

# 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 AGENDA

Monday, January 25, 2021

7:00 p.m.

Meeting to be held via Zoom: <https://us02web.zoom.us/j/82781043672>

Meeting I.D.: 827 8104 3672

Dial in to: 1 646 558 8656

**RECEIVED**

*By Darlene Brady at 2:21 pm, Jan 20, 2021*

---

1. CALL TO ORDER

2. ROLL CALL AND APPOINTMENT OF ALTERNATES, IF REQUIRED

3. READING OF MINUTES OF PREVIOUS MEETINGS

3.A. Regular Meeting Minutes, December 14, 2020.

4. NEW BUSINESS

4.A. Application #1244-21, Craig Bibb, 80 Lake Waramaug Road, Map 17 Block 27 Lot 11, removal of dead and deceased trees from wetlands and regulated area.

4.B. Application #1245-21, Campland, Inc., 70 Kenmont Road, Map 15 Block 22, Lot 106, installation of two sheds and additional sand surfacing of existing road.

4.C. Application #1246-21F, Nick Yanick for Preston Mountain Club, 14 Preston Mountain Road, Map 3 Block 3 Lot 1, heavy thinning of approximately 80 acres and clean up of storm damaged trees.

4.D. Application #1247-21, Paul Szymanski, PE, Arthur H. Howland & Associates, PC, for Raphael and Courtney Posner, 21 Oak Ridge Road, Map 10 Block 41, Lot 19, construction of a one-bedroom, detached dwelling unit/pool house, driveway, proposed deck, subsurface sewage disposal system, grading and other related site work.

4.E. Application #1248-21, Brian D. Wood for Balis, Bibb, Spring & Holland, 0 Lake Waramaug Road, Map 17 Block 27 Lot 10, improve shoreline access/recreational area; removal of dead, diseased and dying trees; removal and management of invasive species; and, preservation of existing natural area.

**5. OLD BUSINESS**

- 5.A.** Application #1237-20, Putnam Tennis Courts for Ashley Shackelton, 398A Segar Mountain Road, Map 16 Block 25 Lot 10 construction of 120' x 60' tennis court with 10' partial fence system.
- 5.B.** Notice of Violation 02-20, Campland, Inc., 70 Kenmont Road, Map 15 Block 22 Lot 106, installation of two (2) additional buildings and additional sand surfacing to existing roadway without permit.
- 5.C.** Modification to Permit #1173-18, 200 Kenmont LLC, 200 Kenmont Road, Map 15 Block 22 Lot 96, lakefront recreation improvements; stone wall and sand terrace, stone terrace, cabana, landscaping and tree work. Modification to include: installation of 16' x 20' storage shed.
- 5.D.** Application #1242-20, Stefan Peters & Ashley Rosebrook, 99 Macedonia Brook Road, Map 2 Block 5 Lot 13, improvement to pre-existing, non-conforming driveway, demolition of existing garage and rebuild new with parking area and breezeway to existing house; inground swimming pool, equipment and pool deck.

**6. COMMUNICATIONS TO THE COMMISSION**

**A. WRITTEN**

- 6.A.1.** Emergency dam repair at Hilltop Pond.

**B. VERBAL**

**7. ADJOURNMENT**

# 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 December 14, 2020 at 7:03 p.m. via Zoom.

### 1. CALL TO ORDER

Ms. Werner called the meeting to order at 7:00 p.m. via Zoom.

**RECEIVED**

By Kent Town Clerk at 1:50 pm, Dec 15, 2020

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

Commissioners Present: Lynn Werner, Chairman; Marge Smith, Ken Deitz, and Ken Johnson

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

### 3. READING OF MINUTES OF PREVIOUS MEETINGS

3.A. Regular Meeting Minutes, November 23, 2020.

*Ms. Smith moved to approve the Regular Minutes of the November 23, 2020. Mr. Johnson seconded and the motion carried unanimously.*

### 4. NEW BUSINESS

4.A. Application #1242-20, Stefan Peters & Ashley Rosebrook, 99 Macedonia Brook Road, Map 2 Block 5 Lot 13, improvement to pre-existing, non-conforming driveway, demolition of existing garage and rebuild new with parking area and breezeway to existing house; inground swimming pool, equipment and pool deck.

Jason Dismukes, Engineer/Agent, came forward and reviewed the plan with the members. The steep grade of the existing driveway and the need for a flat place to park was discussed. The new garage will be further from the wetlands at 22.1 feet from the wetland boundary. The entire property is within the wetland regulated area. The proposed addition will be further from the wetlands boundary than the garage. Additionally, a pool is proposed for the back yard. Impervious coverage will be 8.2 percent, which is a 3 percent increase from the existing coverage. The storm water drainage plan was reviewed.

It was noted that a construction sequence, erosion controls, dimensions of the pool, distances of all of the disturbed areas are required to be added to the plan. The maintenance plan for the outflow to the stream was questioned. It was requested that the runoff calculations and a maintenance schedule be submitted. The soil scientist report should be submitted for the record and the boundary should be indicated on the plan. Also, the plan to backwash the pool should be submitted. Mr. Dismukes agreed to work with Donna Hayes to submit a complete application. It was explained that Mr. Dismukes needs to prove that this project will have no negligible impact on the wetlands. The drainage plan should be reconsidered in an effort to slow velocity.

---

Kent Inland Wetlands Regular Meeting Minutes 12/14/2020

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.

*Mr. Deitz moved to table application #1242-20, Stefan Peters & Ashley Rosebrook, 99 Macedonia Brook Road, Map 2 Block 5 Lot 13, improvement to pre-existing, non-conforming driveway, demolition of existing garage and rebuild new with parking area and breezeway to existing house; inground swimming pool, equipment and pool deck. Mr. Johnson seconded and the motion carried unanimously.*

- 4.B. Notice of Violation 02-20, Campland, Inc., 70 Kenmont Road, Map 15 Block 22 Lot 106, installation of two (2) additional buildings and additional sand surfacing to existing roadway without permit.

Attorney Bill Manasse came forward to represent Campland. Michael Kulchin and Hylton Wener, employees of Campland, advised that the work in question was installed prior to their involvement with Campland. Mr. Manasse explained that the sheds are 10x20, they do not have plumbing, and they do have electric. They were set on crushed stone on the existing beachfront area. There were no trees cut down. An existing shed was removed and the two new sheds were put in its place. Mike Kulchin explained that he believes because these were prefab and a replacement for one of the sheds that they did not realize they needed an application.

The Commission agreed that an after-the-fact application should be submitted.

- 4.C. Extension of Permit #1213-20F, Nick Yanick for Preston Mountain Club, 59 Preston Mountain Road, Map 3 Block 3 Lot 1, forestry operation, for one year.

Nick Yanick came forward and it was explained that a one-year extension is being requested; however, it was determined that the activity for this application was completed. The work he would like to do is with regard to a permit that previously expired in 2018. He agreed to submit a new application to be reviewed at the next meeting.

- 4.D. Modification of Permit #1213-20, Nick Yanick for Preston Mountain Club, 59 Preston Mountain Road, Map 3 Block 3 Lot 1, forestry operation. **Modification to include: the combination of forestry operation approved via Permit #1158-17 and Permit #1213-20F.**

See item 4.C.

## 5. OLD BUSINESS

- 5.A. Application #1234-20, Brian Wood for Balis, Bibb, Spring and Holland, 0 Lake Waramaug Road, Map 17 Block 27 Lot 10, improve shoreline access, recreational area, removal of dead, diseased and dying trees, removal and management of invasive species and preservation of existing natural areas.

Brian Wood updated the group on the progress with the plan. The group discussed the request to split the application to allow for tree and invasive removal. Mitigation to stabilize the lake front was determined to be required prior to permitting tree and invasive removal. The Commission advised that an overall plan presented clearly is what is needed in order to make a determination on this application. Mr. Wood agreed to provide a comprehensive plan for the January meeting. They will withdraw their application and reapply due to statutory timelines. He agreed to include the plan regarding the plunge pools and rip rap.

*Mr. Deitz moved to accept withdrawal of application #1234-20, Brian Wood for Balis, Bibb, Spring and Holland, 0 Lake Waramaug Road, Map 17 Block 27 Lot 10, improve shoreline access, recreational area, removal of dead, diseased and dying trees, removal and management of invasive species and preservation of existing natural areas. Mr. Johnson seconded and the motion carried unanimously.*

- 5.B. Application #1237-20, Putnam Tennis Courts for Ashley Shackelton, 398A Segar Mountain Road, Map 16 Block 25 Lot 10 construction of 120 'x 60 'tennis court with 10 'partial fence system.



Donna Hayes reported that a site plan has not yet been submitted. She reported that they plan to hire Sam Sabin to create a plan.

*Mr. Deitz moved to table application #1237-20, Putnam Tennis Courts for Ashley Shackelton, 398A Segar Mountain Road, Map 16 Block 25 Lot 10 construction of 120 'x 60 'tennis court with 10 'partial fence system. Mr. Johnson seconded and the motion carried unanimously.*

- 5.C. Modification to Permit #1173-18, 200 Kenmont LLC, 200 Kenmont Road, Map 15 Block 22 Lot 96, lakefront recreation improvements; stone wall and sand terrace, stone terrace, cabana, landscaping and tree work. Modification to include: installation of 16 'x 20 'storage shed.

Donna Hayes reported that she has not received a response regarding the preferred location of the shed. She agreed to contact Adam Manes regarding this matter.

*Mr. Deitz moved to table modification to Permit #1173-18, 200 Kenmont LLC, 200 Kenmont Road, Map 15 Block 22 Lot 96, lakefront recreation improvements; stone wall and sand terrace, stone terrace, cabana, landscaping and tree work. Modification to include: installation of 16 'x 20 'storage shed. Mr. Johnson seconded and the motion carried unanimously.*

## 6. COMMUNICATIONS TO THE COMMISSION

### A. WRITTEN:

- 6.A.1. DEEP approved Water Diversion Permit for the Kent School; expiration date December 1, 2040.

Donna Hayes reported that this is an extension of the existing water diversion permit with no changes.

- 6.A.2. Town of Kent Monthly Financials – July through October, 2020

Received and reviewed.

### B. VERBAL:

- 6.B.1. HVA and DEEP site walk update regarding Pond Mountain Brook road-stream crossings on Fuller Mountain Road.

Donna Hayes reported that she met with Mike Jastremski and Lindsay Larson from the HVA at the site regarding this matter. This is not expected to come to fruition anytime soon.

## 7. ADJOURNMENT

*Mr. Johnson moved to adjourn at 9:15 p.m. Mr. Deitz seconded and the motion carried unanimously.*

Respectfully submitted.

*Tai Kern*

Tai Kern,  
Land Use Clerk



4A

TOWN OF KENT  
INLAND WETLANDS COMMISSION

SENT VIA EMAIL WITH HARDCOPY VIA USPS

January 4, 2021

Ms. Sheila M. Anson  
Town Clerk, Registrar of Vital Statistics  
Town of Washington  
P.O. Box 383  
Washington Depot, CT 06794

Dear Ms. Anson,

As per Connecticut General Statutes section 8-7d(f)(2), please accept this letter as notification that an application has been filed with the Kent Inland Wetlands Commission which could entail "any portion of the property affected by a decision of the agency is within five hundred feet of the boundary of the adjoining municipality".

Attached please find the application that has been submitted to the Commission. The application will be heard on January 25, 2021.

If you should have any questions or comments regarding the proposed application, please feel free to contact me.

Respectfully,

Donna M. Hayes, CZEO  
Kent Land Use Administrator

Enclosure

(f) The zoning commission, planning commission, zoning and planning commission, zoning board of appeals, inland wetlands agency or aquifer protection agency shall notify the clerk of any adjoining municipality of the pendency of any application, petition, appeal, request or plan concerning any project on any site in which: (1) Any portion of the property affected by a decision of such commission, board or agency is within five hundred feet of the boundary of the adjoining municipality; (2) a significant portion of the traffic to the completed project on the site will use streets within the adjoining municipality to enter or exit the site; (3) a significant portion of the sewer or water drainage from the project on the site will flow through and significantly impact the drainage or sewerage system within the adjoining municipality; or (4) water runoff from the improved site will impact streets or other municipal or private property within the adjoining municipality. Such notice shall be made by certified mail, return receipt requested, and shall be mailed within seven days of the date of receipt of the application, petition, request or plan. Such adjoining municipality may, through a representative, appear and be heard at any hearing on any such application, petition, appeal, request or plan.

# AGENDA ITEM 4.A.



## 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

FOR OFFICE USE ONLY
Application # <u>1244-21</u>
Filing fee \$ <u>100</u>
Date of receipt <u>11/25/21</u>
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 FOLLOWING (APPLICATIONS NOT INCLUDING ALL REQUESTED INFORMATION WILL NOT BE ACCEPTED):**

- The original and 8 copies of the completed application form.
- 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.
- One copy of the completed "Statewide Inland Wetland Activity Reporting Form."
- Filing Fee of \$100.00 made out to the Town of Kent.
- 8 copies of a site plan and other information noted on the checklist.
- List of names and mailing addresses of adjacent land owners.
- Field flagging and staking as noted on the checklist.

### 1. PROPERTY ADDRESS:

80 LAKE WARATAUB RD, KENT CT

2. MAP: 17 BLOCK: 27 LOT: 11

### 3. APPLICANT'S INFORMATION:

Name CRAIG BIBB

Mailing Address 82 LAKE WARATAUB RD

City ST ZIP Code NEW PRESTON, CT 06777

Home Phone 860 868 1493

Work Phone 203 231 6771

E-Mail Address

BIBB@JASPERFUNDS

### 4. OWNER'S INFORMATION:

Name

Mailing Address

City ST ZIP Code

SAME

Home Phone

Work Phone

E-Mail Address

### 5. APPLICANT'S INTEREST IN THE PROPERTY:

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Owner

Agent

Other (please list)



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

5	TOTAL ACREAGE OF PROPERTY
1	TOTAL ACREAGE OF WETLANDS AND/OR WATERCOURSES DISTURBED (sq. ft. divided by 43,560)
1	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.)

REMOVE DEAD AND DECEASED TREES FROM WETLANDS AND WITHIN 200 FT OF WETLANDS

8. PLEASE DESCRIBE ALTERNATIVES CONSIDERED AND STATE WHY THIS PROPOSAL WAS CHOSEN:

~~THE~~ I WAS LETTING DYING TREES FALL AND LEAVING THEM BUT THE NUMBER OF DYING TREES IS NOW TOO SIGNIFICANT

9. ARE THERE ANY EASEMENTS OR OTHER ENCUMBRANCES NOTED ON THE PROPERTY DEED FILED AT THE TOWN HALL? IF SO, PLEASE DESCRIBE OR ATTACH.

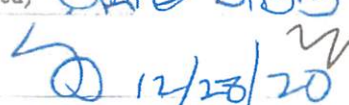
NONE

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  No
- D. Water runoff 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) CRAIG BIBB  
Signature   
Date 12/23/20



12/30/20

Craig Bibb  
80 Lake Waramaug Road  
Kent, CT

Mailing –  
72 Lake Waramaug Road  
New Preston, CT 06777

Town of Kent Inland Wetlands Commission  
41 Kent Green Blvd.  
Kent, CT 06757

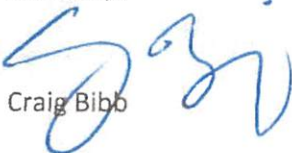
To the Inland Wetlands Commission:

There are a significant number of dead, dying and deceased trees in the lowest one acre of my property and most of these are in or adjoining wetlands. Including trees of all sizes, there are at least 60. There are already a large number of fallen dead trees on the ground in this area.

I would like to remove all of the dead/deceased trees at one time this winter. This should minimize wetland disturbance. I have contracted with Emmons Tree to do the work. They will chip all of the branches and the trunks of smaller trees then leave the chips on the property. Ash tree trunks that are too large to be chipped will be cut and left on the property for me to chop/split later. If the ground is not frozen, Emmons will use a cable to winch out large tree trunks.

I will be available via Zoom to answer questions. Please don't hesitate to visit the property or call me for more information (203) 231-6771.

