johnson Rd) P.O. Box 947 Kent, CT 06757

John F. Fusco (39 Johnson Rd) P.O. Box 342 Wingdale, NY 12594

The proper entrance for this modest 1900 bungalow home is on the western (river frontage) side (picture attached). The new deck will allow for a proper entrance and low-impact space for enjoying birding, one of my family's sacred pastimes. I hope to be a model steward for the property with regards to environmental standards and protections. My plan is to plant clover, native wildflowers and other pollinators to provide a destination for bees, butterflies, hummingbirds and all pollinators in the area. No chemicals will be used in any known form on the property. The plan will honor my 12 year old daughter, Tess, whom I lost in a tragic road accident 8 years ago, since designing a pollinating pathway truly reflects her

4(A)2

budding environmentalism and poetic soul. Her spirit abounds in each plant, tree and hummingbird I nurture.

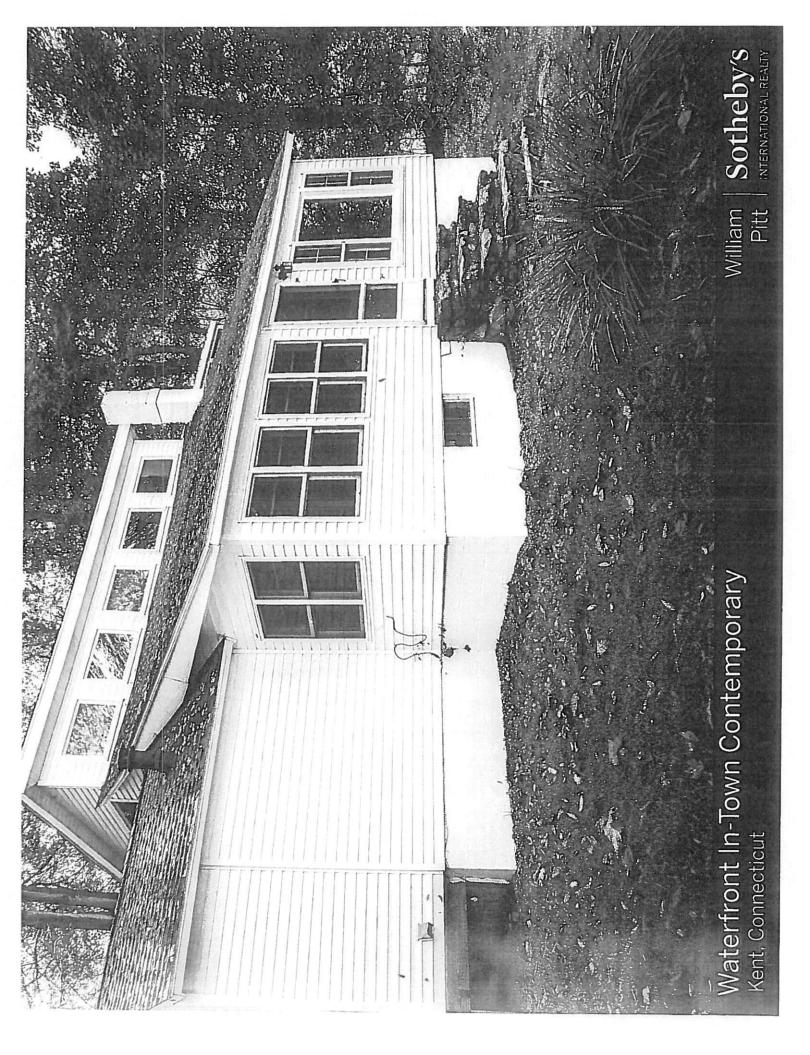
The property is staked with the proposed dimensions and available for a walkabout at your convenience.

Thank you for your consideration and time.

