

**RECEIVED**

By Darlene Brady at 10:12 am, Sep 24, 2020

**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

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**REGULAR MEETING AGENDA**

**Monday, September 28, 2020**  
**7:00 p.m.**

Meeting to be held via Zoom: <https://us02web.zoom.us/j/84245850856>

Meeting I.D.: 842 4585 0856

Dial in to: 1 646 558 8656

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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, August 24, 2020.

4. **NEW BUSINESS**

4.A. Application #1229-20, Julia S. Samartini, 3 Camps Flat Road, Map 12 Block 40 Lot 11, emergency repair to pond dam by replacing leaking valve and re-mortar some existing joints.

4.B. Application #1231-20, Brian Neff, P.E., for Iron Mountain Property, LLC, 144 Geer Mountain Road, Map 11 Block 34 Lot 42, replacement of failing existing septic system.

4.C. Application #1232-20, Jeff Fleet for Cheryl Gould, 147 Treasure Hill Road, Map 17 Block 32 Lot 23, construction of 24' x 26' 2-car garage.

4.D. Application #1233-20, Joy Brown, 463 Segar Mountain Road, Map 15 Block 22 Lot 67, construction of 10'x 12' cabin addition and new septic system.

5. **OLD BUSINESS**

5.A. Application #1226-20, Allied Engineering Associates for Eric and Lori Aroesty, 59 Kenico Road, Map 15 Block 22 Lot 74, construction of 24' x 28' detached garage, expand and pave portion of driveway and parking area, additional drainage mitigation measures and increase landscape areas.

- 5.B. Application #1227-20 Arthur H. Howland & Associates for Todd Porterfield and Benoit Bolduc, 20 Kent Hollow Road, Map 15 Block 25 Lot 4, septic replacement and landscaping.
- 5.C. Application #1228-20, Town of Kent, 38 Maple Street, Map 4 Block 12 Lot 4, storage of materials for upcoming Streetscape project.
- 5.D. Connecticut DEEP Permit Application for the Use of Pesticides in State Waters: South Spectacle Pond

6. **COMMUNICATIONS TO THE COMMISSION**

A. **WRITTEN**

- 6.A.1. Monthly Financials – July through August 2020
- 6.A.2. Notice of Tentative Determination to Approve an Application for Diversion of Water Permit and Notice of Intent to Waive Public Hearing. Applicant: Kent School

B. **VERBAL**

7. **ADJOURNMENT**

**RECEIVED**

By Darlene Brady at 9:06 am, Aug 25, 2020

**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 August 24, 2020 at 7:00 p.m. via Zoom.

**1. CALL TO ORDER**

Ms. Werner called the meeting to order at 7:04 p.m. via Zoom.

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

Commissioners Present: Lynn Werner, Chairman; Marge Smith, Paul Yagid, Ken Johnson

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

*Mr. Yagid moved to elevate Ken Johnson to regular member status for this meeting. Ms. Smith seconded and the motion carried unanimously.*

**3. READING OF MINUTES OF PREVIOUS MEETINGS**

3.A. Regular Meeting Minutes, July 27, 2020.

*Ms. Smith moved to approve the Regular Minutes of the July 27, 2020. Mr. Yagid seconded and the motion carried unanimously.*

**4. NEW BUSINESS**

4.A. Application #1225-20, Brian Neff, P.E., for Robert Harrison and Jane Hart, 69 Treasure Hill Road, Map 17 Block 25 Lot 6, construction of an addition to the existing single-family dwelling, new terrace and related site work within regulated area.

Mr. Neff explained that this application is for an addition to the north side of the house and to move the driveway around to the back of the house. The addition is about the size of the existing house. He reviewed the plans including erosion control, sequence of events and noted that this is only about a two percent slope. The proposed activity is 138 feet away from the pond.

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Kent Inland Wetlands Regular Meeting Minutes 08/24/2020

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.

Donna Hayes reported that she is familiar with the property. She explained that she was reluctant to give an agent permit due to the substantial size of the addition. The members unanimously agreed that the potential impact on the wetlands is not significant and felt that this could be an agent approved permit.

- 4.B. Application #1226-20, Allied Engineering Associates for Eric and Lori Aroesty, 59 Kenico Road, Map 15 Block 22 Lot 74, construction of 24' x 28' detached garage, expand and pave portion of driveway and parking area, additional drainage mitigation measures and increase landscape areas.

Bob Gilchrest came forward and explained that the owners have decided to add a garage to the plans for this site. They would like to pave the driveway as well. Allied Engineering has added additional drainage to the plan to accommodate the runoff from the driveway and garage roof. The new infiltration system will contain all runoff on site. Swales and additional landscaping have been added to the plan as well. A trench drain in driveway will lead to the infiltration system.