Sincerely,

  
Craig Bibb



**TOWN OF KENT  
INLAND WETLANDS COMMISSION**

**PERMISSION FOR INSPECTION**

Property Address:	80 LAKE WAZAUGA RD, KENT
Map/Block/Lot:	17, 27, 11
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)	CRAIG BIBB
Signature	
Date	12/23/20



100%

Camera: 904 m 41°42'14"N 73°22'50"W 217 m





100%

Camera: 466 m 41°42'01"N 73°22'47"W 216 m





Overview



Legend

-  Parcels
-  Roads
-  City Labels

Parcel ID	1798	Alternate ID	00114300	Owner Address	BIBB CRAIG
Sec/Twp/Rng	17-27-11	Class	R		72 LAKE WARAMAUG RD
Property Address	80 LAKE WARAMAUG RD	Acreage	5		NEW PRESTON CT 06777
	KENT				

District 7A  
Brief Tax Description n/a

(Note: Not to be used on legal documents)

Date created: 1/4/2021  
Last Data Uploaded: 1/2/2021 12:03:54 AM

Developed by  Schneider  
GEOSPATIAL

NOT SURE IF YOU NEED THIS

**List of Adjoining Property Owners to:  
72 Lake Waramaug Road  
Kent, CT**

**17-27-12 Beardsley Road**  
Lake Waramaug Country Club, Inc.  
c/o Nicholas Penachio  
P.O. Box 2519  
New Preston, CT 06777

**17-27-07 70 Lake Waramaug Road**  
Emmert J. and Alberta M. Balis  
P.O. Box 2515  
New Preston, CT 06777

**17-27-09 74 Lake Waramaug Road**  
~~Lloyd and Laurette Arnel~~ CHRISTOPHER SPRING & MARTHA  
74 Lake Waramaug Road HOLLAND  
New Preston, CT 06777

**17-27-10 Lake Waramaug Road**  
Emmert J. and Alberta M. Balis  
P.O. Box 2515  
New Preston, CT 06777

**WASHINGTON, CT ADJOINERS**

**329 West Shore Road**  
Thomas P. Auth, and Karee A. Hannifan  
1930 Broadway #11F  
New York, New York 10023

**19 Golf Links Road**  
Lake Waramaug Country Club, Inc.  
P.O. Box 2519  
New Preston, CT 06777



### 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

FOR OFFICE USE ONLY	
Application #	1245-21
Filing fee \$	200
Date of receipt	1/13/21
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 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 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: 70 KENMONT RD

2. MAP: 15 BLOCK: 22 LOT: 106

#### 3. APPLICANT'S INFORMATION:

Name CAMPLAND INC  
Mailing Address PO BOX 625  
City ST ZIP Code SADDLE RIVER NJ 07458  
Home Phone  
Work Phone 570 840 2530  
E-Mail Address

#### 4. OWNER'S INFORMATION:

Name SAME AS ABOVE APPLICANT  
Mailing Address  
City ST ZIP Code  
Home Phone  
Work Phone  
E-Mail Address

#### 5. APPLICANT'S INTEREST IN THE PROPERTY:

<input checked="" type="checkbox"/>	Owner
<input type="checkbox"/>	Agent
<input type="checkbox"/>	Other (please list)



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

74 ac.	TOTAL ACREAGE OF PROPERTY
0	TOTAL ACREAGE OF WETLANDS AND/OR WATERCOURSES DISTURBED (sq. ft. divided by 43,560)
0.2 ac.	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.)

TWO BUILDINGS ADDED (SHEDS)  
AND ADDITIONAL SAND SURFACING OF EXISTING ROAD.

8. PLEASE DESCRIBE ALTERNATIVES CONSIDERED AND STATE WHY THIS PROPOSAL WAS CHOSEN:

EXISTING STRUCTURES (AFTER THE FACT PERMIT)  
AND MATERIAL ADDED TO ROAD (AFTER THE FACT PERMIT)

9. ARE THERE ANY EASEMENTS OR OTHER ENCUMBRANCES NOTED ON THE PROPERTY DEED FILED AT THE TOWN HALL? IF SO, PLEASE DESCRIBE OR ATTACH.

N/A

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  No
- 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) CAMPLAND INC.

Signature By [Signature] Duly AUTHORIZED

Date 1/12/2021

ITS Attorney



4/B

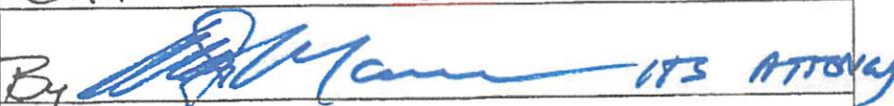


**TOWN OF KENT  
INLAND WETLANDS COMMISSION**

**PERMISSION FOR INSPECTION**

Property Address:	70 KENMONT RD
Map/Block/Lot:	15/22/106
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)	CAMPLAND INC.
Signature	By  ITS ATTORNEY
Date	1/12/2021





4B



Donna Hayes &lt;landuseadmin@townofkentct.org&gt;

**Campland Inc**

2 messages

**William J. Manasse** <msslaw@snet.net>

Mon, Dec 14, 2020 at 2:05 PM

To: "landuseadmin@townofkentct.org" &lt;landuseadmin@townofkentct.org&gt;

Donna:

Attached are files that were forwarded to me by Hylton Werner of Campland, Inc.

The rendering shows the dimensions of the sheds/changing rooms.


The photos show the the roadway where the sand was spread. The photo from 2018 is the "before" photo. The 2019 and the one from today (snow on road) do show the approximate width of the roadway as well as the general area of the sanded area. The person standing in the far background of the 2019 photo is standing in the approximate area of the puddles shown in the 2018 photo. According to my client, it is his understanding that the sand roadway has been in existence since the camp was founded in 1924+/-.

The remaining photos show the sheds/changing rooms and also show the girls changing room that was replaced one of the new buildings.

Bill

--  
William J. Manasse  
Manasse, Slaiby & Leard, LLP  
Second Floor - Unit 9A  
Kent Town Center  
27 North Main St.-P.O.Box 460  
Kent, CT 06757-0460

Tel: (860) 927-3564  
Fax (860) 927-5063  
[msslaw@snet.net](mailto:msslaw@snet.net)

**3 attachments** **Campland Inc - Changing Room Dimensions.pdf**  
187K **Path 121420.pdf**  
381K **Campland Inc - Path & Changing Rooms.pdf**  
8293K**Donna Hayes** <landuseadmin@townofkentct.org>

Mon, Dec 14, 2020 at 2:10 PM

To: "William J. Manasse" &lt;msslaw@snet.net&gt;

Thanks for the info.  
Donna M. Hayes, CZEO  
Land Use Administrator  
Town of Kent  
Land Use Office  
41 Kent Green Boulevard  
P.O. Box 678  
Kent, CT 06757



4B

no plumbing  
electricity.  
no foundation.

## Specifications

Style: A-Frame  
 Size: 10' x 30'  
 Siding Style: Vinyl Double 4  
 Siding Color: Heritage Gray  
 Trim Style: Signature  
 Trim Color: White  
 Roof: Charcoal  
 Dormer: None



## Options

Description	Color	Trim	Trim Color	Location
Standard Window 18" x 27"	White	Yes	White	Front
Standard Window 18" x 27"	White	Yes	White	Front
Double Raised Panel Door 72" x 78"	White	Yes	White	Front

## Construction Details

Wall height: 7'6"  
 Ridge Height: 9'7"  
 Wall construction: 2" x 4" 16" on-center, 1/2" 4-ply plywood, Vinyl exterior siding  
 Roof construction: 2" x 4" rafters 16" on-center, 1/2" 4-ply plywood, 5/12 pitch, 30-year Architectural shingles  
 Floor construction: 4" x 4" pressure treated foundation, 2" x 4" pressure treated floor joists 16" on-center, 5/8" pressure treated plywood

413

**Subject:** Path  
**From:** Hylton Wener <Hylton@kencamp.com>  
**Date:** 12/14/2020, 1:46 PM  
**To:** "William J. Manasse" <msslaw@snet.net>

Hylton Wener  
Director  
KenMont and KenWood Camp  
Phone: 860-927-3042  
Fax: 860-927-4487  
[www.kenmontkenwood.com](http://www.kenmontkenwood.com)



- PXL\_20201214\_145300474.MP.jpg -

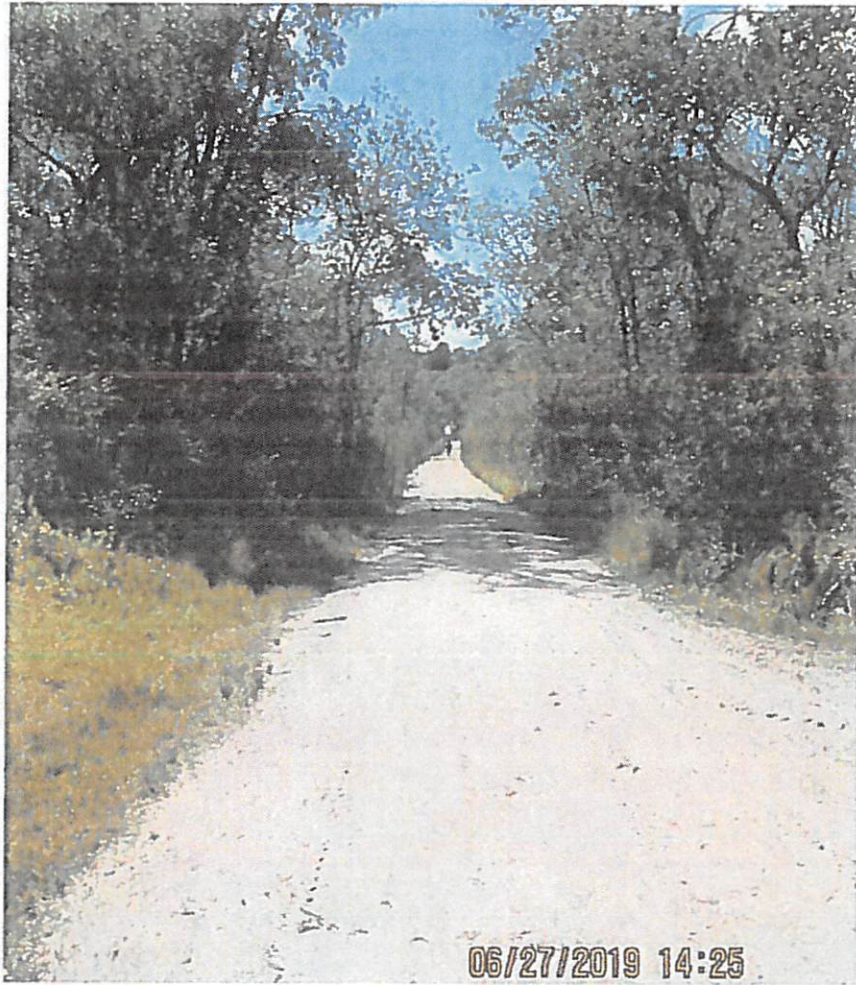






L/B

Picture of path from June, 2019

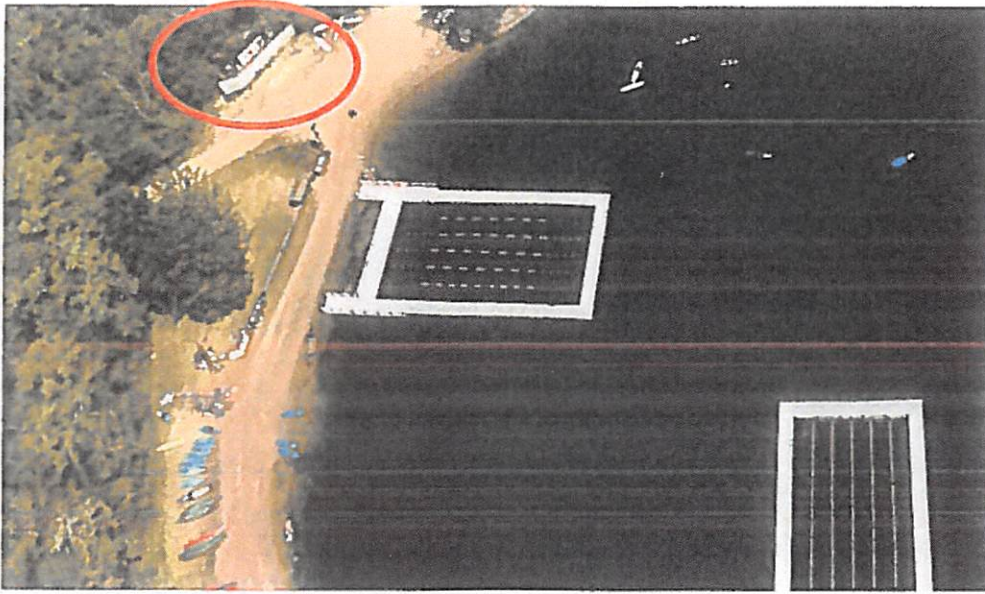


Picture of path from June, 2018 (Puddling)



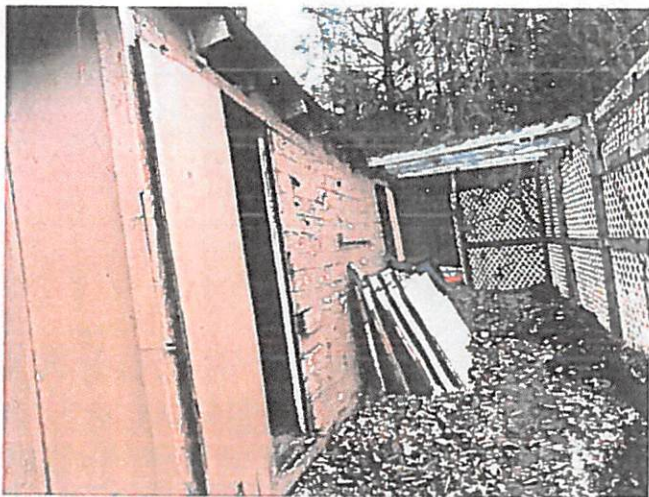


Location of old girl's changing room - pre summer 2019



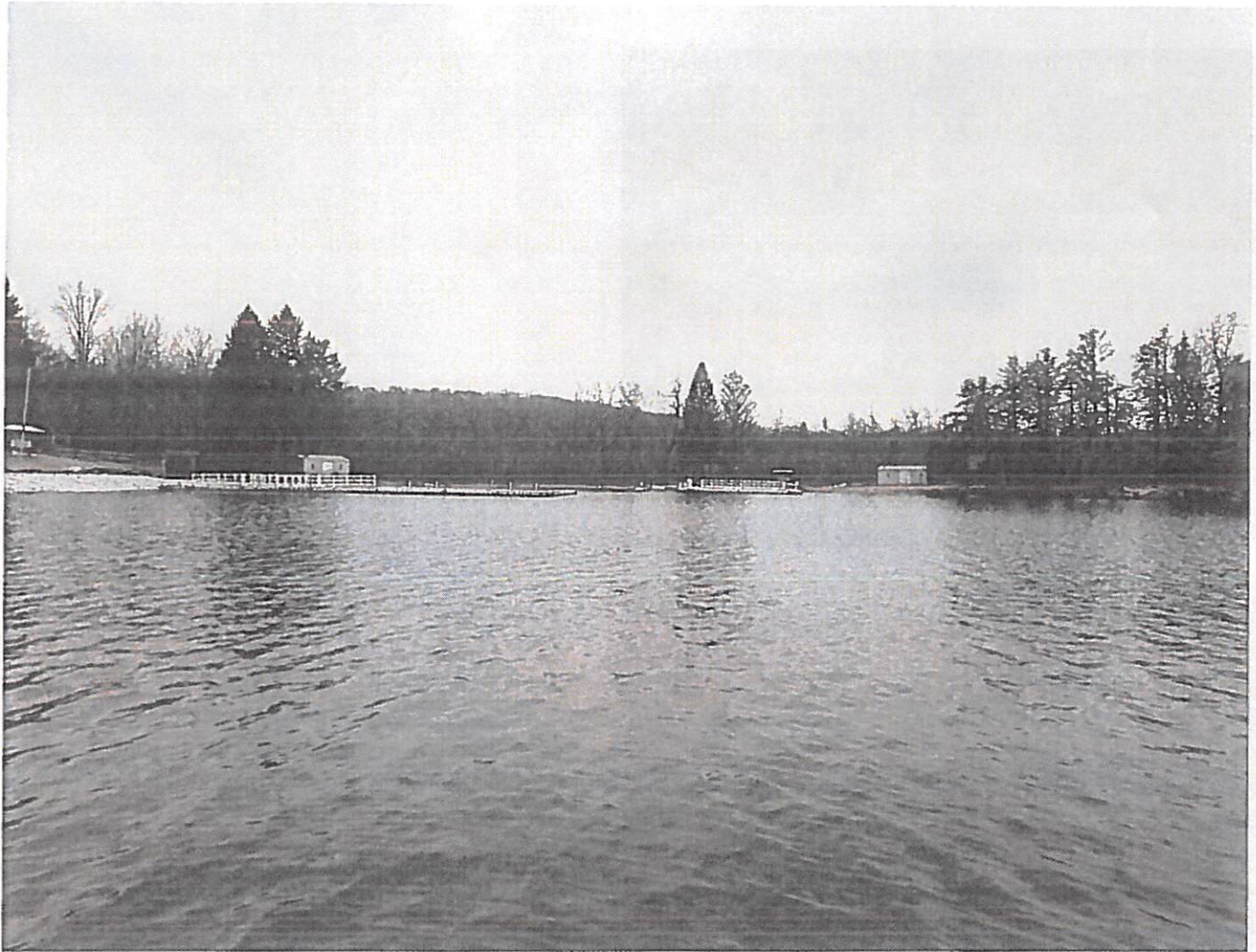


Pics of condition of old girl's changing room - pre summer 2019





Location of New Boy's and Girl's Changing Rooms



Girl's Changing Room



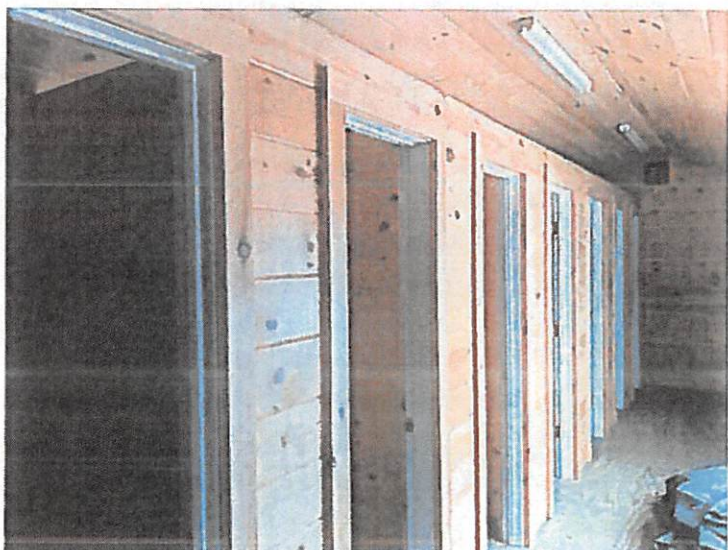
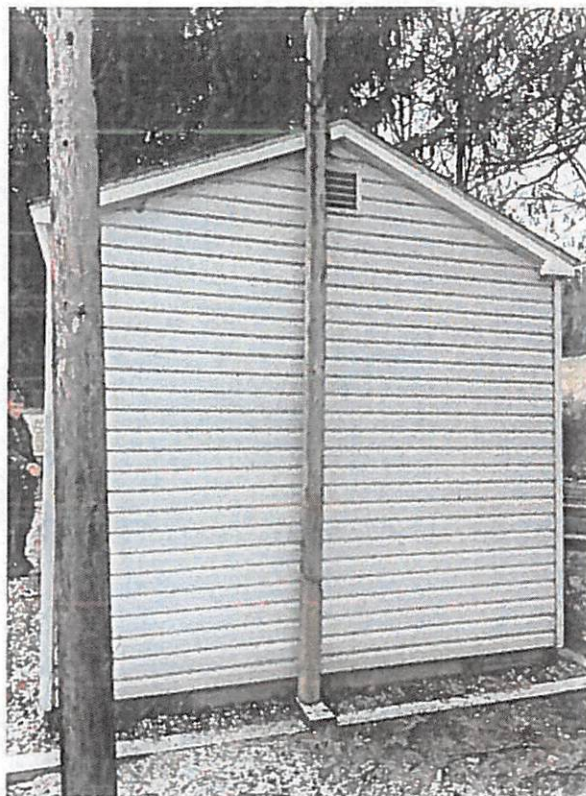
Boy's Changing Room