Suzanne Tanner, prospective owner 414 Riverside Ave., Westport, CT 06880 310.293.3378

MaryEllen Casey, present owner

47 Johnson Rd., Kent







4.B

Town of Kent Inland Wetlands Commission

41 Kent Green Blvd.

P.O. Box 678

Kent, CT 06757

Phone:	(860)	927-4625	
f Holica	(OUU)	1241-40	40

Fax: (860)927-4541

FOR OFFICE USE ONLY	-
Application # 217-2	4
Filing fee \$ 100.	
Date of receipt 4/21/20	
Approved	
Denied	

Application for a permit to conduct a regulated activity within the regulated area of an inland wetland or watercourse in the Town of Kent.

ALL APPLICATIONS REQUIRE THE FOLLOW INFORMATION WILL NOT BE ACCEPTED.	ING CAPP	LICATIONS	NOTEN	CLIMIN	CATT	PEONECTED
INFORMATION WILL NOT BE ACCEPTED):				CLODIN	GALI	The Colonial Colonia Colonial Colonial Colonial

- A. The original and 8 copies of the completed application form.
- B. If the applicant is not the owner of the property, a letter of consent from the owner authorizing the applicant to act as the owner's agent.
- C. One copy of the completed "Statewide Inland Wetland Activity Reporting Form."
- D. Filing Fee of \$100.00 made out to the Town of Kent.
- E. 8 copies of a site plan and other information noted on the checklist.
- F. List of names and mailing addresses of adjacent land owners.
- G. Field flagging and staking as noted on the checklist.

1. PROPERTY ADDRESS: 17 STRAIGHT ROAD

2. MAP: BLOCK: LOT

3. APPLICANT'S INFORMATION:

Name

BRIAN NEFF P.E.

Mailing Address

128 BAGON ROAD

City ST ZIP Code ROX BURY, CT. 06783

Home Phone

Work Phone

(860) 354-2246

E-Mail Address

BNEFFPE@ SBGGLOBAL NET

4. OWNER'S INFORMATION:

Name BRADLEY BERNSTEIN FOR KENT HOLLOW STRAIGHT LLC

Mailing Address 860 PARK AVENUE #5

City ST ZIP Code NEW YORK, NY 10015

Home Phone

Work Phone

E-Mail Address BBERNSTEIN @FTVCAPITAL. COM

5. APPLICANT'S INTEREST IN THE PROPERTY:

	Owner		
~	Agent		
	Other (please list)		

6. PLEASE PROVIDE THE FOLLOWING INFORMATION: (Please be exact)
178.95 TOTAL ACREAGE OF PROPERTY
TOTAL ACREAGE OF WETLANDS AND/OR WATERCOURSES DISTURBED (sq. ft. divided by 43,560)
TOTAL ACREAGE OF DISTURBED REGULATED AREA (sq. ft. divided by 43,560)
7. PLEASE DESCRIBE, IN DETAIL, THE PROPOSED ACTIVITY: (If needed, please attach additional pages.)
CONSTRUCTION OF A SINGLE FAMILY DWELLING, TWO DETACHED GARAGES, DRIVENAY, AND SEPTIC SYSTEM. THE EXISTING HOUSE AND BARN ARE TO BE REMOVED. REFER TO THE "SOIL EROSION & SEDIMENT
GARAGES, DRIVEWAY, AND SEPTIC SYSTEM. THE EXISTING HOUSE AND
BARN ARE TO BE REMOVED REFER TO THE "SOIL EROSION & SEDIMENT CONTROL PLAN"
8. PLEASE DESCRIBE ALTERNATIVES CONSIDERED AND STATE WHY THIS PROPOSAL WAS CHOSEN:
OTHER DEVELOPMENT SITES CLOSER TO WETLANDS AND
WATERGURSES WERE GASIDERED
9. ARE THERE ANY EASEMENTS OR OTHER ENCUMBRANCES NOTED ON THE PROPERTY DEED FILED AT THE TOWN HALL? IF SO, PLEASE DESCRIBE OR ATTACH.
NO EASEMENTS
10. PLEASE CERTIFY WHETHER:
A. Any portion of the property on which the regulated activity is proposed is located within five hundred (500 feet of the boundary of an adjoining municipality. Yes No (If yes, the applicant shall give written notice of the application by certified mail, return receipt requested, on the same day to the inland wetlands agency of such other municipality).
B. Traffic attributable to the completed project on the site will use streets within the adjoining municipality to enter or exit the site. Yes No
C. Sewer or water drainage from the project site will flow through and impact the sewage or drainage system within the adjoining municipality. Yes
D. Water run off from the improved site will impact streets or other municipal or private property within the adjoining municipality. Yes No
11. AGREEMENT AND SIGNATURE
The undersigned applicant hereby swears that the information supplied in the completed application is accurate, to the best of his/her knowledge and belief and is aware of the penalties for obtaining a permit through deception or through inaccurate or misleading information.
Name (printed) BRIAN NEFF COWNERS AUTHORIZED AGENT)
Signature $ \rightarrow$ \rightarrow \rightarrow
Date 4.20-2020