Mr. Gilchrest confirmed that the proposed generator and pedestal service panel are also being added to the plan. The generator will be placed on a pad. The planting plan will be submitted prior to next month's meeting.

*Mr. Yagid moved to table Application #1226-20, Allied Engineering Associates for Eric and Lori Aroesty, 59 Kenico Road, Map 15 Block 22 Lot 74, construction of 24' x 28' detached garage, expand and pave portion of driveway and parking area, additional drainage mitigation measures and increase landscape areas. Mr. Johnson seconded and the motion carried unanimously.*

- 4.C. Application #1227-20 Arthur H. Howland & Associates for Todd Porterfield and Benoit Bolduc, 20 Kent Hollow Road, Map 15 Block 25 Lot 4, septic replacement and landscaping.

Catherine of Spring Lake Garden Design came forward to request a partial permit to allow for the retaining wall portion of the project to begin. She explained that the plans for the septic are not ready for review at this meeting.

Donna Hayes reported that she plans to view the site. She inquired about the existing pool on the other lot. She was waiting for the site plans prior to viewing the site. The members asked that the site plan and septic information be made available to them well in advance of the next meeting.

*Ms. Smith moved to table Application #1227-20 Arthur H. Howland & Associates for Todd Porterfield and Benoit Bolduc, 20 Kent Hollow Road, Map 15 Block 25 Lot 4, septic replacement and landscaping. Mr. Johnson seconded and the motion carried unanimously.*

- 4.D. Application #1228-20, Town of Kent, 38 Maple Street, Map 4 Block 12 Lot 4, storage of materials for upcoming Streetscape project.

Rick Osborne came forward and confirmed that the wetland in question is the brook. He explained that the Town has a grant that will expire in December and they would like to purchase some of the material for the streetscape. Permission from the Parks and Recreation Commission is to be considered at their next meeting. Silt fence and hay bales will surround the pile for the winter. The sediment and erosion control will be added to the plan for the record. This request is for temporary storage. The contractor that is awarded the job will need to return for permission for a staging area.

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Kent Inland Wetlands Regular Meeting Minutes 08/24/2020

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*Mr. Yagid moved to table Application #1228-20, Town of Kent, 38 Maple Street, Map 4 Block 12 Lot 4, storage of materials for upcoming Streetscape project. Mr. Johnson seconded and the motion carried unanimously.*

- 4.E. Preliminary discussion on how to handle application process for lakeside landscape maintenance of property owned by Emmert and Alberta Balis, 70 Lake Waramaug Road, Map 17 Block 27 Lot 8; Christopher Spring, 74 Lake Waramaug Road, Map 17 Block 27 Lot 9; and, Craig Bibb, 80 Lake Waramaug Road, Map 17 Block 27 Lot 11.

Donna Hayes reported that this was added to the agenda late Thursday; however, no information was available to pass along to the Commission members. She explained that this property is owned by three separate homeowners on the lake. The members agreed that there should be three signatures representing each owner on one application for this proposal to indicate that each owner is giving consent to the proposal.

## 5. OLD BUSINESS

- 5.A. Application #1222-20, John Casey and Bart Clark for Kent Green, LLC, Map 19 Block 42 Lot 8, removal of existing drainage pipes and installation of new pipes.

The Commission confirmed their receipt of a letter from NW Conservation District. Bart Clark came forward and addressed questions regarding pipe sizing. He explained that they will replace the pipes in kind. There will be no change to the flood impact. They will just be restoring capacity in order to have less standing water on the site. John Casey reported that they have an extensive planting plan that he believes will purify the runoff.

*Ms. Smith moved to approve application #1222-20, John Casey and Bart Clark for Kent Green, LLC, Map 19 Block 42 Lot 8, removal of existing drainage pipes and installation of new pipes. Mr. Yagid seconded and the motion carried unanimously.*

- 5.B. Application #1223-20, Kinney Woodworking, LLC for Stuart Wurtzel and Patrizia von Brandenstein, 115 Kent Cornwall Road, Map 9 Block 15 Lot 30, replace portion of open deck with a single-story sunroom; rebuild deck after sunroom is built.

Mr. Kinney reported that they had two trees removed via crane with stumps remaining. He was not aware that this was part of the application and apologized for the preapproval work done.

*Ms. Smith moved to approve application #1223-20, Kinney Woodworking, LLC for Stuart Wurtzel and Patrizia von Brandenstein, 115 Kent Cornwall Road, Map 9 Block 15 Lot 30, replace portion of open deck with a single-story sunroom; rebuild deck after sunroom is built. Mr. Johnson seconded and the motion carried unanimously.*

- 5.C. Application #1224-20, Wes Wyrick for Chris Munro, 15 Gorham Road, Map 15 Block 22 Lot 30, construction of garage with connector to main house.