LB

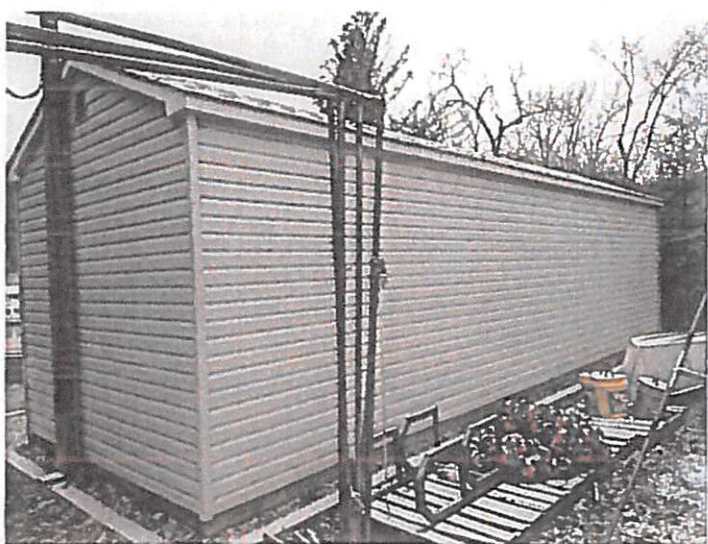
Pics of New Boy's Changing Room



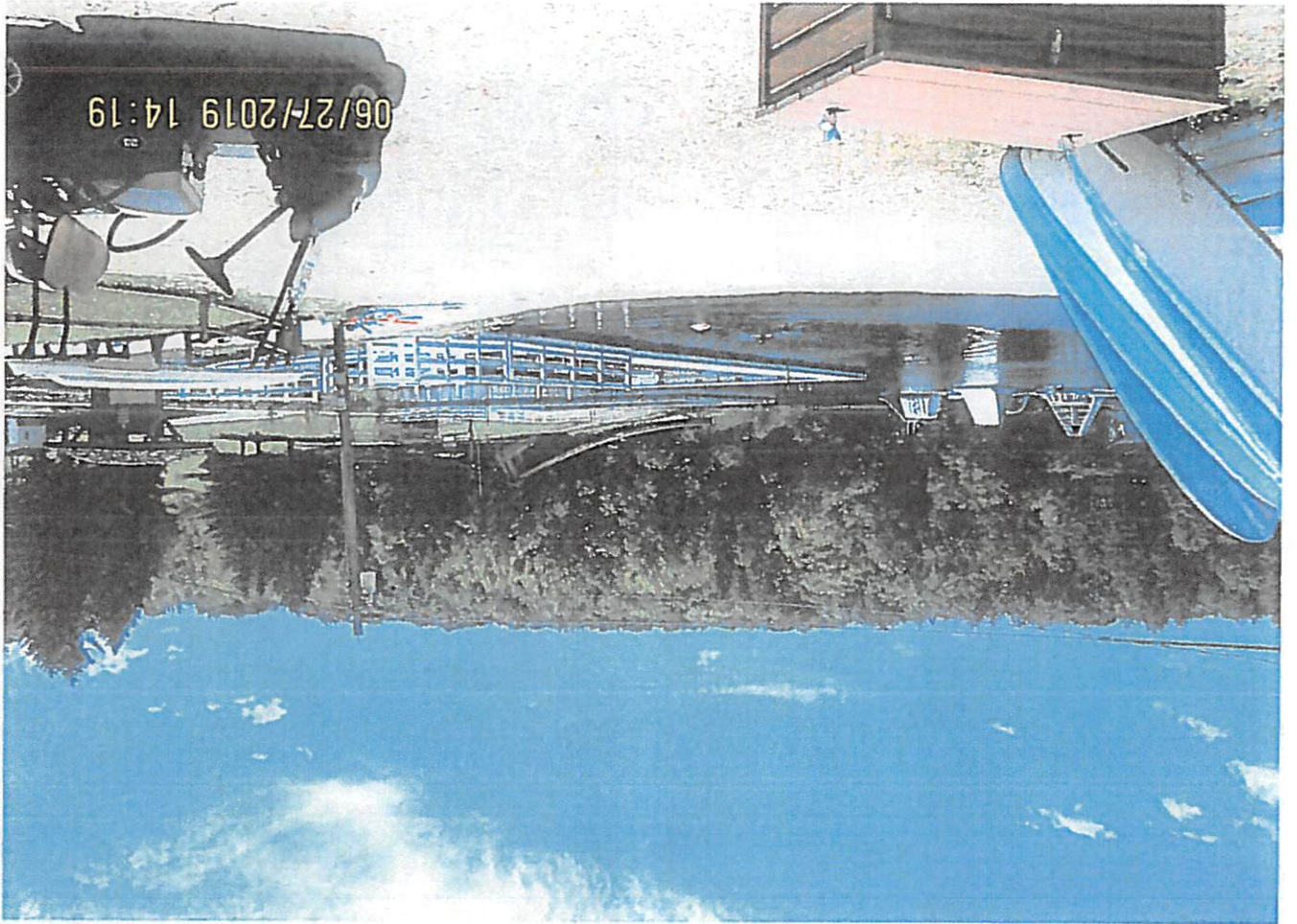


4B

Pics of New Girl's Changing Room







4B







# AGENDA ITEM 4.C.

KENT INLANDS WETLAND COMMISSION  
P.O. Box 154  
41 Kent Green Boulevard  
Kent, Connecticut 06757  
(860) 927-4625 FAX (860) 927-1313

Application for a permit to conduct forest practices in the Town of Kent.

### Instructions:

This application must be accompanied by a \$110.00 Filing Fee payable to the Town of Kent.

Be sure to complete all parts of this application. Failure to carefully and completely prepare this application may jeopardize favorable action.

### FOR COMMISSION USE ONLY

Application Number 1246-21F  
Filing Fee 170<sup>00</sup>  
Official Date of Receipt of Application 1/5/2021  
Date Started \_\_\_\_\_  
Date Completed \_\_\_\_\_  
Approved \_\_\_\_\_  
Denied \_\_\_\_\_

### 1. Applicant:

Name: NICK YANICK c/o PRESTON MOUNTAIN CLUB  
Home Address: 14 PRESTON MOUNTAIN ROAD  
KENT CT 06757  
Telephone: 860-927-3312

Certified Forest Practitioner: JAN BRANSON  
Address: PO Box 83 KENT CT 06757

Telephone: 1-860-806-2874  
Certification Number: F000631

### 2. Property Ownership.

Applicant's interest in property: Owner \_\_\_\_\_ Other  (describe)  
MANAGER OF PROPERTY AND CLUB.

Identify property from the Kent tax maps:  
Street Address: SAME AS ABOVE  
Map 3 Block 3 Lot 1

If applicant is not the owner, give name, address and telephone number of owner(s) and attach written consent of the owner and his legally empowered representative, if applicable, for the proposed activity

The following must be submitted as part of the application:

3. The estimated duration of the subject forest practice 3 MONTHS

4. A description of the subject forest practice, including the estimated commencement date of such practice.

A HEAVY THINNING OF APPROXIMATELY 80 ACRES. CLEAN UP OF STORM DAMAGED TREES ALSO

40

5. A description of the applicable best management practices which will be implemented during the forest practice in accordance with section (c)  
*EXPLAINED IN THE LETTER FROM FORESTER*
6. A description of any proposed variation(s) from the best management practices specified in section (c) and the justification for such variation(s).
7. A description of each forest stand to be harvested.
8. The color(s) of flagging materials or paint to be used in accordance with subsection (13)(A). *BLUE PAINT.*
9. A description of the method of tree marking to be used at the site and color(s) to be used in accordance with subsection (c)(6)(A) and a description of the size, species, quantity and quality of trees to be cut which are less than 12 inches in DBH.
10. An 8 1/2 " by 11 " copy of the relevant portion of a United States Geological Survey (USGS) quadrangle map, with a scale of 1:24,000, showing the exact location of the operating area. Identify the quadrangle name and number on such copy.
11. A map of the site ("site map") of a scale sufficient to identify each proposed operating area; all legal boundaries which are located within 100 feet of each such operating area; each proposed skid road, landing, and haul road; each such river, stream, brook, lake, pond, marsh, forested swamp, and vernal pool which is within such operating area or which is outside such area but may be impacted by the subject forest practice(s); the boundaries of each operating area; any dwelling or other structure of any kind, if present, and the map/block/lot number(s) of the site from the local assessor's records.
12. The signature of a supervising forest products harvester or a forester certified in accordance with section 23-65h of the General Statutes who shall certify in writing as follows:  

"I certify that, based on reasonable investigation, the forest practices which are the subject of this application are consistent the requirements of the Kent Inland Wetlands Commission to the best of my knowledge and belief. I am aware that there are significant penalties for false statements in this certification, including the possibility of fine and imprisonment for knowingly making false statements. "
13. The signature(s) of the landowner(s) of record upon which the forest practices are to occur, the applicant, if different, and the individual(s) who are responsible for actually preparing the application, each of who shall certify in writing the following  

"I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted



46

information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement made in the submitted information may be punishable as a criminal offense, in accordance with section 22a-6 of the General Statutes, pursuant to section 53-157b of the General Statutes, and in accordance with any other applicable statute.

14 Notice to Abutting Landowners

The applicant shall send certified mail or personally deliver a notice to abutting landowners where the operating area is located. Such notice shall be sent or delivered after filing the application, but at least three days prior to the commencement of harvesting. The name and address of the abutting landowners shall be determined from the current municipal tax maps and/or assessment records. Such notice shall include the following:

- (A) Legal name(s), address (es), and signature(s) of the landowner(s) and the applicant, if the applicant is different than the landowner.
- (B) A copy of the site map filed with the application.
- (C) A statement that an application has been filed with the Commission pursuant to the Forest Practices of the Kent Inland Wetlands Commission seeking authorization to conduct a forest practice.

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

The undersigned swears that the information supplied in the completed application is accurate to the best of his knowledge and belief.

Signature of Applicant: Nick Jamich c/o Preston Mt. Club

Date 1-4-21

40

h

## BRANSON FORESTRY

Ian W. Branson  
CT Certified Forester #F000631  
P.O. Box 83, Kent, CT 06757  
(860) 806-2874 iwbranson@hotmail.com  
www.bransonforestry.com

January 5, 2021

Kent Inland Wetlands Commission  
P.O. Box 154  
41 Kent Green Boulevard  
Kent, CT 06757

To Whom It May Concern,

This letter is to inform the Kent Inland Wetlands Commission (Kent IWC) that I have been retained by Preston Mountain Club to professionally oversee a proposed commercial timber harvest on approximately 80 acres of land owned by the Club at 59 Preston Mountain Road.

I met with Nick Yanick, Preston Mountain Club's Operating Manager, and the logger, Mike Culbert (CT SPFH #000545), on January 4, 2021, and we walked through the proposed harvest area, discussed the goals, discussed trees to be retained, and viewed the proposed log landing and skid road.

I agreed to periodically visit the harvest site to consult with Mr. Culbert, discuss the silvicultural techniques, and monitor the operation for compliance with Best Management Practices and all applicable IWC regulations.

Furthermore, pursuant to item #12 on Kent IWC's forest practices permit application, I am providing the following statement:

"I certify that, based on reasonable investigation, the forest practices which are the subject of this application are consistent with the requirements of the Kent Inland Wetlands Commission to the best of my knowledge and belief. I am aware that there are significant penalties for false statements in this certification, including the possibility of fine and imprisonment for knowingly making false statements."