TO:

Kent Land Use Commission

FROM:

Bradley Bernstein

Kent Hollow Straight, LLC, Property Owner

17 Straight Road Kent, Connecticut

I hereby authorize Engineer Brian Neff to act as my authorized agent to apply for permits and provide technical representation at the commission meetings regarding the proposed construction on the 17 Straight Road property.

4/20/20

Signature



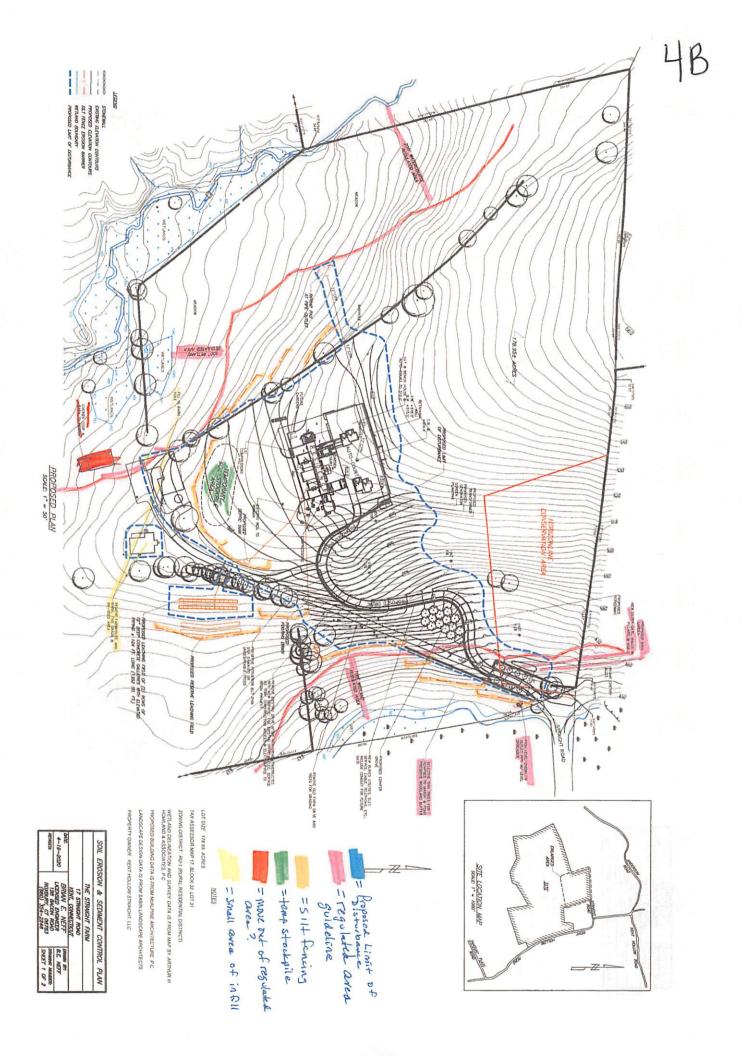
TOWN OF KENT INLAND WETLANDS COMMISSION

PERMISSION FOR INSPECTION

Property Address:	17 STRAIGHT ROXD
Map/Block/Lot:	MAP 17, BLOCK 32, LOT 31
Application/Permit #:	1217-20

The undersigned applicant hereby consents to necessary and proper inspections of the above-mentioned property by the Inland Wetlands Commission and/or its authorized agents, at reasonable times, both before and after the permit in question has been granted by the Commission.