Donna Hayes reported on her site visit and noted that she does not see an issue with this proposal.

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### Kent Inland Wetlands Regular Meeting Minutes 08/24/2020

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3.A.

*Mr. Smith moved to approve application #1224-20, Wes Wyrick for Chris Munro, 15 Gorham Road, Map 15 Block 22 Lot 30, construction of garage with connector to main house. Mr. Johnson seconded and the motion carried unanimously.*

**5.D. Connecticut DEEP Permit Application for the Use of Pesticides in State Waters: South Spectacle Pond**

The group noted that they received the DEEP response to their questions from the last meeting. They noted that the DEEP does not seem to be very forceful with their responses to follow-up. Mr. Yagid requested that the DEEP forward the compliance plan.

**6. COMMUNICATIONS TO THE COMMISSION**

**A. WRITTEN – N/A**

**B. VERBAL: N/A**

**7. ADJOURNMENT**

*Mr. Yagid moved to adjourn at 8:09 p.m. Mr. Johnson seconded and the motion carried unanimously.*

Respectfully submitted.

*Tai Kern*

Tai Kern,  
Land Use Clerk

# 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>1229-20</u>
Filing fee \$ <u>100</u>
Date of receipt <u>9/9/20</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: 3 Camps Flat Road

2. MAP:            BLOCK:            LOT:

12            40            11

3. APPLICANT'S INFORMATION:

Name Julia S. Samartini

Mailing Address PO Box 129

City ST ZIP Code South Kent, CT 06785

Home Phone 860-927-0016

~~Work Phone~~

E-Mail Address Juliasam7@gmail.com

4. OWNER'S INFORMATION:

Name Julia S. Samartini

Mailing Address PO Box 129

City ST ZIP Code So. Kent, CT 06785

Home Phone 860-927-0016

~~Work Phone~~

E-Mail Address Juliasam7@gmail.com

5. APPLICANT'S INTEREST IN THE PROPERTY:

- Owner
- Agent
- Other (please list)

4A

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

7	TOTAL ACREAGE OF PROPERTY
→	TOTAL ACREAGE OF WETLANDS AND/OR WATERCOURSES DISTURBED (sq. ft. divided by 43,560)
0.12	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.)

Replace leaking valve in pond dam and re-mortar some joints on outside of dam. No digging will be taking place. There will be no dredging or removal of material.

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

No alternative for <sup>needed</sup> repair of leaking valve.

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

No

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)

JULIA S. SAMARTINI

Signature

Julia Samartini

Date

9/10/20





4A

**TOWN OF KENT  
INLAND WETLANDS COMMISSION**

**PERMISSION FOR INSPECTION**

Property Address:	3 Camps Flat Road
Map/Block/Lot:	12 / 40 / 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)	JULIA SAMARTINI
Signature	Julia Samartini
Date	9/10/20

Untitled Map

Write a description for your map.