Sincerely,



Ian W. Branson  
CT Certified Forester #F000631



4.c

624000

625000

626000

627000

628000

4626000

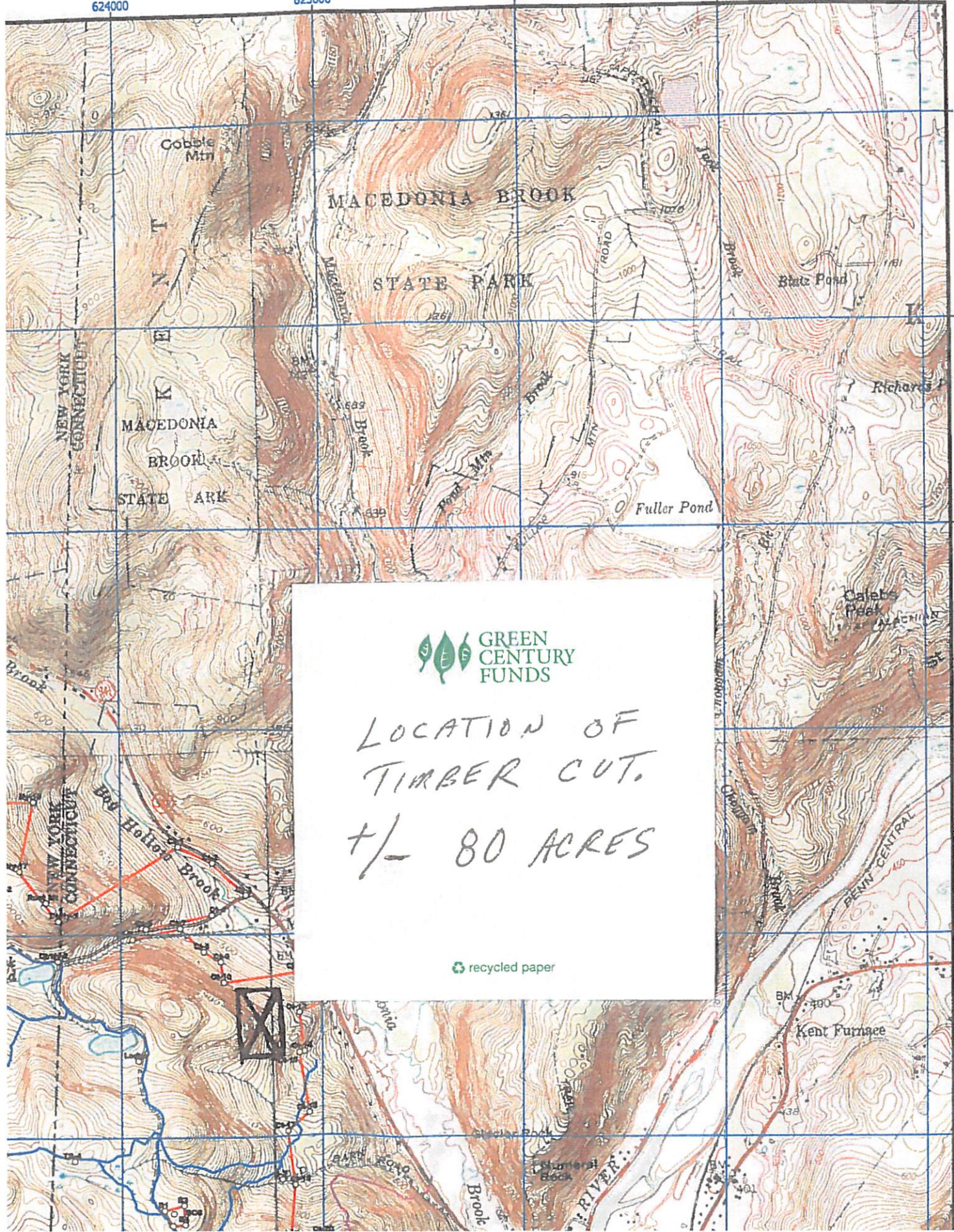
4625000

4624000

4623000

4622000

4621000



Cobble Mtn

MACEDONIA BROOK

STATE PARK

Blutz Pond

MACEDONIA  
BROOK

STATE PARK

Fuller Pond

Calabro Peak

Kent Furnace



624000

625000

626000

627000

628000

4c

4626000

4625000

4624000

4623000

4622000

4621000

Cobble Mtn

MACEDONIA BROOK

recycled paper

Blue Pond

Richard's

MACEDONIA  
BROOK  
STATE PARK

Cable's  
Peak

Pond Mtn  
1332

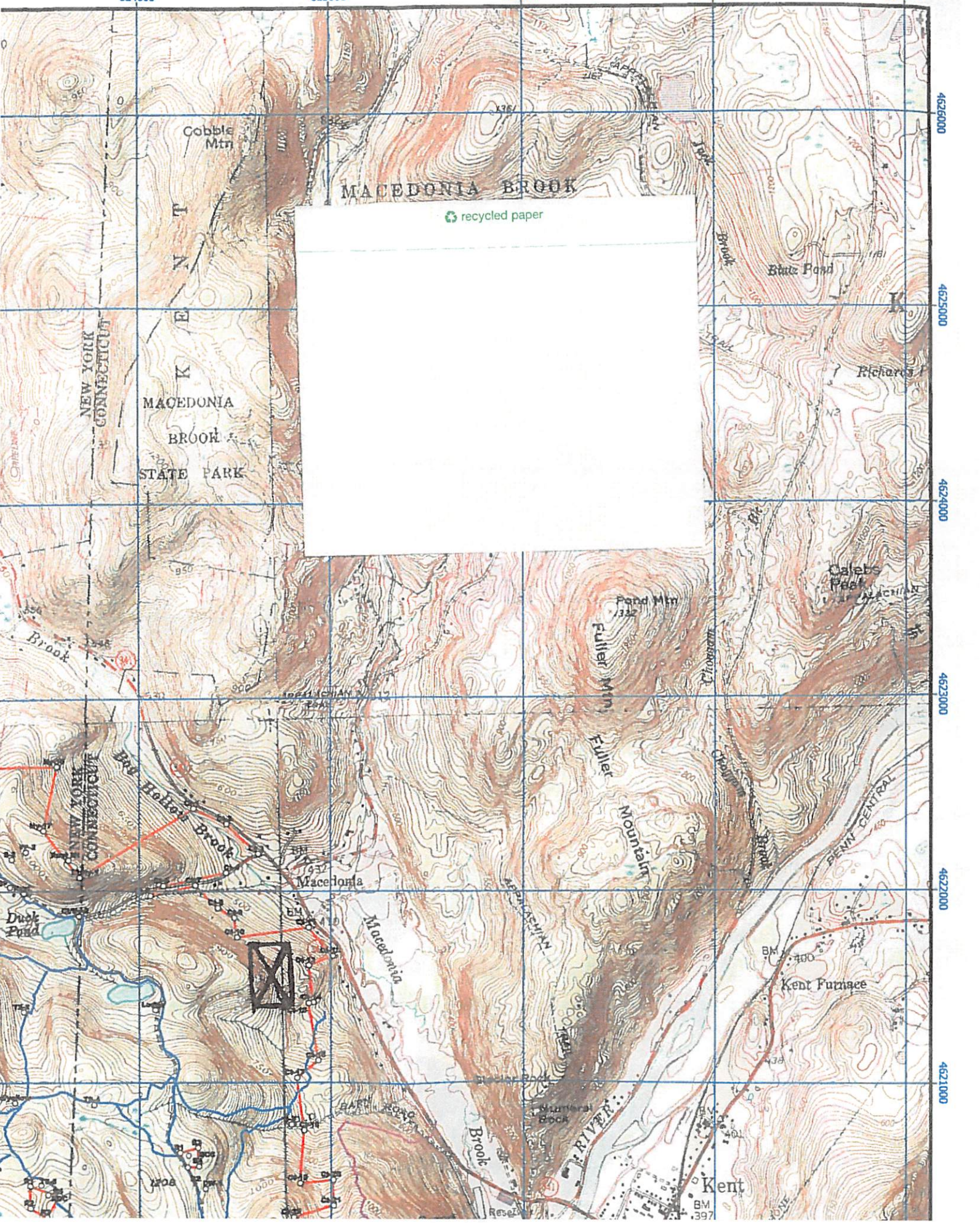
Fuller  
Mountain

Kent Furnace

Macedonia

Macedonia

Kent







### 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

FOR OFFICE USE ONLY
Application # 1247-21
Filing fee \$ 100
Date of receipt 1/19/21
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 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 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: 21 Oak Ridge Road

2. MAP: 10 BLOCK: 41 LOT: 19

#### 3. APPLICANT'S INFORMATION:

Name Paul Szymanski, PE C/o Arthur H Howland & Associates, PC

Mailing Address 143 West Street, Suite E

City ST ZIP Code New Milford, CT 06776

Home Phone N/A

Work Phone 860-354-9346

E-Mail Address pszymanski@ahhowland.com

#### 4. OWNER'S INFORMATION:

Name Raphael & Courtney Posner

Mailing Address 585 West End Avenue, Apt 5A

City ST ZIP Code New York NY 10024

Home Phone

Work Phone

E-Mail Address c/o Paul Szymanski P.E. pszymanski@ahhowland.com

#### 5. APPLICANT'S INTEREST IN THE PROPERTY:

<input type="checkbox"/>	Owner
<input checked="" type="checkbox"/>	Agent
<input type="checkbox"/>	Other (please list)

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

5.0 +/-	TOTAL ACREAGE OF PROPERTY
	TOTAL ACREAGE OF WETLANDS AND/OR WATERCOURSES DISTURBED (sq. ft. divided by 43,560)
0.4	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.)

This project involves the construction of a one bedroom guest/pool house. Other improvements also included as part of this project include the construction of a driveway, proposed deck, subsurface sewage disposal system, grading and other related appurtenances.

**8. PLEASE DESCRIBE ALTERNATIVES CONSIDERED AND STATE WHY THIS PROPOSAL WAS CHOSEN:**

An alternative that was considered was to have the guest/pool house rotated, but this would have resulted in greater earth disturbance closer to the wetlands area as well as necessitating a new septic area which would result in even more disturbance.

**9. ARE THERE ANY EASEMENTS OR OTHER ENCUMBRANCES NOTED ON THE PROPERTY DEED FILED AT THE TOWN HALL? IF SO, PLEASE DESCRIBE OR ATTACH.**

N/A

**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  No
- 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) Paul Rzyganski, PE

Signature

Date January 19, 2021





**TOWN OF KENT  
INLAND WETLANDS COMMISSION**

**PERMISSION FOR INSPECTION**

<b>Property Address:</b>	
<b>Map/Block/Lot:</b>	
<b>Application/Permit #:</b>	

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.

<b>Name (printed)</b>	
<b>Signature</b>	
<b>Date</b>	

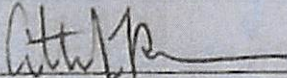
December 21, 2020

Ms. Courtney Posner  
21 Oak Ridge Road  
Kent, Connecticut 06757

To Whom It May Concern:

Please be advised that the office of Arthur H. Howland & Associates, P.C. is authorized to represent me before any and all agencies and commissions of the Town of Kent for the purpose of obtaining approval of any and all Land Use applications and permits at 21 Oak Ridge Road, Kent, Connecticut.

Sincerely Yours,

  
\_\_\_\_\_  
Courtney Posner  
Owner



Adjoining Property Owners  
Prepared for  
21 Oak Ridge Road  
Kent, CT

Assessor's Number	Owner's Address	
10-41-19	Raphael & Courtney Posner 585 West End Avenue, Apt 5A New York, NY 10024	Subject Property
10-41-23	Veronique & Oliver Kinsey 28 Iron Mountain Road South Kent, CT 06785	
10-41-27	Irwin & Leslie Ann Choyne 25 Rockledge Ave, Apt 618 White Plains, NY 10601-1216	
10-41-20	Jeffrey & Jodi Gershel 201 86 <sup>th</sup> Street, Apt 19D New York, NY 10028-3043	
11-41-7	Richard Chizzonite & Lynna Lesko 104 Richards Road South Kent, CT 06785	
11-41-6	John & Ann Riney 109 Flat Rock Road South Kent, CT 06785	
10-41-18	Brian M Silver & Lisa Hofer 240 Centre Street New York, NY 10013	





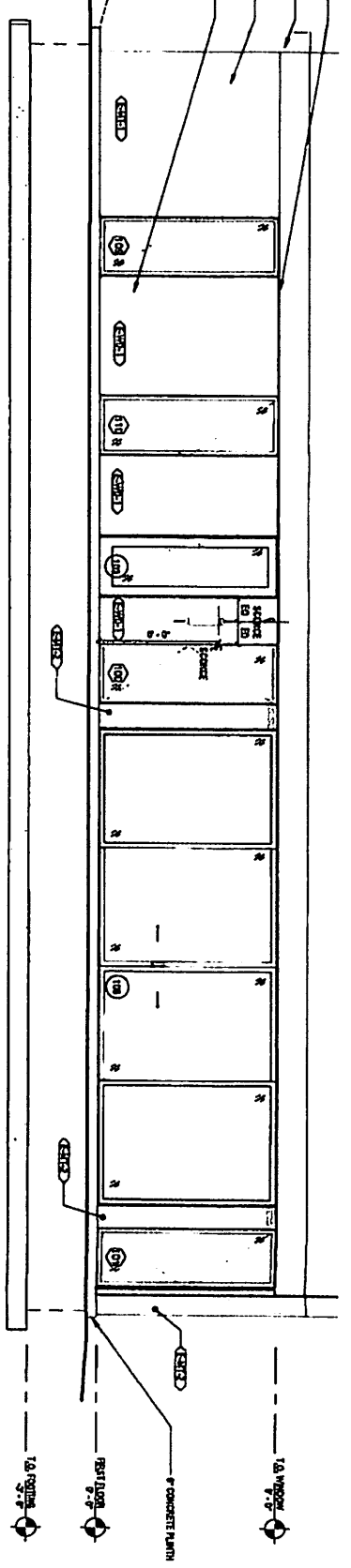






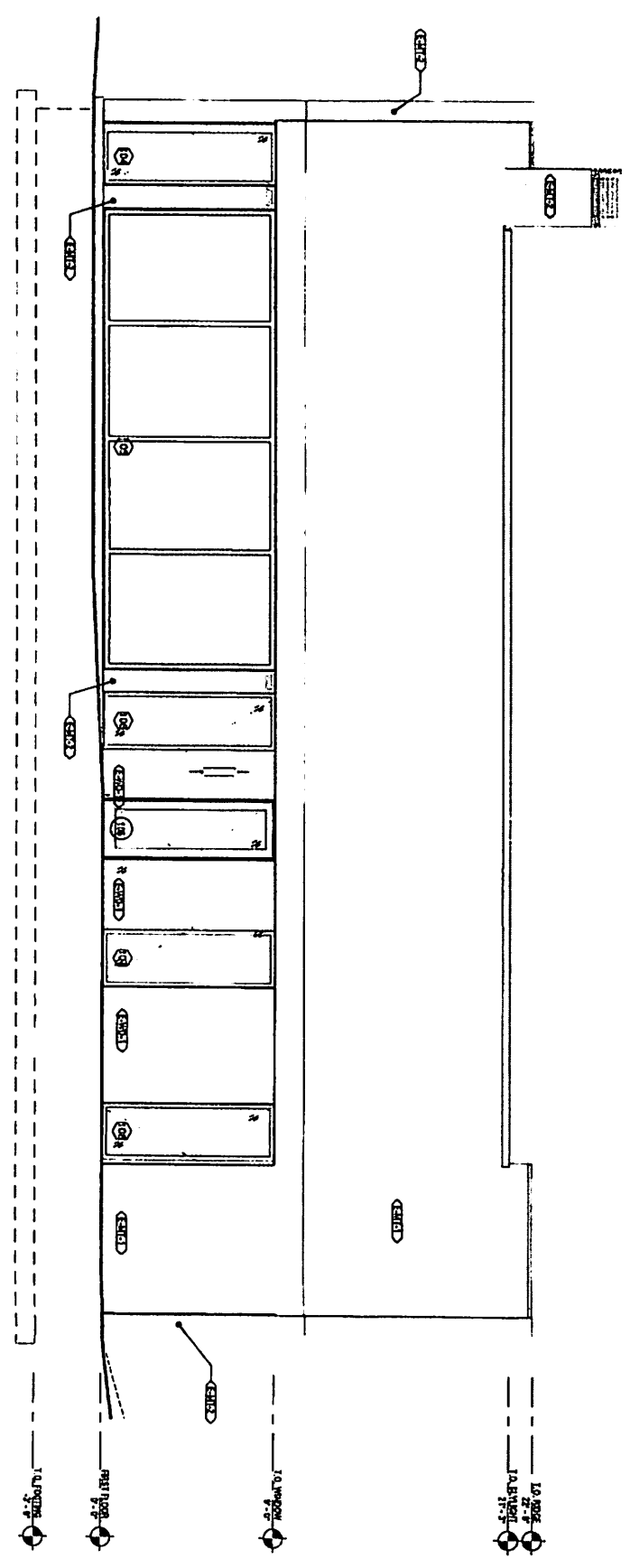


STANDING ELM SCOTT  
 BLACK ALUMINUM TRIM  
 STANDING ELM ROOF  
 FIELDS DOWN  
 BLACK SHIP LAP SIDING



**4**  
 NORTH ELEVATION  
 1/8" = 1'-0"

**3**  
 WES  
 1/8" = 1'-0"



**2**  
 SOUTH ELEVATION  
 1/8" = 1'-0"

**1**  
 EAST  
 1/8" = 1'-0"



AGENDA ITEM 4E



# 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

FOR OFFICE USE ONLY
Application # <u>1248-21</u>
Filing fee \$ <u>waived</u>
Date of receipt <u>11/29/21</u>
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 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 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:

2. MAP: 17    BLOCK: 27    LOT: 10

### 3. APPLICANT'S INFORMATION:

Name BALIS & BIBB & SPRING & HOLLAND

Mailing Address PO BOX 2190

City ST ZIP Code NEW PRESTON, CT 06777

Home Phone

Work Phone 860-970-1027

E-Mail Address woodwatersoil@hotmail.com

### 4. OWNER'S INFORMATION:

Name BALIS & BIBB & SPRING & HOLLAND

Mailing Address PO BOX 2190

City ST ZIP Code NEW PRESTON, CT 06777

Home Phone 860-619-0433

Work Phone

E-Mail Address chrisnashspring@icloud.com - bibb@jasperfunds.com - bmtannin@gmail.com

### 5. APPLICANT'S INTEREST IN THE PROPERTY:

<input type="checkbox"/>	Owner
<input checked="" type="checkbox"/>	Agent    Brian D. Wood is acting as the Agent
<input checked="" type="checkbox"/>	Other (please list)

4E

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

0.34	TOTAL ACREAGE OF PROPERTY
0.04	TOTAL ACREAGE OF WETLANDS AND/OR WATERCOURSES DISTURBED (sq. ft. divided by 43,560)
0.04	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.)

Improved shoreline access, recreational area, removal of dead, diseased and dying trees, removal and management of invasive species. Preservation of existing natural areas.

**8. PLEASE DESCRIBE ALTERNATIVES CONSIDERED AND STATE WHY THIS PROPOSAL WAS CHOSEN:**

Clearing of trees, brush and shoreline vegetation to improve access. This proposal was selected to minimize impacts, focus uses into smaller areas and permanently preserve existing natural areas to the maximum extent.

**9. ARE THERE ANY EASEMENTS OR OTHER ENCUMBRANCES NOTED ON THE PROPERTY DEED FILED AT THE TOWN HALL? IF SO, PLEASE DESCRIBE OR ATTACH.**

See attached "Agreement" and associated survey filed on the Kent Land Records.

**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  No
- 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.

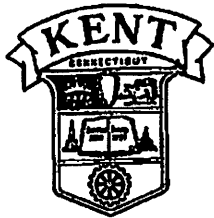
Name (printed) Brian D. Wood

Signature

Date

1/19/21 *Brian D. Wood*





4E

**TOWN OF KENT  
INLAND WETLANDS COMMISSION**

**PERMISSION FOR INSPECTION**

<b>Property Address:</b>	0 Lake Waramaug Rd. Kent CT,
<b>Map/Block/Lot:</b>	17/27/10
<b>Application/Permit #:</b>	

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.

<b>Name (printed)</b>	Brian D. Wood
<b>Signature</b>	
<b>Date</b>	9/24/20

4E

Agent Letter Authorizing Brian D. Wood to represent the three owners of the Lot M:17/B:27/L:10

Also know as 70-74-80 Lake Waramaug Rd. Kent CT.

For the purposes of applying for and securing Permits, I authorize below as show in the copied emails or texts to Brian D. Wood to prepare and present materials for an application to the Town of Kent Inland Wetlands and Watercourse Commission.

EMAIL & TEXTS

>> On Jun 20, 2020, at 2:28 PM, Brian Wood <woodwatersoil@hotmail.com> wrote:.

Hello Craig, Jon and Chris,

I spoke with Donna at Kent Land Use last week and she confirmed that an email response by each of you to this email, stating that I could act as an agent for each of you is acceptable and a formal notarized letter is not required by the Town's regulations.

>>

>> Therefore, if you reply to this email granting me permission to act as your agent with regards to securing local permits, I can schedule a meeting with Donna to walk the property and discuss your desires

On Jun 22, 2020, at 8:47 AM, Craig Bibb <bibb@jasperfunds.com> wrote:

>> Yes you may act as my agent

>>

>> On Jun 20, 2020, at 2:28 PM, Brian Wood <woodwatersoil@hotmail.com> wrote:.

Hi Brian,

Thanks for your email. I confirm that you will act as our agent with regard to the shared land on Lake Waramaug.

Have a great vacation!

Best,

Chris and Martha Spring

Sent from my iPhone



**John Balis** <bmtannin@gmail.com>

7/27/2020 7:17 AM

To: Brian Wood

Sounds good! Lmk if you need anything.