	BRIAN NEFF
Name (printed)	COWHERS SUTHORIZED AGENT)
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Date	4-20-2020



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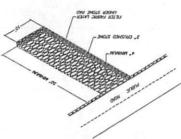
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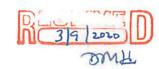
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ON A 178,954 ACRE LOT AT 17 STRAIGHT ROAD IN KENT, CONNECTICUT OMELLING, TWO DETACHED GARGES, DRIVEWAY, AND SEPTIC SYSTEM

PROJECT NARRATIVE DESCRIPTION



March 2, 2020
Donna M.Hayes, CZEO
Land Use Administrator,
Inland Wetlands Commission
Town of Kent,
PO Box 678,
Kent, CT, 06757-0678

Dear Ms. Hayes,

We were deeply distressed to receive your letters this morning regarding your Notice of Violation.

We hope you will understand the situation, described as follows:

- 1. We have transferred ownership of our propertyin Kent to our daughters, Lynn and Dorothy, through an estate trust. We continue to use the property as tenants, for which we pay rent to our children.
- 2. We continue to carry out maintenance of the property.
- 3. We have noticed, over the years, an increasing thicket of dead ash trees on the west side of our pond, and, with the owners's approval, had them cut down last fall. All of the trees that were cut down were dead, as have been all of the other trees that we have removed on this property during the past 50 years.
- 4. We ands the owners were unaware that the area in which these trees were located was classified as wetland and so did not notify you or attempt to obtain a permit which we should certainly have done had we realized this classification and restriction. We might mention that we had previously obtained permits from Inland Wetlands for dredging the pond and for repairing the dam.
- 5. Our first awareness of our violation was in your two letters that we received this morning. We have contacted Lynn and Dorothy about your notice, and they state that they never received it.,
- 6. We will certainly attend the meeting on March 23 I hope we can reach a resolution of the problem before then.

With profound apologies, Sincerely yours,

Richard Novick

Barbara Novick

CC: Dorothy Novick
Lynn Novick

TOWN OF KENT

Inland Wetlands

lands Actual vs. Budget July 2019 through February 2020

	Jul '19 - Feb 20	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income 132-410 - Commission In/Wet	612.00	800.00	-188.00	76.5%
102 110 10	612.00	800.00	-188.00	76.5%
Total Income				
Gross Profit	612.00	800.00	-188.00	76.5%
Expense				
A · General Government				
026-000 · INLAND / WETLANDS				
Compensation		00.050.00	7 000 00	67.3%
026-101 · Enforce. Officer	14,841.40	22,050.00	-7,208.60 -906.18	58.4%
026-102 - I/W Clerk	1,270.82	2,177.00	-906.16 -2.445.13	76.1%
026-996 · Health	7,803.87 554.53	10,249.00 1,103.00	-2,445.13 -548.47	50.3%
026-997 · Pension	1.176.81	1,853.00	-676.19	63.5%
026-998 · Social Security	1,170.01	1,655.00	-070.13	
Total Compensation	25,647.43	37,432.00	-11,784.57	68.5%
Department Operations				
026-201 · Supplies	364.75	700.00	-335.25	52.1%
026-202 · Postage	182.01	350.00	-167.99	52.0%
026-203 · Notices	361.92	1,000.00	-638.08	36.2%
026-204 · Mileage	0.00	200.00	-200.00	0.0%
026-409 · Printing & Mapping	0.00	100.00	-100.00	0.0%
Total Department Operations	908.68	2,350.00	-1,441.32	38.7%
Professional Development				
026-451 · Conferences	105.00	150.00	-45.00	70.0%
026-452 · Training	65.00	150.00	<u>-85.00</u>	43.3%
Total Professional Development	170.00	300.00	-130.00	56.7%
Total 026-000 · INLAND / WETLANDS	26,726.11	40,082.00	-13,355.89	66.7%
Total A · General Government	26,726.11	40,082.00	-13,355.89	66.79
Total Expense	26,726.11	40,082.00	-13,355.89	66.79
Net Ordinary Income	-26,114.11	-39,282.00	13,167.89	66.59
et Income	-26,114.11	-39,282.00	13,167.89	66.59