Legend

3 Camps Flat Rd

3 Camps Flat Rd

Mountain Rd

Summer Rd

S Kent Rd

Camps Flat Rd



300 ft

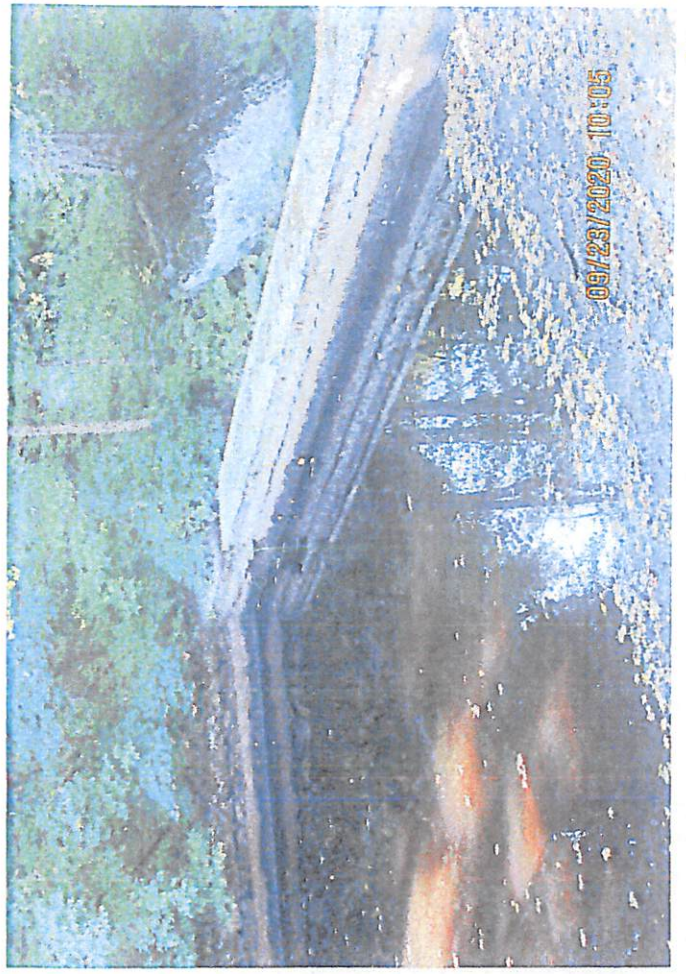
Google Earth

© 2020 Google

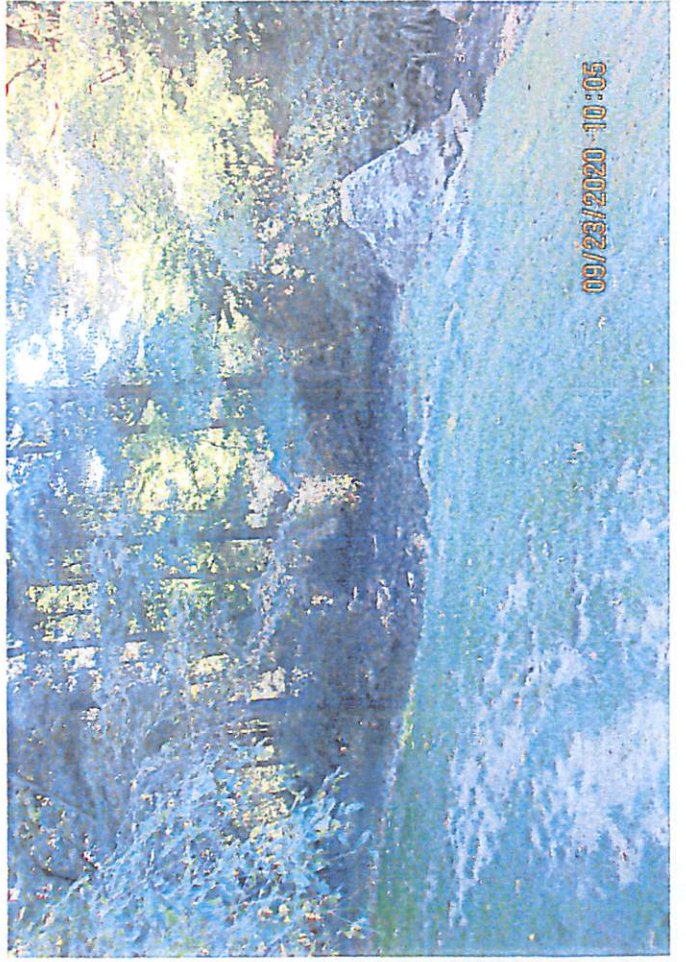
4A



3 Camps Flat Road  
12/40/11



4A





4A



24A





# 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 #	_____
Filing fee \$	_____
Date of receipt	_____
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:**

144 GEER MOUNTAIN ROAD

**2. MAP:            BLOCK:            LOT:**

11                    34                    42

**3. APPLICANT'S INFORMATION:**

Name	BRIAN HEFF, P.E.
Mailing Address	128 BACON ROAD
City ST ZIP Code	ROXBURY, CT. 06783
Home Phone	
Work Phone	(860) 354-2246
E-Mail Address	BHEFFPE@SBCGLOBAL.NET

**4. OWNER'S INFORMATION:**

Name	IRON MOUNTAIN PROPERTY, LLC % AGNES GUND
Mailing Address	765 PARK AVE. #14B
City ST ZIP Code	NEW YORK, NY. 10021
Home Phone	
Work Phone	
E-Mail Address	

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

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

4B

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

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

REPLACE THE EXISTING FAILING SEPTIC SYSTEM WHICH SERVES THE 4 BEDROOM SINGLE FAMILY DWELLING.

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

NO OTHER ALTERNATIVES ARE POSSIBLE.

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

No

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 NEFF

Signature *Brian Neff*

Date 9-21-2020



4B

TO: Kent Inland Wetlands Commission

FROM: Agnes Gund  
Iron Mountain Property, LLC, Property Owner  
144 Geer Mountain Road  
Kent, Connecticut

I hereby authorize Engineer Brian Neff to act as my authorized agent to apply for permits and provide technical representation at the commission meetings regarding the proposed septic system replacement on the 144 Geer Mountain Road property.