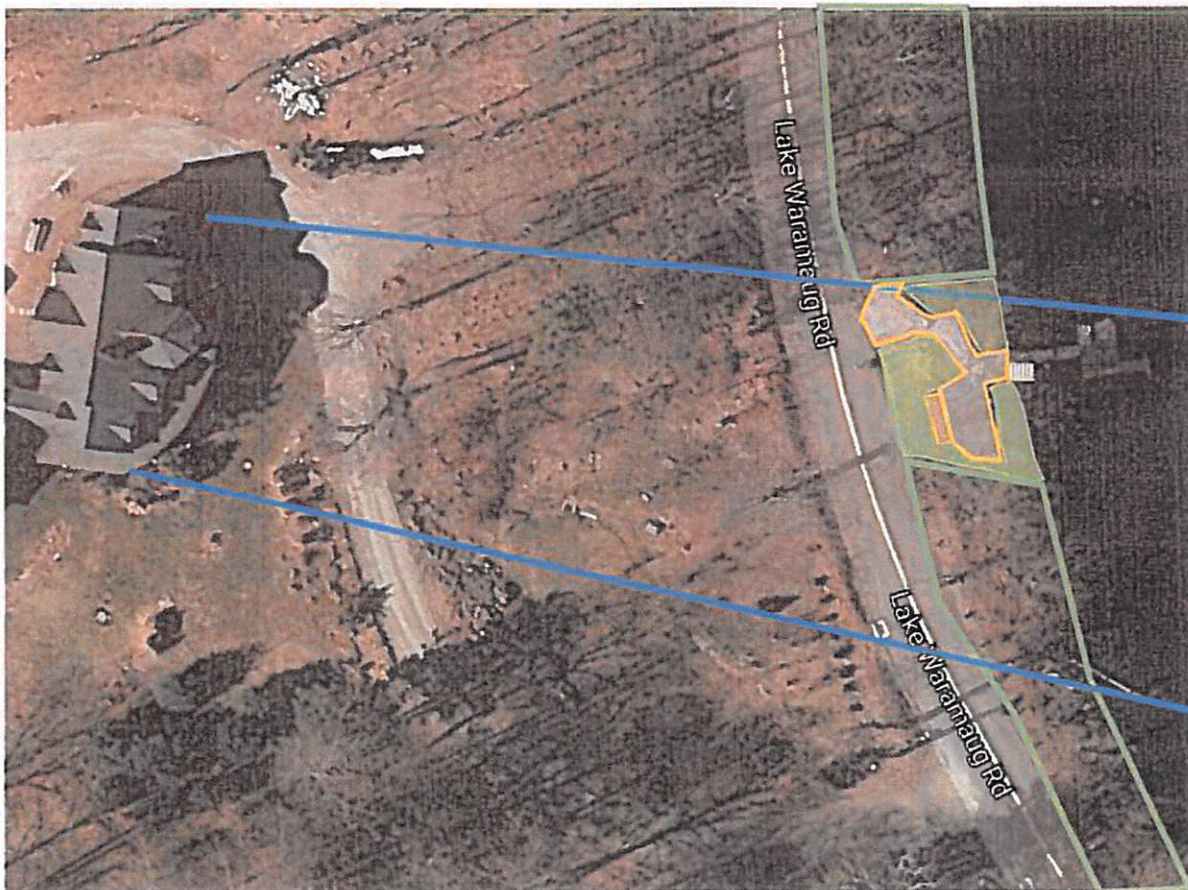
## 70 Lake Waramaug Rd. Kent, CT - John Balis:




### 1. Lakeside Land Uses:




- i) Create safe stone Swim Steps to water line south of the dock bulkhead
- ii) Create a secluded level sitting area of stone or gravel, south of gravel path with fire pit
- iii) Reorganize shoreline stone on site with a machine to stabilize and naturalize the shoreline
- iv) Re-establish and expand gravel path to allow pull off for quad/golf cart and turnaround
- v) 4' deep x 16' long x 5' tall wooden storage box for lakeside supplies
- vi) Relocate kayak/canoe rack allowing for an unobstructed view from sitting area
- vii) Re-establish, widen, place steps as necessary to access dock, sitting area, and steps
- viii) Expand removable dock with new 8' x 12' dimensions for grandfathering via permit

### 2. Vegetation Modifications and Enhancements:

- i) Schedule removal of dead, diseased and declining trees flagged
- ii) Hand removal of invasive plants, prioritize minimization of herbicides
- iii) Vegetated riparian buffer mitigation plans
- iv) Goal is to minimize long term maintenance costs and ensure privacy from the roadway

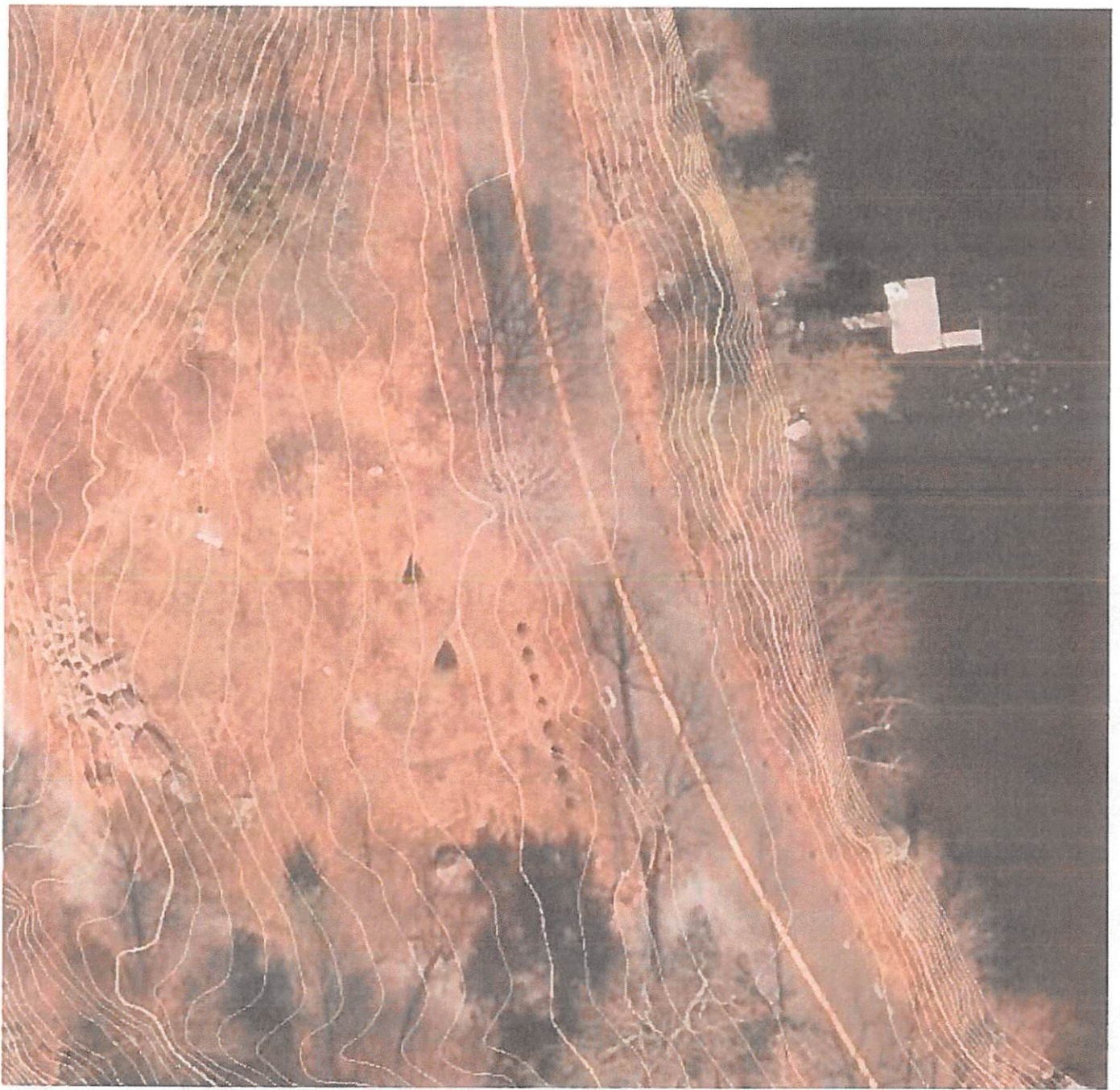


	Natural Riparian Areas
	View Corridor
	Paths & Level Sitting Area

	New Swim Steps
	New Storage Box
	Riparian Planting Areas



4E



2016 6" Contours



4E



### Easement Area "A" (Lot 3)

Area = 1,112 S.F. / 0.0255 Ac.

100-YEAR FLOODPLAIN  
ELEV.: 697' (PER MAP  
REFERENCE #5)

Lake  
Waram

## 74 Lake Waramaug Rd. Kent, CT – Chris and Marty Spring

### 1. Lakeside Land Uses:

- i) Create two sets of native stone Swim Steps to water line and private access areas
- ii) Create a 24' diameter level sitting area of stone or gravel low maintenance with a fire pit
- iii) Reorganize shoreline stone on site to stabilize and naturalize the shoreline
- iv) Install groins or J hooks to dissipate boat wave action
- v) Install new gravel path to allow for gate, pull off for quad/golf cart and turnaround
- vi) Install kayak/canoe rack allowing for an unobstructed view from sitting area
- vii) Create a shade structure and install a canopy tree for future shade
- viii) Establish low maintenance steppingstone path from level sitting area to dock and steps
- ix) Confirm all swim dock dimensions for grandfathering via permit
- x) Install concrete dock 4'x4'x4' bulkhead for fixed dock to boat lift on Northern point/boulder
- xi) Riprap or establish weir and plunge pool at discharge of state drain to mitigate stormwater

### 2. Vegetation Modifications and Enhancements:

- i) Schedule removal of dead, diseased and declining trees flagged
- ii) Establish view corridor of mountains 40' wide East South East from level sitting area
- iii) Ensure white birch and other established healthy trees remain healthy by removing bittersweet & wisteria vines
- iv) Remove invasive plants by cutting and stump treating, prioritize minimization of herbicides
- v) Address overgrown, invasive wisteria and bittersweet vines
  - (1) Cut all vines and stump treat to release all trees along entire shoreline
  - (2) Monitor and retreat in 2021 – Pull/treat newly established seed recruits
- vi) Define vegetated riparian buffer mitigation plans after removal of invasives
- vii) Goal is to minimize long term maintenance costs and ensure privacy from the roadway
- viii) Protect and preserve natural shoreline areas along waters edge.



## 80 Lake Waramaug Rd. Kent, CT – Craig Bibb

### 1. North Site - Lakeside Land Uses:

- i) Install native stone swim steps to water line North of the deck bulkhead
- ii) Level area with cuts and fills for seeding with low grow, no mow native fescues
- iii) Install level sitting area of gravel or patio establish a view corridor to the East South East
- iv) Install step stones from the gate to shed, dock and swim steps
- v) Place or relocate large native boulders to permanently stabilize and naturalize the shoreline
- vi) Establish gravel path, pull off for quad/golf cart and turnaround inside of gate
- vii) Confirm all dock dimensions for grandfathering via permit – additional boat lift for dingy
- viii) Grind stumps below grade, remove or relocate boulders to south
- ix) Reset or install shoreline boulders to protect undermined trees
- x) Repair, replace and maintain split rail fences

### South Site – Lakeside Land Uses:

- xi) Clear, wisteria in level area under the canoe racks to allow for new steps to the water and boat launch/landing area
- xii) Fill, grade, level and reset shoreline stones to create steps for vessel loading and launch area
- xiii) Place gravel under canoe rack, install new wood gate and step stones as needed

### 2. Vegetation Modifications and Enhancements:

- i) Schedule removal of dead, diseased and declining trees flagged.
- ii) Hand removal of invasive species, prioritize minimization of herbicides
- iii) Prepare vegetated riparian buffer mitigation planting plans
- iv) Goal is to minimize long term maintenance costs and ensure privacy from the roadway
- v) Excavate and establish plunge pool forebay upstream of catch basin on west side of road







2016 6" Contours



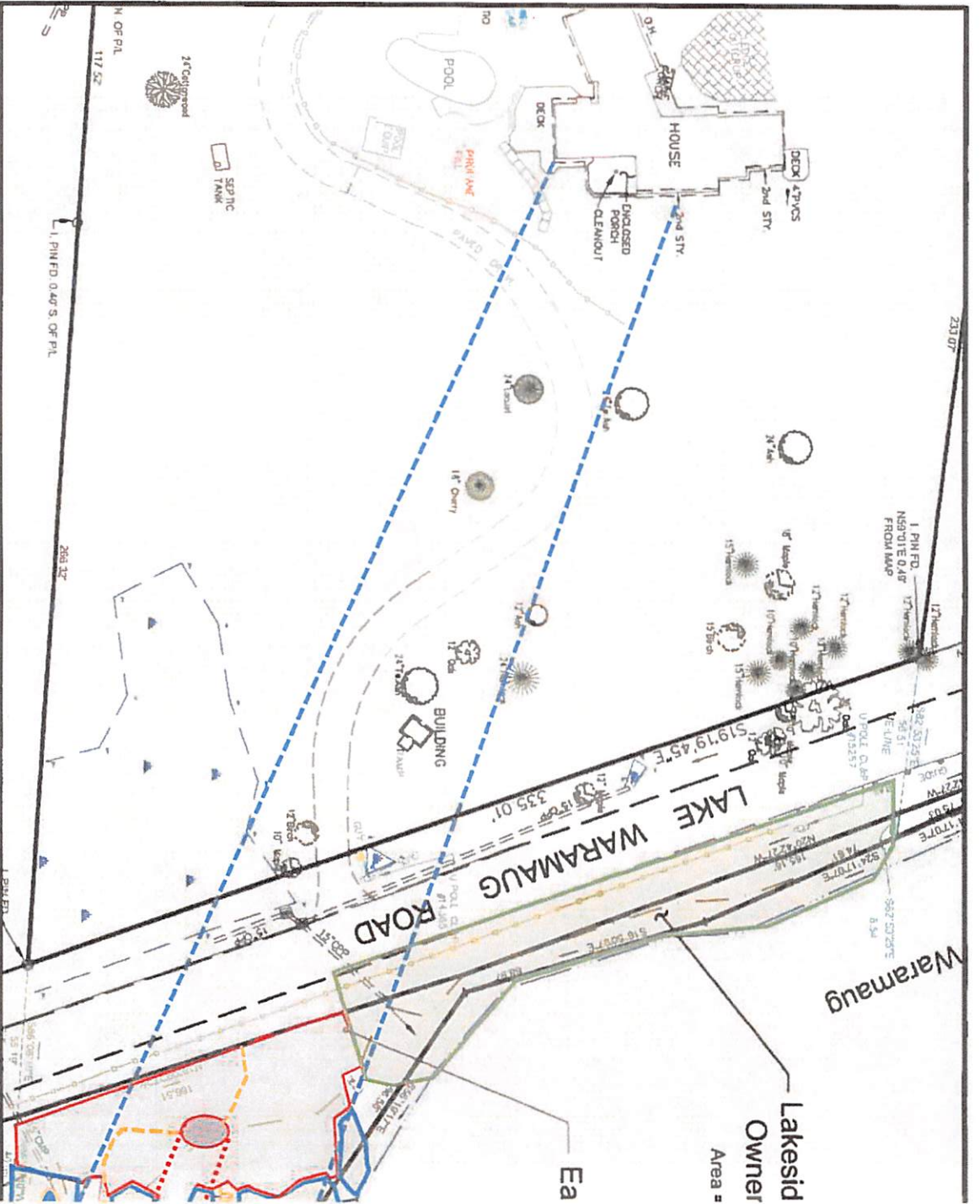


4E





4E



- - Level Sitting Area & Firepit
- - Planted Plunge Pool
- ⋯ - New Lower View Corridor
- ▬ - New Steps to Water
- ▬ - New Bulkhead, Boat Lift & Dock
- ▬ - Invasive Vine Remc
- - - - New Steppingstones
- - - - Permitted Upper View Corridor
- ▭ - Riparian Buffer Enh



2016 Contours 6"



## **Balis – 70 Lake Waramaug Road**

### **Installation Sequence**

For Elevations and Existing Conditions please refer to map prepared by Arthur H. Howland and Associates, New Milford, CT, titled "Map of Easements A, B & C", May 8, 2020. Lot #3, Easement Area A.

Noted trees will be removed.

18" Dia Dying Hemlock roots to be removed and boulders to protect shoreline and create safe access to water's edge will be set.

Stones will be set along shoreline as noted first.

Stones will be placed in such a manner as to mimic the natural shoreline, maintain contour and aid in erosion control.

Backfill for sitting areas will be native stone mix size range 2"-3/4" and top-dressed with 1" thick layer of 3/8" native pea gravel

No soil is to remain exposed overnight. All areas with exposed soils at end of work day will be covered and secured.

Invasive plant material shall be removed.

If there is an opportunity to backfill behind some set rock to aid in plant installation and erosion control, use a soil mix blend of 1 part organic compost to 1 part sand. Not all areas on Buffer slope will need soil mix.

Shrubs to be planting according to Plan. Perennials are to be planted in any disturbed soil areas at a rate of 3 plugs per 1 SF. Perennials can also be installed under shrubs.

Refer to the Plant List for plant material species and sizes to be installed.

After plant installation, exposed soils to be covered with mulch. Use a mulch blend of 1 part shredded bark mulch to 1 part shredded leaf litter. Mulch layer to be no less than 1 inch thick.

All soil mix and mulch mix to be used in shoreline buffer restoration shall be brought to buffer area by hand in 5 gallon buckets. All soil mix and mulching will be spread by hand.

Soil mix to be placed in gaps after step stones are set.

Water new plants upon installation.

Continued scheduled watering through season is recommended for all newly installed plant material to become established.