TOWN OF KENT Inland Wetlands by month July 2019 through February 2020

	Jul 19	Aug 19	Sep 19	Oct 19	Nov 19	Dec 19	Jan 20	Feb 20	TOTAL
Ordinary Income/Expense									
Income									
132-410 · Commission In/Wet	42.00	0.00	42.00	42.00	166.00	119.00	0.00	201.00	612.00
Total Income	42.00	0.00	42.00	42.00	166.00	119.00	0.00	201.00	612.00
Gross Profit	42.00	0.00	42.00	42.00	166.00	119.00	0.00	201.00	612.00
Expense									
A · General Government									
026-000 · INLAND / WETLANDS									
Compensation									
026-101 · Enforce. Officer	1,696.16	2,120.20	1,696.16	2,120.20	1,696.16	1,696.16	2,120.20	1,696.16	14,841.40
026-102 · I/W Clerk	64.02	208.07	154.72	192.06	165.39	142.98	162.19	181.39	1,270.82
026-996 · Health	2,209.79	818.32	794.95	785.50	803.27	803.27	787.68	801.09	7,803.87
026-997 · Pension	0.00	0.00	277.26	0.00	0.00	277.27	0.00	0.00	554.53
026-998 · Social Security	126.07	168.90	137.40	169.03	135.37	136.91	168.04	135.09	1,176.81
Total Compensation	4,096.04	3,315.49	3,060.49	3,266.79	2,800.19	3,056.59	3,238.11	2,813.73	25,647.43
Department Operations									
026-201 · Supplies	0.00	0.00	85.16	79.99	46.78	0.00	93.31	59.51	364.7
026-202 · Postage	0.00	0.00	66.50	0.00	0.00	66.51	0.00	49.00	182.0°
026-203 · Notices	0.00	139.20	0.00	51.04	0.00	51.04	0.00	120.64	361.92
Total Department Operations	0.00	139.20	151.66	131.03	46.78	117.55	93.31	229.15	908.68
Professional Development									
026-451 · Conferences	0.00	0.00	0.00	0.00	0.00	0.00	0.00	105.00	105.0
026-452 · Training	65.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	65.0
Total Professional Development	65.00	0.00	0.00	0.00	0.00	0.00	0.00	105.00	170.00
Total 026-000 · INLAND / WETLANDS	4,161.04	3,454.69	3,212.15	3,397.82	2,846.97	3,174.14	3,331.42	3,147.88	26,726.1
Total A · General Government	4,161.04	3,454.69	3,212.15	3,397.82	2,846.97	3,174.14	3,331.42	3,147.88	26,726.1
Total Expense	4,161.04	3,454.69	3,212.15	3,397.82	2,846.97	3,174.14	3,331.42	3,147.88	26,726.1
Net Ordinary Income	-4,119.04	-3,454.69	-3,170.15	-3,355.82	-2,680.97	-3,055.14	-3,331.42	-2,946.88	-26,114.1
t Income	-4,119.04	-3,454.69	-3,170.15	-3,355.82	-2,680.97	-3,055.14	-3,331.42	-2,946.88	-26,114.1