8/20/20  
Date

Agnes Gund  
Signature



4B

**TOWN OF KENT  
INLAND WETLANDS COMMISSION**

**PERMISSION FOR INSPECTION**

Property Address:	144 GEER MOUNTAIN ROAD
Map/Block/Lot:	11/34/42
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)	BRIAN NEFF, AUTHORIZED AGENT
Signature	
Date	9-21-2020



Inland Water Resources Division  
 Department of Environmental Protection  
 79 Elm Street, 3<sup>rd</sup> Floor  
 Hartford, CT 06106-5127  
[www.ct.gov/dep](http://www.ct.gov/dep)

4B

GIS CODE #: \_\_\_\_\_  
 For DEP Use Only

## Statewide Inland Wetlands & Watercourses Activity Reporting Form

Complete, print, sign, and mail this form in accordance with the instructions on pages 2 and 3.

### PART I: To Be Completed By The Municipal Inland Wetlands Agency Only

- DATE ACTION WAS TAKEN (use drop-down box):      Year      Month
- ACTION TAKEN (use drop-down box):
- WAS A PUBLIC HEARING HELD? (select one only)       Yes       No
- NAME OF AGENCY OFFICIAL VERIFYING AND COMPLETING THIS FORM:  
 (print): \_\_\_\_\_ (signature) \_\_\_\_\_

### PART II: To Be Completed By The Municipal Inland Wetlands Agency Or The Applicant

- TOWN IN WHICH THE ACTION IS OCCURRING:  
 Does this project cross municipal boundaries? (select one only)       Yes       No  
 If Yes, list the other town(s) in which the action is occurring:
  - LOCATION: USGS Quad Map Name (see hyperlink): **KENT**  
Quad Number (see hyperlink):  
 Subregional Drainage Basin Number (see hyperlink): **6016**
  - NAME OF APPLICANT, VIOLATOR OR PETITIONER: **BRIAN NEFF**
  - NAME & ADDRESS/LOCATION OF PROJECT SITE: **144 GEEB MOUNTAIN ROAD**
- Briefly describe the action/project/activity:  Temporary       Permanent  
**SEPTIC SYSTEM REPLACEMENT FOR SINGLE FAMILY DWELLING**
- ACTIVITY PURPOSE CODE (Use drop-down box): **A**
  - ACTIVITY TYPE CODE(S) (Use drop-down box) **1, 2, 12**
  - WETLAND / WATERCOURSE AREA ALTERED [must be provided in acres or linear feet as indicated]:  
 Wetlands:      0 acres      Open Water Body:      0 acres      Stream:      0 linear feet
  - UPLAND REVIEW AREA ALTERED [must be provided in acres]:      **0.2** acres
  - AREA OF WETLANDS AND / OR WATERCOURSES RESTORED, ENHANCED OR CREATED:      0 acres  
 [must be provided in acres]

### PART III: To Be Completed By The DEP

DATE RECEIVED: \_\_\_\_\_ DATE RETURNED TO DEP: \_\_\_\_\_  
 FORM COMPLETED:  YES       NO      FORM CORRECTED / COMPLETED:  YES       NO

**EROSION CONTROL REQUIREMENTS**

(A) SYNTHETIC FILTER FABRIC

THE FOLLOWING SPECIFICATIONS FOR INSTALLATION AND MAINTENANCE OF EROSION CONTROLS ARE FROM THE CONNECTIONS FOR SOIL EROSION AND SEDIMENT CONTROL, (REVISED 2002) BY THE CONNECTICUT COUNCIL ON SOIL AND WATER CONSERVATION.

(B) FILTER FABRIC (SILT FENCE)

1) MATERIALS

(A) SYNTHETIC FILTER FABRIC

NYLON, POLYESTER OR ETHYLENE FILAMENTS AND SHALL BE CERTIFIED BY THE MANUFACTURER OR SUPPLIER AS CONFORMING TO THE FOLLOWING REQUIREMENTS:

REQUIREMENTS	
FILTERING EFFICIENCY	15% (MIN)
TENSILE STRENGTH - EXTRA STRENGTH	50 LBS. A IN (MIN)
ELONGATION	50 LBS. A IN (MIN)
FLOW RATE	0.3 GAL / SQ. FT. MIN (MIN)

(B) SYNTHETIC FILTER FABRIC REQUIREMENTS

FABRIC SHALL BE 10 OUNCE PER SQUARE YARD (MIN).

(C) POSTS FOR FILTER FABRIC SHALL BE EITHER 2" x 2" OR 2" x 3" WOOD STUDS OR 3/4" POUNDS (MINIMUM) PER LINEAR FOOT STEEL WITH A MINIMUM LENGTH OF 4 FEET.