## **Plant Material**

### **Shrubs**

<b><u>Amount</u></b>	<b><u>Plant Name</u></b>	<b><u>Size</u></b>
3	Clethra alnifolia – Summersweet	2 gal
7	Swida racemosa -Gray Dogwood	2-3 gal

### **Perennial Suggestions- all Plug Size –**

#### **Plant in areas below sitting area and shoreline**

**Chelone glabra – Turtlehead**

**Juncus effuses – Soft Rush**

#### **Plant in areas between road and sitting area**

**Anemone Canadensis – Canada Windflower**

**Lespedeza capitata – Round Headed Bush Clover**

**Pycnanthemum tenuifolium – Narrowleaved Mountain Mint**

**Solidago caesia – Bluestemmed Goldenrod**

**Tradescantia virginiana - Spiderwort**

**Zizia aurea – Golden Alexander**

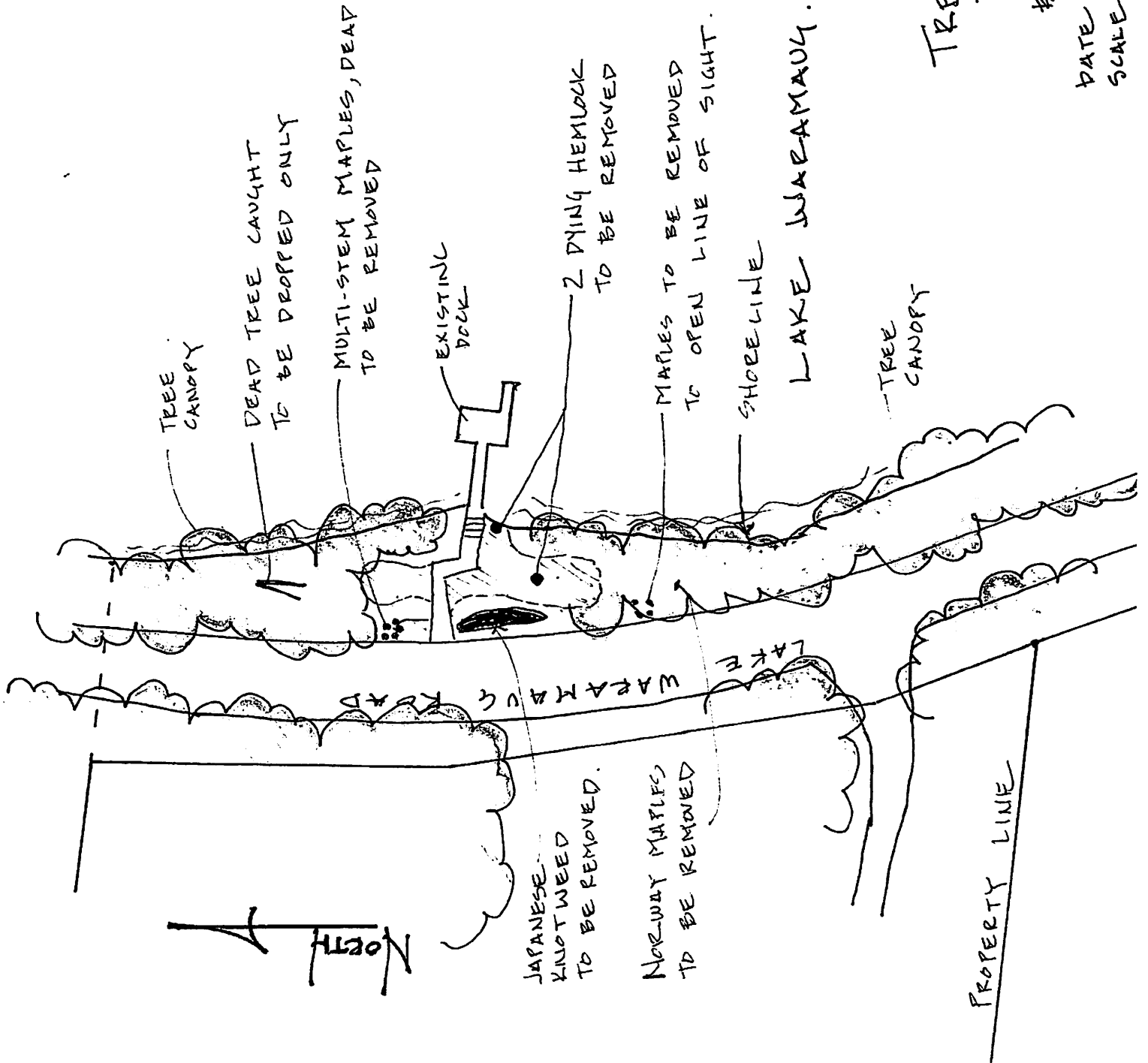
### **Additional Notes**

**Pull off Area = 54 SF**

**Sitting Area = 672 SF**

**Total Area of Disturbance = 1650 SF or 0.038 Acres**





TREE REMOVAL

TO LAKE WARAMAUG RD  
 KENT, CT  
 PAULS RESIDENCE.

DATE 1.13.2021  
 SCALE 1" = 40'

BY: EARTH TONES  
 WOODBURY, CT

12/14/2020

Town of Kent CT Mail - Hilltop Pond Dam

6A.  
~~6B2~~ ~~Verbal~~



Donna Hayes <landuseadmin@townofkentct.org>

## Hilltop Pond Dam

2 messages

**Pat Hackett** <prh@prhackett.com>  
To: Donna Hayes <landuseadmin@townofkentct.org>  
Cc: Franco Baseggio <fbaseggio@gmail.com>

Thu, Dec 3, 2020 at 2:50 PM

Hi Donna,

This is a follow-up to our conversion this AM. We are in the process of lowering the water so a repair can be made this coming week. At this point the water is low enough that there is no seepage. The urgency is the time of the year and need to fix before a larger repair is required. The best phone number to get a hold of me is 203 788-9959 and I will email when I have the time and date we will be out there.

Thanks

Pat

**Donna Hayes** <landuseadmin@townofkentct.org>  
To: Sharon Town Building and Zoning <sharonlanduse@gmail.com>

Thu, Dec 3, 2020 at 4:15 PM

FYI ...  
*Donna M. Hayes, CZEO*  
*Land Use Administrator*  
*Town of Kent*  
*Land Use Office*  
*41 Kent Green Boulevard*  
*P.O. Box 678*  
*Kent, CT 06757*  
*(860) 927-4625*  
[landuseadmin@townofkentct.org](mailto:landuseadmin@townofkentct.org)  
[Quoted text hidden]



## Hilltop Pond Dam, Kent, Connecticut #6801 December 9, 2020

### Background:

Work to this area was done this summer when the water level was low and not at the upstream edge of the spillway apron. Round quartzite stone was placed behind the apron. (see photos). It appears the stone was boxed in by the removal of material behind the apron. There is a high probability that the discharge observed through the outside of the low level pipe when water discharge is over the spillway is related to this work. A small video is attached where the sound of water below the stone can be heard.

### Action:

Not knowing exactly how the leak developed and the fact that the level of the pond has been low through the summer and early fall months, there is a concern additional loss of material could result at worst dam failure at best significant material washed downstream. The water level has been lowered in anticipation of the work by the removal of a few weir boards located at the 2 foot wide channel. This is a short-term situation that cannot be counted on for the long term given varying weather conditions.

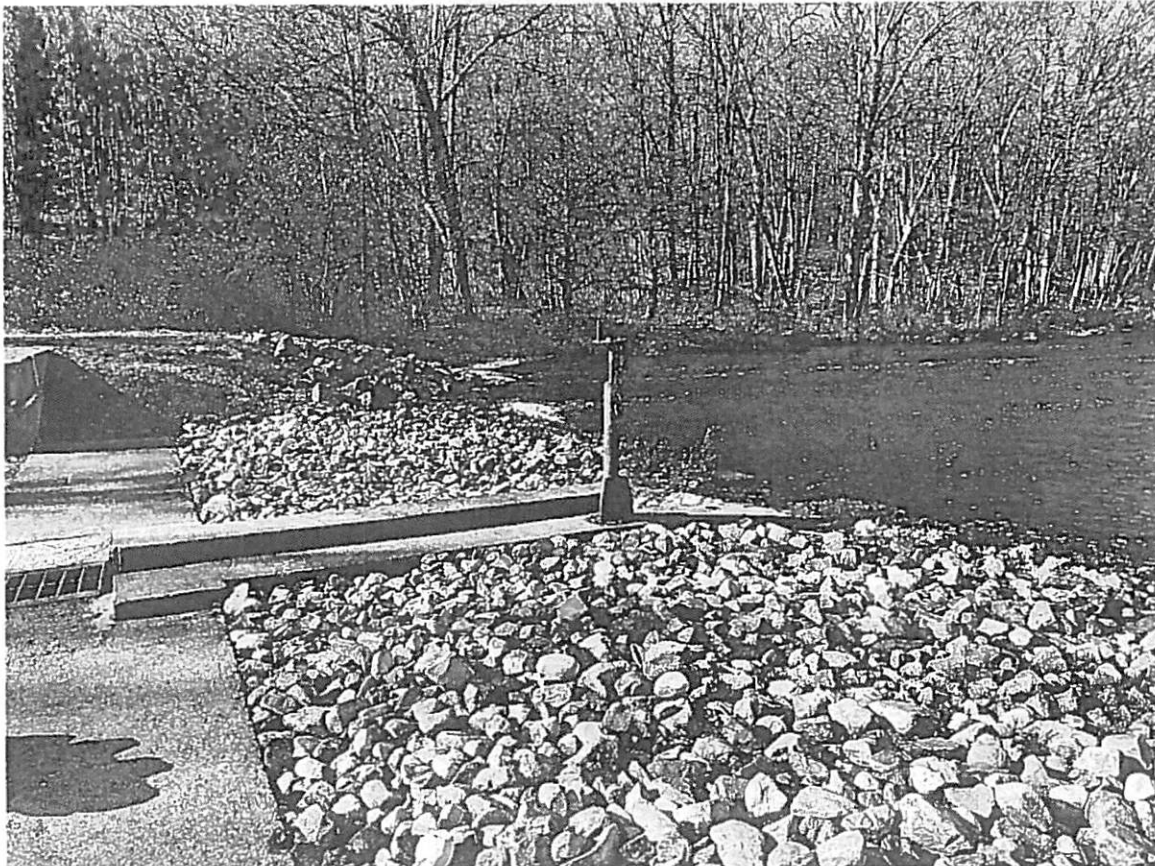


Figure 1 - From the left end of spillway looking toward trough discharge channel

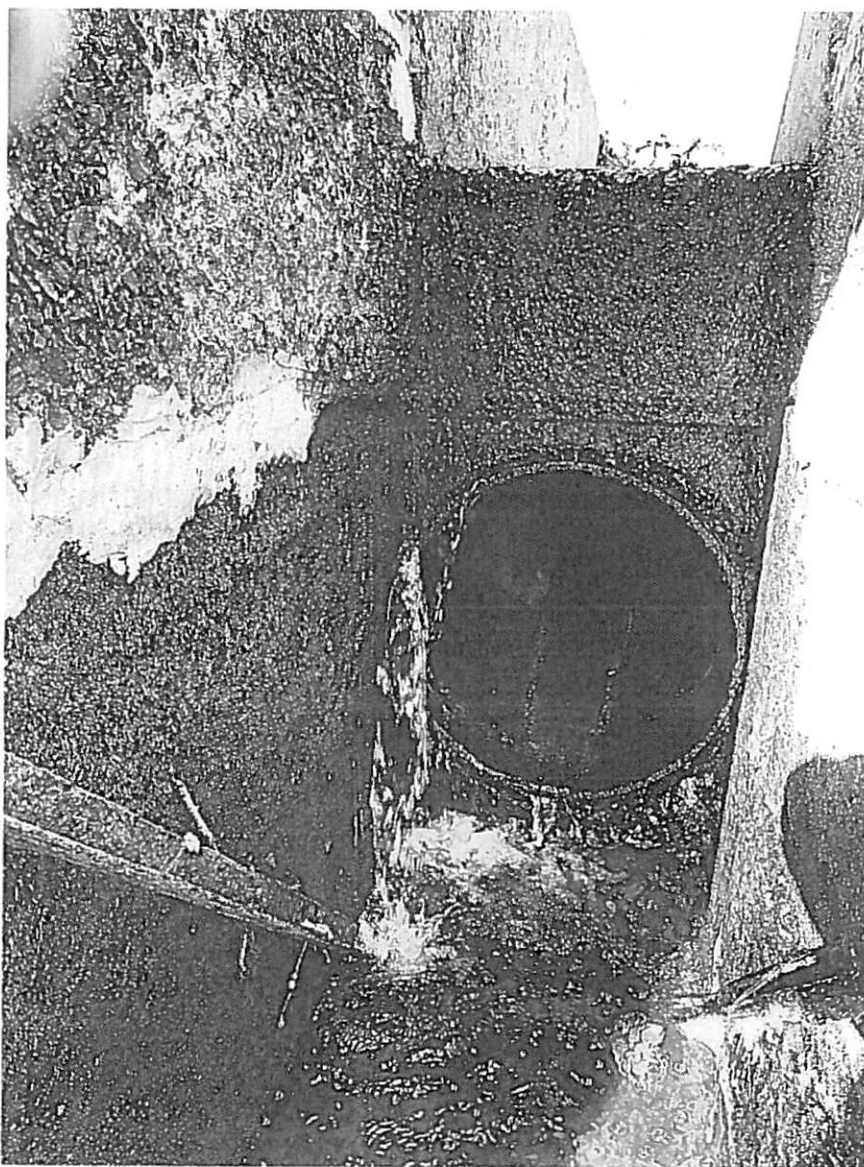


Figure 2 -24" Low level pipe. Note discharge 10 o'clock





Figure 3 - Void next to trough right training wall 25" deep

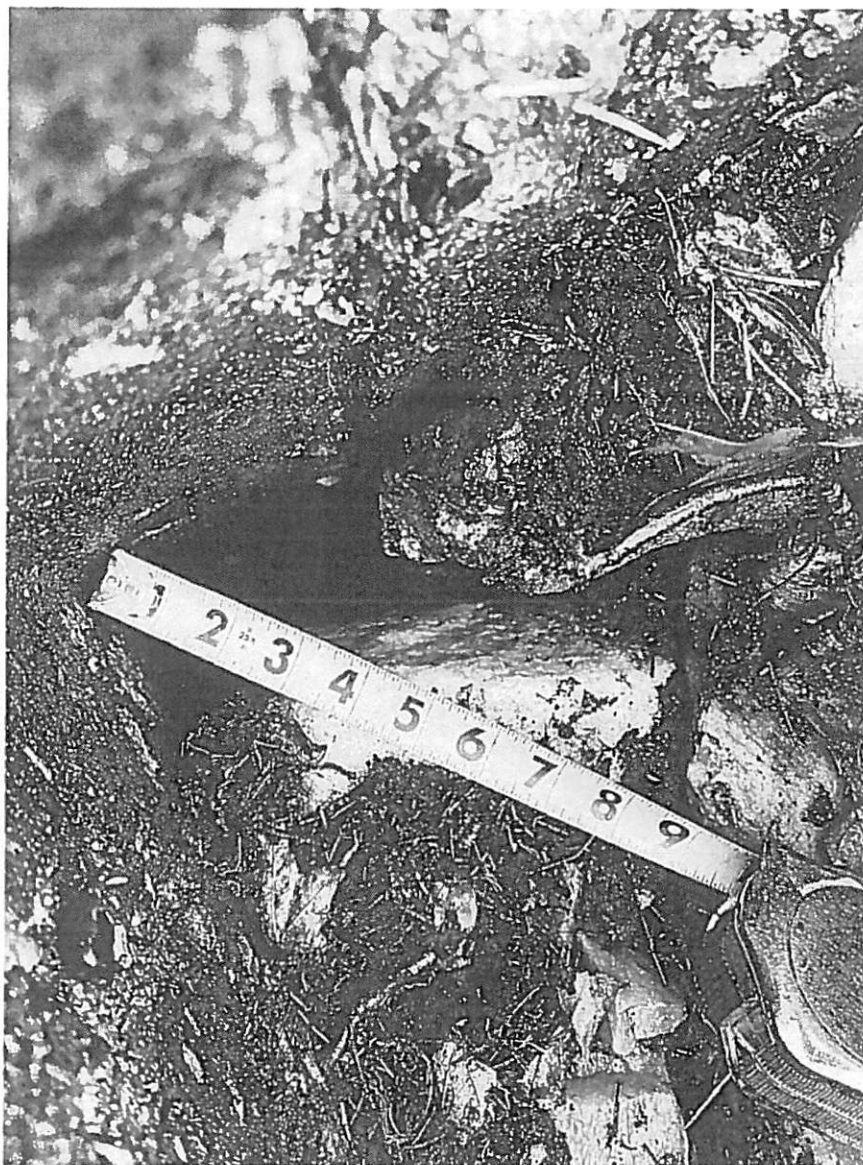


Figure 4 - Same void as in Fig 3 - Plan View



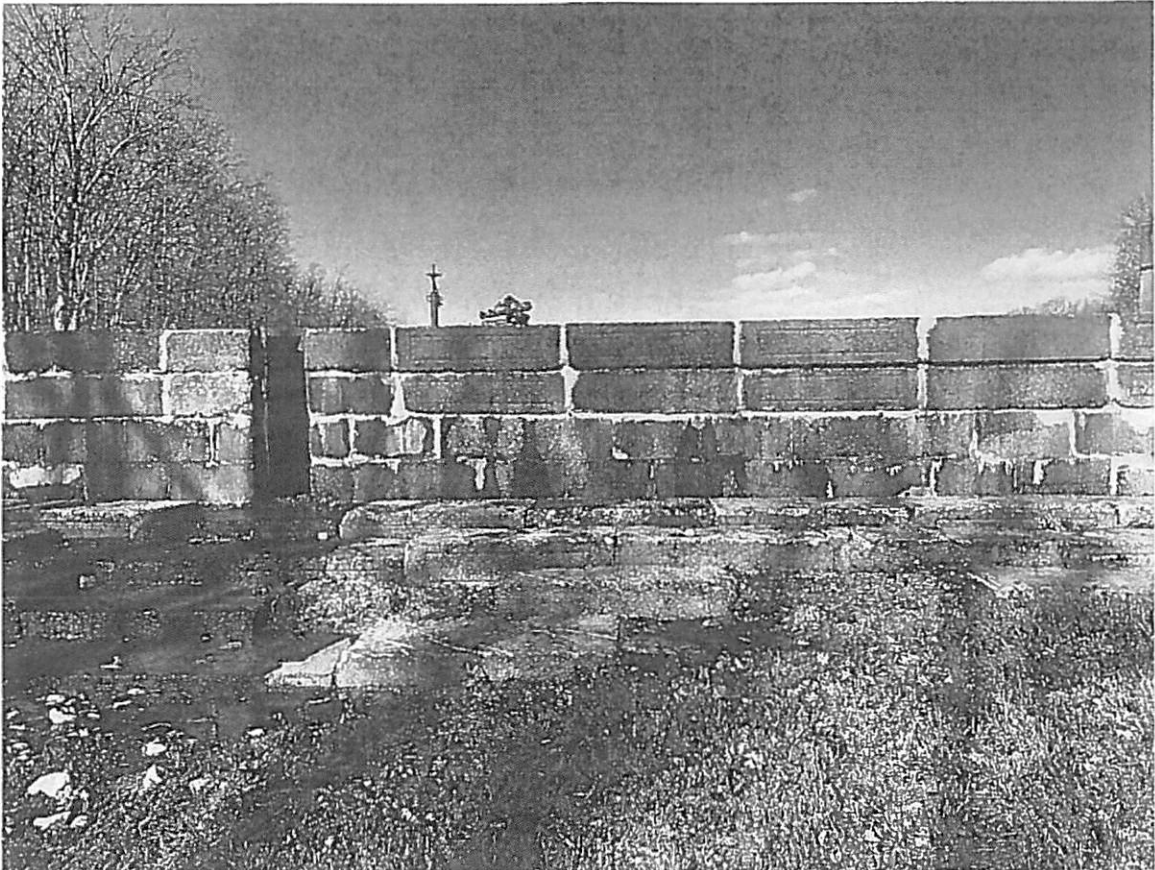
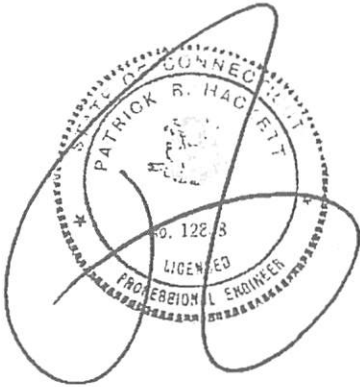


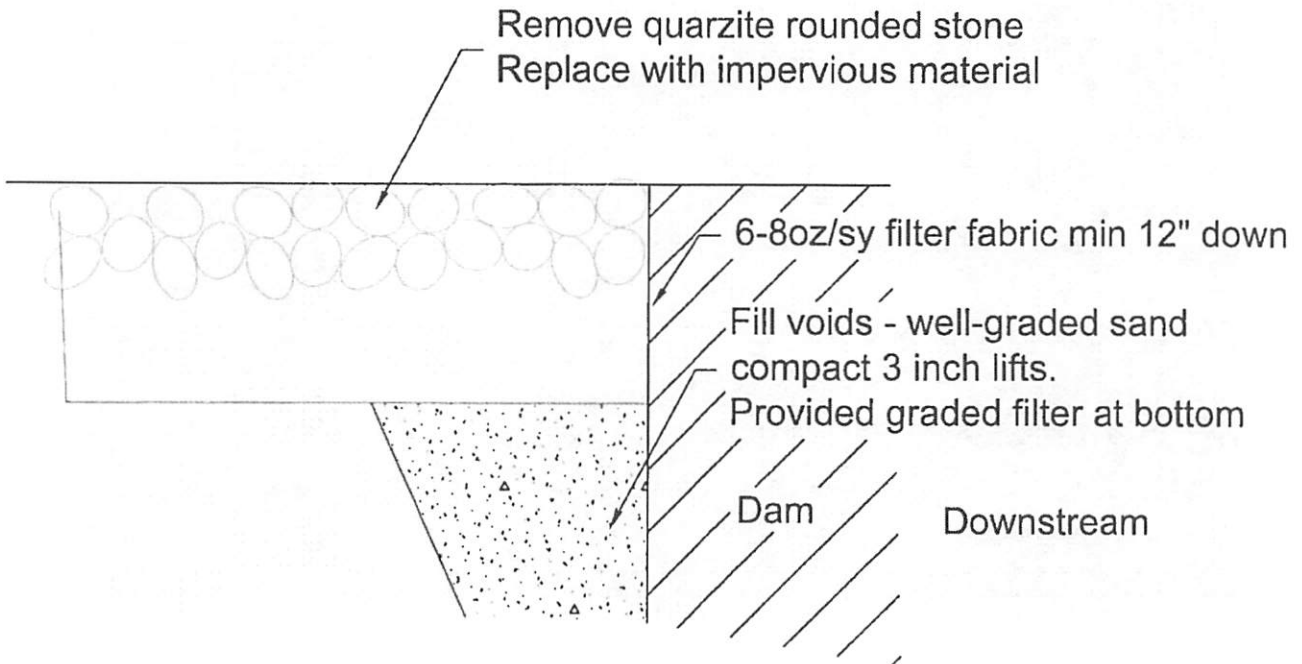
Figure 5 - Recent Dam Face Parging - Weep holes to be added at horizontal parging



# Hilltop Pond Dam - Spillway Diagram

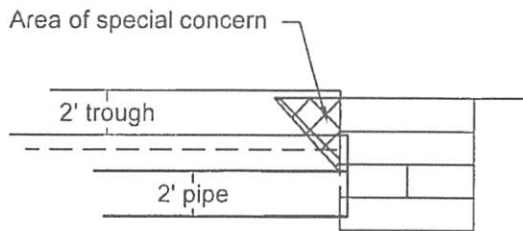
December 9, 2020

Drawn by : PRH



## Typical Repair Section

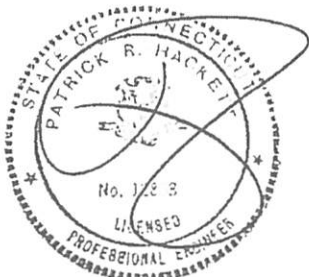
Not to Scale



## Section View at Pipe



SCALE: 1/8" = 1"

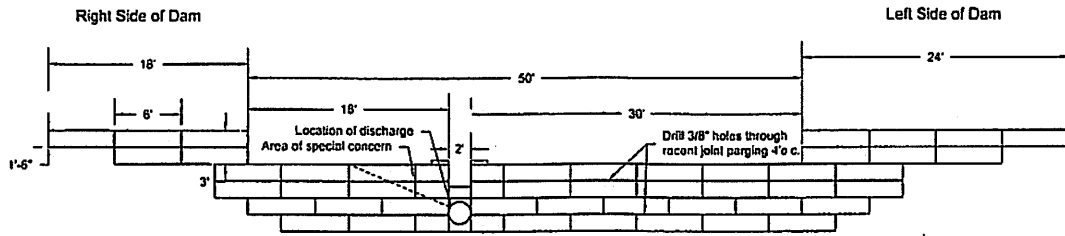




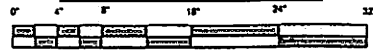
# Hilltop Pond Dam - Spillway Diagram

December 9, 2020

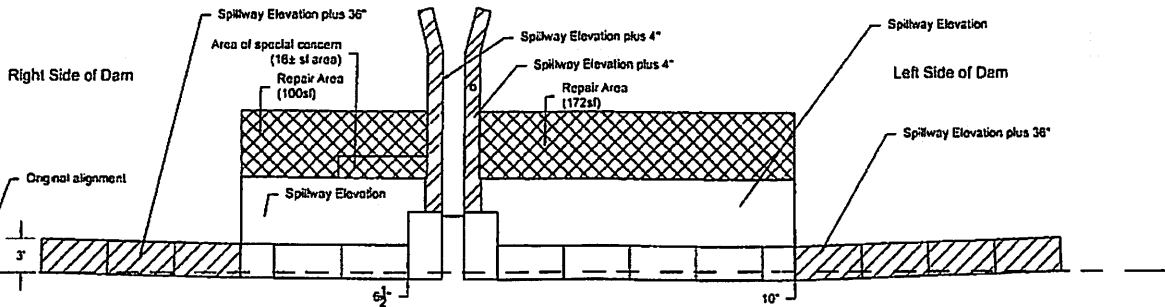
Drawn by : PRH



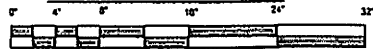
**Profile of Dam Face**



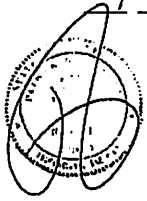
SCALE: 1/8" = 1'



**Plan View of Dam**



SCALE: 1/8" = 1'





Donna Hayes &lt;landuseadmin@townofkentct.org&gt;

**Hilltop Pond Dam in Kent #6801 - Emergency Dam Repair**

5 messages

Pat Hackett &lt;prh@prhackett.com&gt;

Mon, Dec 7, 2020 at 1:03 PM

To: kartik.parekh@ct.gov

Cc: Donna Hayes &lt;landuseadmin@townofkentct.org&gt;, Sharon Town Building and Zoning &lt;sharonlanduse@gmail.com&gt;, Franco Baseggio &lt;fbaseggio@gmail.com&gt;

Hi Kartik,

I just left you a voice mail.

This Thursday, the 10<sup>th</sup>, at 8 AM I will be inspecting a dam repair at the above referenced dam. There is a leak between the low level outlet pipe and the right side soil section behind the spillway apron. We have lowered the water and the leak has stopped but needs to be fixed ASAP. We intend to open up the area in question, filling in with a well-graded permeable material, compacting along the way, laying down a 6-8 oz/sy non-woven needle punched filter fabric to make sure groundwater passes perpendicular to the fabric so as to prevent soil migration, and covering with an inch of mason sand and backfilling the final 12-18 inches or so with the mucky material removed. All work will be completed by the end of the same day. Kent and Sharon have been made aware of the repair and are cc'd on this email.

I can be reached at 203-788-9959 and will provide pictures and a report subsequent to the repair. Please call if you need and additional information or have any questions.

Thanks

Pat Hackett

16 East St Lakeville CT 06039



---

Parekh, Kartik <Kartik.Parekh@ct.gov>

Tue, Dec 8, 2020 at 8:27 AM

To: Pat Hackett <prh@prhackett.com>

Cc: Donna Hayes <landuseadmin@townofkentct.org>, Sharon Town Building and Zoning <sharonlanduse@gmail.com>, Franco Baseggio <fbaseggio@gmail.com>, "Hall, Ivonne" <Ivonne.Hall@ct.gov>, "Lee, Charles" <Charles.Lee@ct.gov>

Pat,

Thank you for contacting our office about this matter. I was off duty yesterday and just saw this email and heard your VM. We would have to issue either an emergency authorization or a temporary authorization for a situation where work needs to be done immediately. This is in accordance with Connecticut General Statutes section 22a-6k. I am going to call you shortly to discuss this further.

Thanks.

Kartik Parekh

Dam Safety Section

Water Planning & Management Division

Bureau of Water Protection & Land Reuse

Connecticut Department of Energy and Environmental Protection  
79 Elm Street, Hartford, CT 06106-5127  
P: 860.424.3615 | F: 860.424.4075 | E: kartik.parekh@ct.gov

\*Note: We are currently working from home and can periodically check voicemails from the office number listed above. If you email me your number and a good time to call, I can respond quicker.



[www.ct.gov/deep/dams](http://www.ct.gov/deep/dams)

*Conserving, improving and protecting our natural resources and environment;*

*Ensuring a clean, affordable, reliable, and sustainable energy supply.*

**From:** Pat Hackett <prh@prhackett.com>  
**Sent:** Monday, December 7, 2020 1:04 PM  
**To:** Parekh, Kartik <Kartik.Parekh@ct.gov>  
**Cc:** Donna Hayes <landuseadmin@townofkentct.org>; 'Sharon Town Building and Zoning' <sharonlanduse@gmail.com>; 'Franco Baseggio' <fbaseggio@gmail.com>  
**Subject:** Hilltop Pond Dam in Kent #6801 - Emergency Dam Repair

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

[Quoted text hidden]

---

**Pat Hackett** <prh@prhackett.com> Tue, Dec 8, 2020 at 7:17 PM  
**To:** "Parekh, Kartik" <Kartik.Parekh@ct.gov>  
**Cc:** Donna Hayes <landuseadmin@townofkentct.org>, Sharon Town Building and Zoning <sharonlanduse@gmail.com>, Franco Baseggio <fbaseggio@gmail.com>, "Hall, Ivonne" <Ivonne.Hall@ct.gov>, "Lee, Charles" <Charles.Lee@ct.gov>

Hi Kartik,

Thank you for getting back. We would like to proceed with a repair to the dam scheduled for Thursday AM due to the certainty of where the water is coming from (behind concrete apron) and that it discharges between the low level outlet pipe and the concrete wall it project through. An immediate fix is requested to prevent, abate or mitigate an imminent threat to human health or the environment. The pond level has been lower by the removal of 12" of weir boards.

I have attached a PDF of some information that outlines what we think has happened and what we intend to do, and why the repair needs to be done now. There is also a video with sound that was made as the pond level was being lowered.

I can mail a copy of the dialogue and drawings that are signed and sealed for your records and will be here tomorrow early morning between 8 and 10 if you have any questions or need me to add additional information.


Thanks

Pat Hackett

[Quoted text hidden]

**2 attachments**

 **Hilltop Pond Dam 2020-12-08 dialogue.pdf**  
4184K

 **IMG\_1825.MOV**  
9001K

Parekh, Kartik <Kartik.Parekh@ct.gov>

Wed, Dec 9, 2020 at 12:25 PM

To: Pat Hackett <prh@prhackett.com>

Cc: Donna Hayes <landuseadmin@townofkentct.org>, Sharon Town Building and Zoning <sharonlanduse@gmail.com>, Franco Baseggio <fbaseggio@gmail.com>, "Hall, Ivonne" <Ivonne.Hall@ct.gov>, "Lee, Charles" <Charles.Lee@ct.gov>

Pat,

As we discussed on the phone, please submit plans that are signed and stamped for DEEP's review and approval. No work shall take place until DEEP issues the appropriate authorization for the proposed work.

Thanks.

Kartik Parekh

Dam Safety Section

Water Planning & Management Division

Bureau of Water Protection & Land Reuse

Connecticut Department of Energy and Environmental Protection  
79 Elm Street, Hartford, CT 06106-5127  
P: 860.424.3615 | F: 860.424.4075 | E: kartik.parekh@ct.gov

\*Note: We are currently working from home and can periodically check voicemails from the office number listed above. If you email me your number and a good time to call, I can respond quicker.



[www.ct.gov/deep/dams](http://www.ct.gov/deep/dams)

*Conserving, improving and protecting our natural resources and environment;*

*Ensuring a clean, affordable, reliable, and sustainable energy supply.*

**From:** Pat Hackett <prh@prhackett.com>

**Sent:** Tuesday, December 8, 2020 7:18 PM

**To:** Parekh, Kartik <Kartik.Parekh@ct.gov>

**Cc:** 'Donna Hayes' <landuseadmin@townofkentct.org>; 'Sharon Town Building and Zoning' <sharonlanduse@gmail.com>; 'Franco Baseggio' <fbaseggio@gmail.com>; Hall, Ivonne <Ivonne.Hall@ct.gov>; Lee, Charles <Charles.Lee@ct.gov>

**Subject:** RE: Hilltop Pond Dam in Kent #6801 - Emergency Dam Repair

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.