POSTS FOR FILTER FABRIC SHALL BE EITHER 2" x 2" OR 2" x 3" WOOD STUDS OR 3/4" POUNDS (MINIMUM) PER LINEAR FOOT STEEL WITH A MINIMUM LENGTH OF 4 FEET.

STEEL POSTS SHALL HAVE PROTECTIONS FOR PASTENING WIRE TO THEM.

SOME SILT FENCES REQUIRE A WIRE BACKING. CONSULT MANUFACTURERS INSTRUCTIONS FOR PROPER INSTALLATION REQUIREMENTS.

2) INSTALLATION REQUIREMENTS

INSTALLATION SHALL BE FULLY STABILIZED PRIOR TO EROSION BARRIER REMOVAL. NOTIFY THE KENT INLAND WETLANDS COMMISSION UPON WORK COMPLETION AND SUBMIT FINISH CARDS.

THE SITE MUST BE FULLY STABILIZED PRIOR TO EROSION BARRIER REMOVAL.

3) MAINTENANCE

(A) FILTER BARRIERS SHALL NOT EXCEED 36 INCHES (HIGHER BARRIERS MAY IMPOUND VOLUMES OF WATER SUFFICIENT TO CAUSE FAILURE OF THE STRUCTURE) IDEALLY THE FILTER FENCE SHALL BE PLACED 10 FEET AWAY FROM THE TOP OF SLOPE.

(B) WHEN JOINTS ARE NECESSARY, FILTER FABRIC SHALL BE SPLICED TOGETHER ONLY AT A SUPPORT POST WITH A MINIMUM 6 INCH OVERLAP, AND SECURELY SEALED. SEE MANUFACTURER'S RECOMMENDATIONS.

(C) POSTS SHALL BE SPACED A MINIMUM OF 6 FEET APART AT THE BARRIER.

(D) A TRENCH SHALL BE EXCAVATED APPROXIMATELY 4 INCHES WIDE AND 6 INCHES DEEP ALONG THE LINE OF POSTS AND UPLOPE FROM THE BARRIER IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.

(E) THE FILTER FABRIC IS STAPLED, WHEED, OR TIED DIRECTLY TO THE POSTS WITH 6 INCHES OF THE FABRIC EXTENDING INTO THE TRENCH.

(F) THE TRENCH SHALL BE BACKFILLED AND THE SOIL COMPACTED OVER THE FILTER FENCE.

(G) FILTER BARRIERS SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR PERMANENTLY STABILIZED.

(H) MAINTENANCE

(A) FILTER BARRIERS SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND AT LEAST DAILY DURING PROLONGED RAINFALL. ANY REQUIRED REPAIRS SHALL BE MADE IMMEDIATELY.

(B) SHOULD THE FABRIC DECOMPOSE OR BECOME INEFFECTIVE PRIOR TO THE END OF THE EXPECTED USABLE LIFE AND THE BARRIER IS STILL NECESSARY, THE FABRIC SHALL BE REPLACED PROMPTLY.

(C) SEDIMENT DEPOSITS SHOULD BE REMOVED WHEN THEY REACH APPROXIMATELY ONE HALF THE HEIGHT OF THE BARRIER.

(D) ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE SILT FENCE OR FILTER FABRIC IS NO LONGER REQUIRED SHALL BE DRESSED TO CONFORM TO THE EXISTING GRADE. PREPARED AND SEEDS.

**PROPOSED SEQUENCE OF CONSTRUCTION**

CALL 1-800-392-4452 "CALL BEFORE YOU DIG" TO LOCATE ALL UNDERGROUND UTILITIES.

INSTALL SILT FENCE BARRIERS DOWN-GRADE OF THE SEPTIC TANK/PUMP CHAMBER AND LEACHING FIELD AREA.

NOTIFY THE KENT INLAND WETLANDS COMMISSION OFFICE PRIOR TO THE START OF WORK AND SUBMIT "START CARD" WORK MAY BEGIN AFTER WETLAND ENFORCEMENT OFFICER INSPECTION AND APPROVAL.

CLEAR TREES AND REMOVE STUMPS FROM THE LEACHING FIELD AREA. ALL TREE LIMBS, TRUNKS, AND STUMPS MUST BE REMOVED FROM THE SITE.

STRIP TOPSOIL FROM LEACHING FIELD SITE AND STOCKPILE.

SCANIFY THE LEACHING FIELD AREA SUBGRADE AND SPREAD SAND FILL.

INSTALL LEACHING WELLS AND DISTRIBUTION GOES.

INSTALL SEPTIC TANK AND PUMP CHAMBER.

PUMP, CRUSH AND GRADE OVER EXISTING SEPTIC TANK.

INSTALL PIPING, PUMP, WIRING AND CONTROLS.