12/14/2020

Town of Kent CT Mail - Hilltop Pond Dam in Kent #6801 - Emergency Dam Repair

[Quoted text hidden]

---

Pat Hackett <prh@prhackett.com>

Wed, Dec 9, 2020 at 12:57 PM

To: "Parekh, Kartik" <Kartik.Parekh@ct.gov>

Cc: Donna Hayes <landuseadmin@townofkentct.org>, Sharon Town Building and Zoning <sharonlanduse@gmail.com>, Franco Baseggio <fbaseggio@gmail.com>, "Hall, Ivonne" <Ivonne.Hall@ct.gov>, "Lee, Charles" <Charles.Lee@ct.gov>

Hi Kartik,

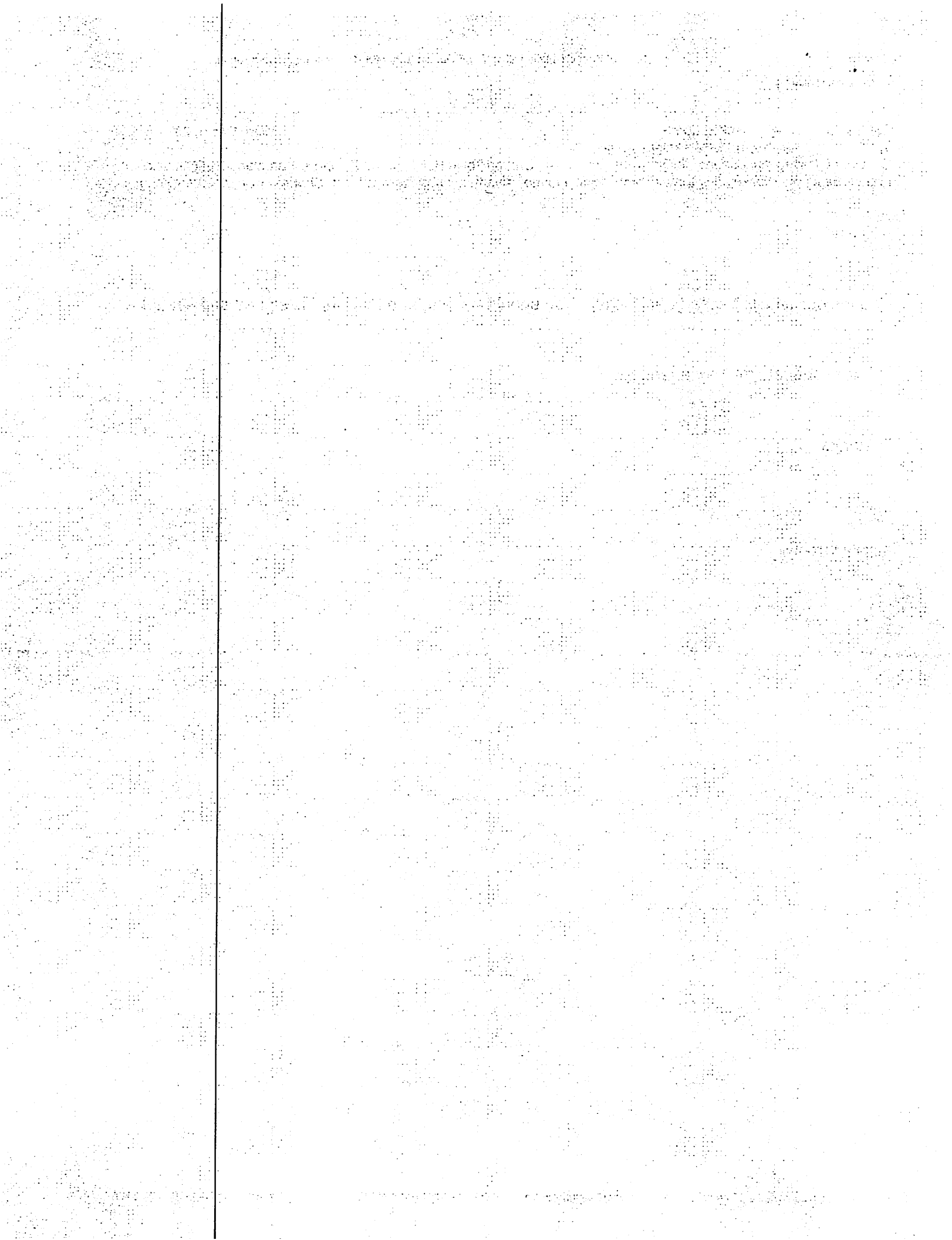
I think our emails passed each other. You should have a 5mb PDF that is signed and sealed...

Where should I mail a paper copy?

Thanks

Pat

[Quoted text hidden]



**Patrick R. Hackett, P.E.**  
**16 East Street, Lakeville, CT 06039**  
**(203) 788-9959 prh@prhackett.com**

December 11, 2020

Kartik Parekh, P.E.  
Dam Safety Section  
Water Planning & Management Division  
Connecticut Department of Energy & Environmental Protection  
79 Elm Street, Hartford, CT  
06106-5127

Reason for Dam Spillway Repair now – Hilltop Pond Dam, Kent #6801

Dear Mr Parekh,

My reasoning for justification for a temporary authorization to fix the spillway leak now in lieu of filing a full application and doing the work 6 – 9 months from now is primarily to protect the environment and secondarily to protect public interest.

I was called by the dam owner when he noticed water discharging from between the low level outlet pipe and the concrete wall. I inspected the same day and asked that some weir boards be removed. It appeared at the time that water was entering behind the dam and passing through the space between the outside of the pipe and the poured wall. There had been some work done to the dam in this area that may have caused this to happen. I was not present when the work was done, nor did I know about the quartzite cobbles that were added to this area.

The weir boards were removed lowering the water sufficiently in anticipation of opening the area and filling in the void. Given when the rip rap work was done (this summer) and the drought conditions, there was no opportunity for many months to observe the discharge that is visible when the water level is up and the spillway is used. The one inch space between the pipe and wall is capable of transporting material. The 2' wide spillway channel is directly over the low level pipe making it impossible to quantify how much material is leaving the dam. The limited discharge from the channel means a decent rainfall is going raise the water elevation sufficiently to pass through the void that is present. Beaver activity at the dam, noted just a few days ago, is another concern that the void will continue to pass material if 6 to 8 months is needed to gain authorization to repair. There will inevitably be more material washing away inside the dam that can be stopped by doing the work now.

If the low level outlet is opened, there would be the potential for additional storm storage before flow through the void starts. I have concerns that if the low-level outlet is opened that it will not be able to be shut off. Care would be needed to ensure the water does



not get drawn down to the point of endangering fish. The Town of Sharon has expressed concern for this scenario. In the event the valve cannot be closed there is always the option of sand bagging the outlet and fix at a later date.

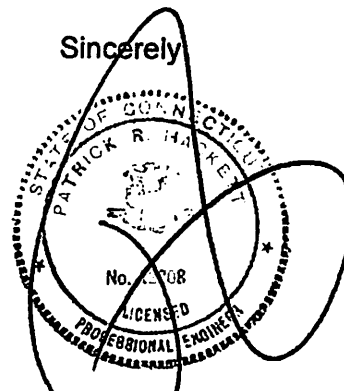
Reasons for doing the work immediately are:

1. We do not know the extent of the void and cannot measure soil loss with the dam discharge at the same location.
2. We do not know the condition of the low level outlet valve
3. We cannot predict what the weather is going to be while the dam is in a compromised condition for 6 to 9 months.
4. Any fix is going to be less complicated, smaller, and be done quicker now.
5. There is an opportunity to do the work before it gets very cold and working conditions poor.
6. I do not know the extent of the voids and will not till this is opened. I do know the void is at least 27" down from the spillway elevation.
7. We avoid the risk of having the pond lowered too much and killing fish

By doing the work now, we are protecting the environment by ensuring the void will not expand to include the entire low-level outlet pipe and the volume of material lost downstream will be minimized. The land downstream is Macedonia State Park. With the COVID-19 situation there are more walkers found in the park than what is typically found this time of year. If the dam loses enough material, it may be prudent to limit use of the park along the brook. Yes, these are hypotheticals. However, the uncertainty of the extent of voids should not have to wait till weather permits next year. I believe the reasonable thing to do at this juncture is to fix the problem before it becomes a hazard.

I am available to explain in further detail and answer any questions you may have.

Sincerely



Patrick R. Hackett, P.E.  
CT12808

Cc: F Baseggio  
Town of Kent  
Town of Sharon



Donna Hayes <landuseadmin@townofkentct.org>

---

## Revised Start Date - Hilltop Pond Dam

1 message

---

Pat Hackett <prh@prhackett.com>

Wed, Dec 9, 2020 at 5:01 PM

To: Donna Hayes <landuseadmin@townofkentct.org>, Sharon Town Building and Zoning <sharonlanduse@gmail.com>

Cc: Franco Baseggio <fbaseggio@gmail.com>, Bill Gawel <wcgawel@charter.net>, "Parekh, Kartik" <Kartik.Parekh@ct.gov>

Hi Donna and Jamie,

We have rescheduled to 8AM on Tuesday (the 15<sup>th</sup>) to start the repair to the dam. By that time we anticipate having CT DEEP authorization to move forward.

I can be reached at 203 788-9959 if you have any questions.

Thanks

Pat



Franco Baseggio  
LRK LLC  
PO Box 1176  
Sharon, CT 06069  
Via Email: [fbaseggio@gmail.com](mailto:fbaseggio@gmail.com)

Re: Dam Repair-Temporary Authorization (DS-202079340)  
Hilltop Pond Dam, CT Dam #6801, Hazard Class BB (Moderate)

Dear Mr. Baseggio,

Pat Hackett, your retained licensed professional engineer, submitted a correspondence dated December 9, 2020 that described a leak at Hilltop Pond Dam and stated a proposed repair. Pat talked to Kartik Parekh of the Department of Energy and Environmental Protection (DEEP) requesting authorization to conduct the repairs as soon as possible. After DEEP staff reviewed the proposal, the Commissioner of DEEP has approved a temporary authorization to conduct a regulated activity at the subject dam in Kent. Your attention is directed to the conditions of the enclosed authorization. You should read your authorization carefully, as all construction and work must conform to that which is authorized. Lastly, please be advised this authorization is valid for ninety (90) days, whether consecutive or not (i.e. days of work taking place), from the date of its issuance.

If you have any questions concerning the enclosed authorization, please contact Kartik Parekh at 860-424-3615 or [kartik.parekh@ct.gov](mailto:kartik.parekh@ct.gov).

Sincerely,

Charles Lee, Assistant Director  
Water Planning and Management Division  
Bureau of Water Protection and Land Reuse

12/17/2020

Date

**COPIES FURNISHED TO:**

Pat Hackett via email ([prh@prhackett.com](mailto:prh@prhackett.com))

Jean C. Speck-Kent First Selectman via email ([firstselectman@townofkentct.org](mailto:firstselectman@townofkentct.org))

Darlene F. Brady-Kent Town Clerk via email ([townclerk@townofkentct.org](mailto:townclerk@townofkentct.org))

Lynn Werner, Connie Manes, Matt Winter-Kent Inland Wetlands, Conservation, Planning & Zoning  
via email ([Landuseadmin@townofkentct.org](mailto:Landuseadmin@townofkentct.org))

Brent M. Colley-Sharon First Selectman via email ([brent\\_c@sharon-ct.org](mailto:brent_c@sharon-ct.org))

Linda R. Amerighi-Sharon Town Clerk via email ([sharontownclerk@yahoo.com](mailto:sharontownclerk@yahoo.com))

Jamie Casey-Sharon Land Use (Wetlands, Conservation, Planning & Zoning) via email  
([sharonlanduse@gmail.com](mailto:sharonlanduse@gmail.com))





79 Elm Street • Hartford, CT 06106-5127

[www.ct.gov/deep](http://www.ct.gov/deep)

Affirmative Action/Equal Opportunity Employer

## TEMPORARY AUTHORIZATION

To: Franco Baseggio  
LRK LLC  
PO Box 1176  
Sharon, CT 06069  
Via Email: [fbaseggio@gmail.com](mailto:fbaseggio@gmail.com)

Authorization No.: DS-202079340TA  
Authorization Type: Dam Construction Temporary Authorization  
Municipality: Kent  
Project: Hilltop Pond Dam, CT Dam #6801, Hazard Class BB (Moderate)

Pursuant to Connecticut General Statutes Sections 22a-6k(b) and 22a-411 the Commissioner of the Department of Energy and Environmental Protection (DEEP) hereby grants a temporary authorization to LRK LLC "grantee" to conduct repairs at Hilltop Pond Dam in the Town of Kent. This repair work shall be in accordance with this authorization and the plans entitled "Hilltop Pond Dam-Spillway Diagram" dated December 9, 2020 and prepared by Patrick Hackett, P.E.

In granting this temporary authorization the Commissioner has found that (1) such activity will not continue for more than ninety days; (2) such activity does not pose a significant threat to human health or the environment; (3) such authorization is necessary to protect human health or the environment or is otherwise necessary to protect the public interest; (4) such authorization is not inconsistent with the federal Water Pollution Control Act, the federal Rivers and Harbors Act, the federal Clean Air Act or the federal Resource Conservation and Recovery Act, and (5) the commissioner has the authority to issue a general permit for such activity under section 22a-411.

### AUTHORIZED ACTIVITY

Specifically, the grantee is authorized to conduct the repair work necessary correct deficiencies as shown on the above referenced plans. The repair authorized includes replacing quartzite rounded stone located just upstream of the spillway weir with impervious material; filling voids & providing a graded filter at the area of special concern; and drilling holes at the downstream face to function as weep holes.

This work shall be completed within ninety (90) days, whether consecutive or not (i.e. days of work taking place), of the initiation of work authorized by this temporary authorization beginning as soon as Hilltop Pond can be drawn down as necessary for this project. Refilling of the Pond shall be initiated as soon as possible and be done in such a manner that a downstream release is maintained at all times.

This authorization does not derogate any present or future property rights or other rights or powers of the State of Connecticut, conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state, or local laws or regulations pertinent to the property or activity affected hereby.

**GRANTEE'S FAILURE TO COMPLY WITH THE TERMS AND CONDITIONS OF THIS AUTHORIZATION SHALL SUBJECT GRANTEE AND CONTRACTOR(S) TO ENFORCEMENT ACTIONS AND PENALTIES AS PROVIDED BY LAW.**

**This authorization is subject to the following conditions:**

**SPECIAL CONDITIONS**

1. Within ten (10) days of the completion of the construction authorized herein, the grantee shall notify the Commissioner in writing of the completion of said construction.
2. As-built drawings certified by the engineer depicting the construction authorized herein shall be submitted within thirty (30) days of the completion of said construction, which shall include any deviations from the approved plans and specifications. Said drawings shall be prepared and sealed by the engineer who oversaw the construction. These final record drawings shall be sent electronically to [DEEP.DamSafety@ct.gov](mailto:DEEP.DamSafety@ct.gov) in Adobe Acrobat "pdf" format.
3. All of the construction activities authorized herein shall be performed under the supervision of a Professional Engineer licensed in CT.

**GENERAL CONDITIONS**

1. **Pollution Prevention/Best Management Practices**

Grantee shall not cause or allow the authorized activity, including any construction associated therewith, to result in pollution or other environmental damage and shall employ the best management practices to prevent such damage. Grantee shall, in addition to employing any other best management practices necessary to prevent such damage, perform the following:

  - (A) **Controlling Erosion.** Grantee shall install and maintain in optimal condition erosion and sedimentation controls to prevent erosion and discharge of material into any waters of the state, including wetlands, as a result of the authorized work or any construction associated therewith. Such controls shall be installed and maintained in conformity with the Connecticut Soil Erosion and Sediment Control, published by the Connecticut Council on Soil and Water Conservation pursuant to Section 22a-328 of the General Statutes.
  - (B) **Disposing of Excess Material Properly.** All excess material and solid waste generated during any construction associated with the authorized activity shall be disposed of in accordance with applicable federal, state and local laws.
2. **Recording and Reporting Violations**

Within 48 hours after the grantee learns of a violation of this authorization, he shall report the violation in writing to the Commissioner. Such report shall include the following information:

- (A) the provision(s) of the authorization that has been violated;
- (B) the date and time the violation(s) was first discovered and by whom;
- (C) the cause of the violation(s), if known;
- (D) if the violation(s) has ceased, the duration of the violation(s) and the exact date(s) and time(s) it was corrected;
- (E) if the violation(s) has not ceased, the anticipated date when it will be corrected,
- (F) steps taken and steps planned to prevent a reoccurrence of the violation(s) and the date(s) such steps were implemented or will be implemented;
- (G) the signatures of grantees and of the individual(s) responsible for actually preparing such report.

3. Modification of Authorized Work

In constructing the authorized work, the grantee may not make any alteration, except a de minimis alteration without first obtaining written approval from the Commissioner for such alteration. For the purposes of this temporary authorization, a de minimis alteration means a change in the design or operation of the authorized activity that does not increase its adverse environmental or other impacts and does not significantly change its location.

4. Contractor Notification

If the authorized activity will be constructed by a person(s) under contract to the grantee, the grantee shall (1) give a copy of the temporary authorization and of their approval of authorization hereunder to such contractor(s) prior to the start of construction, and (2) for one year after completion of construction, retain a written receipt for such copy, signed and dated by such contractor(s).

5. Expiration of Authorization

This authorization shall expire ninety (90) days, whether consecutive or not (i.e. days of work taking place), from the date of issuance. This authorization may not be renewed.

OTHER CONDITIONS

1. Reliance on Request for Authorization

In evaluating grantee's request for authorization, the Commissioner has relied on information provided by the grantee. If such information proves to be false or incomplete, this approval of authorization may be suspended or revoked in accordance with law, and the Commissioner may take any other legal action provided by law.

2. Other Applicable Law

Nothing in this authorization shall relieve the grantee of his obligation to comply with any other applicable federal, state and local law, including the obligation to obtain any other lawfully required authorization.

3. Other Rights

This authorization is subject to and does not derogate any present or future rights or powers of the State of Connecticut and conveys no rights in real or personal property nor any exclusive privileges,



and is subject to all public and private rights and to any federal, state and local laws pertinent to the property or activity affected by such authorization. In conducting any activity hereunder, the grantees may not cause pollution, impairment or destruction of the air, water or other natural resources of this State. The issuance of this authorization shall not create any presumption that this authorization should or will be renewed.

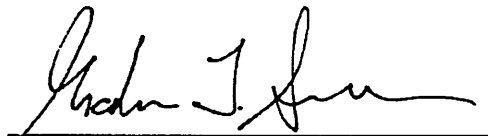
4. Certification of Documents

Any document, including but not limited to any notice, information or report, which is required to be submitted to the Commissioner under this temporary authorization shall be signed by grantee or his duly authorized representative, and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows:

“I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement made in this document or its attachments may be punishable as a criminal offense, in accordance with Section 53-157b of the General Statutes, and in accordance with any other applicable statute.”

Issued as a Temporary Authorization of the Commissioner of the Department of Energy and

Environmental Protection on: December 16, 2020

  
\_\_\_\_\_  
Graham J. Stevens, Bureau Chief  
Water Protection and Land Reuse



Donna Hayes <landuseadmin@townofkentct.org>

---

## Start of Work at Hilltop Pond Dam

1 message

---

Pat Hackett <prh@prhackett.com>

Mon, Dec 21, 2020 at 6:59 AM

To: Donna Hayes <landuseadmin@townofkentct.org>, Sharon Town Building and Zoning <sharonlanduse@gmail.com>

Cc: Bill Gawel <wcgawel@charter.net>, Franco Baseggio <fbaseggio@gmail.com>, "Parekh, Kartik" <Kartik.Parekh@ct.gov>

Good morning All,

We will start repairs at the dam at 8:30 this morning. I will let you all know when work is complete.

I can be reached at 203-788-9959 if you have any questions.

Thanks

Pat