BACKFILL SEPTIC SYSTEM AFTER FINAL INSPECTION.

TOPSOIL, HAYE SEED AND HAY MULCH THE DISTURBED SOIL AREAS IN ACCORDANCE WITH THE CONNECTICUT GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL.

SOME SILT FENCES REQUIRE A WIRE BACKING. CONSULT MANUFACTURERS INSTRUCTIONS FOR PROPER INSTALLATION REQUIREMENTS.

2) INSTALLATION REQUIREMENTS

INSTALLATION SHALL BE FULLY STABILIZED PRIOR TO EROSION BARRIER REMOVAL. NOTIFY THE KENT INLAND WETLANDS COMMISSION UPON WORK COMPLETION AND SUBMIT FINISH CARDS.

3) MAINTENANCE

(A) FILTER BARRIERS SHALL NOT EXCEED 36 INCHES (HIGHER BARRIERS MAY IMPOUND VOLUMES OF WATER SUFFICIENT TO CAUSE FAILURE OF THE STRUCTURE) IDEALLY THE FILTER FENCE SHALL BE PLACED 10 FEET AWAY FROM THE TOP OF SLOPE.

(B) WHEN JOINTS ARE NECESSARY, FILTER FABRIC SHALL BE SPLICED TOGETHER ONLY AT A SUPPORT POST WITH A MINIMUM 6 INCH OVERLAP, AND SECURELY SEALED. SEE MANUFACTURER'S RECOMMENDATIONS.

(C) POSTS SHALL BE SPACED A MINIMUM OF 6 FEET APART AT THE BARRIER.

(D) A TRENCH SHALL BE EXCAVATED APPROXIMATELY 4 INCHES WIDE AND 6 INCHES DEEP ALONG THE LINE OF POSTS AND UPLOPE FROM THE BARRIER IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.

(E) THE FILTER FABRIC IS STAPLED, WHEED, OR TIED DIRECTLY TO THE POSTS WITH 6 INCHES OF THE FABRIC EXTENDING INTO THE TRENCH.

(F) THE TRENCH SHALL BE BACKFILLED AND THE SOIL COMPACTED OVER THE FILTER FENCE.

(G) FILTER BARRIERS SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR PERMANENTLY STABILIZED.

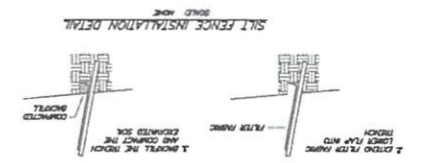
(H) MAINTENANCE

(A) FILTER BARRIERS SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND AT LEAST DAILY DURING PROLONGED RAINFALL. ANY REQUIRED REPAIRS SHALL BE MADE IMMEDIATELY.

(B) SHOULD THE FABRIC DECOMPOSE OR BECOME INEFFECTIVE PRIOR TO THE END OF THE EXPECTED USABLE LIFE AND THE BARRIER IS STILL NECESSARY, THE FABRIC SHALL BE REPLACED PROMPTLY.

(C) SEDIMENT DEPOSITS SHOULD BE REMOVED WHEN THEY REACH APPROXIMATELY ONE HALF THE HEIGHT OF THE BARRIER.

(D) ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE SILT FENCE OR FILTER FABRIC IS NO LONGER REQUIRED SHALL BE DRESSED TO CONFORM TO THE EXISTING GRADE. PREPARED AND SEEDS.



**LEGEND**

- PROPOSED LIMIT OF DISTURBANCE
- SILT FENCE EROSION BARRIER
- SOIL INSPECTION PIT
- PERCOLATION TEST HOLE
- WETLAND BOUNDARY
- UTILITY POLE
- UTILITIES
- EXISTING ELEVATION CONTOURS

SURVEY DATA IS FROM CLASS A-2 MAP BY ROBERT HOOK, L.L.S. WETLANDS WERE DEMARLATED ON-SITE BY NUMERUS SOIL SERVICES.

DATE: 8-12-2020	PROJECT: 144 DEER MOUNTAIN ROAD
DRAWN BY: B.E. NEFF	DRAWING NUMBER: SHEET 1 OF 1
DESIGNED BY: B.E. NEFF	DRAWING NUMBER: SHEET 1 OF 1
CHECKED BY: B.E. NEFF	DATE: 8-12-2020
PROJECT: 144 DEER MOUNTAIN ROAD	DATE: 8-12-2020
PROJECT: 144 DEER MOUNTAIN ROAD	DATE: 8-12-2020
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PROJECT: 144 DEER MOUNTAIN ROAD	DATE: 8-12-2020

**NOTES**

PROPERTY SIZE 5.71 ACRES

TAX ASSESSOR MAP 11, BLOCK 34, LOT 43

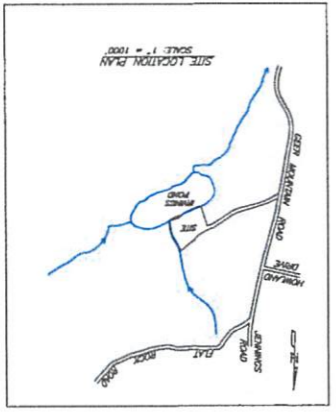
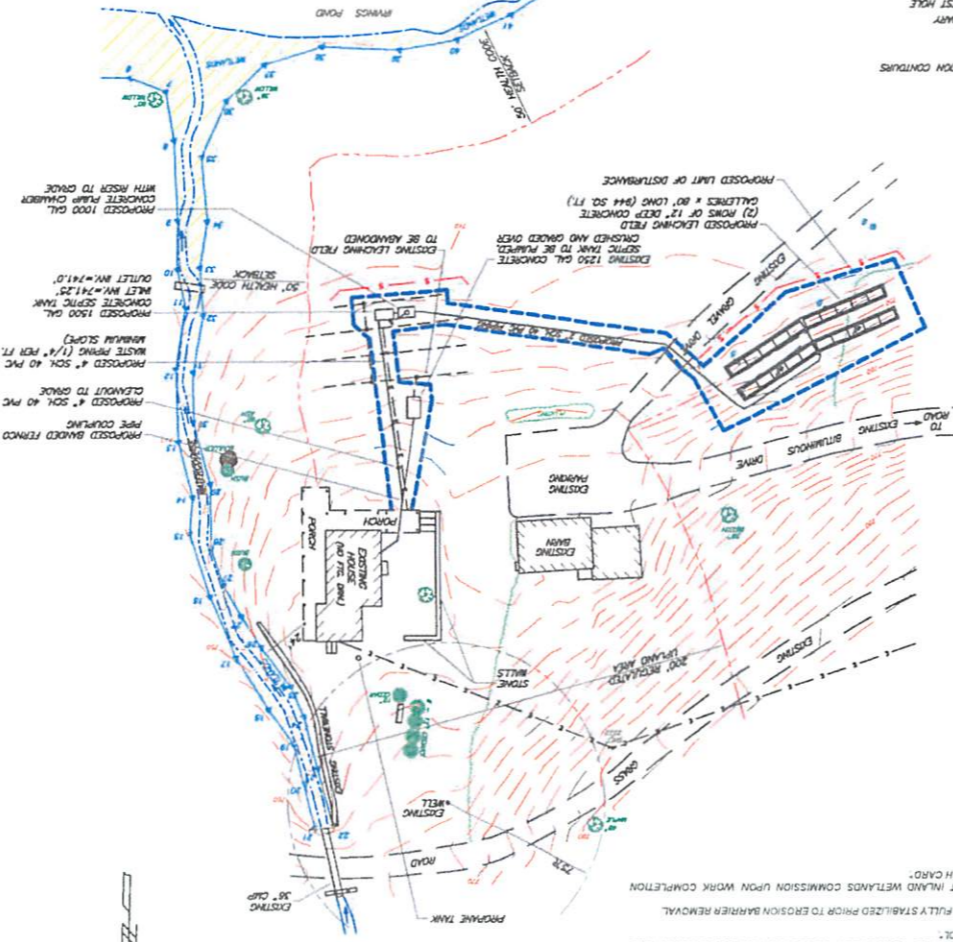
THE CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLATION AND MAINTENANCE OF ALL EROSION CONTROL MEASURES. THIS RESPONSIBILITY INCLUDES THE NEGATION AND MAINTENANCE OF CONTROL STRUCTURES, INCLUDING ALL RELEVANT PARTIES ENGAGED ON THE CONSTRUCTION SITE OF THE PROJECT AND OBJECTS OF THIS PLAN, AND INFORMING THE WETLANDS AGENCY PRIOR TO COMMENCING THE SITE WORK.

WETLANDS STABILIZATION OF SOIL WILL BE SCHEDULED AS SOON AS SITE CONDITIONS PERMIT. ALL DISTURBED AREAS SHALL BE REVEGETATED TO PREVENT SOIL EROSION. REMOVE MULCH, SEED, AND REPAIR WHEN SEASON PERMITS.

THE MATERIAL SPECIFICATIONS, INSTALLATION REQUIREMENTS AND DETAILS AND MAINTENANCE PROCEDURES FOR SOIL EROSION AND SEDIMENT CONTROL MEASURES ARE INCLUDED AS A PART OF THIS PLAN. THE INFORMATION IS FROM THE CONNECTICUT GUIDELINES FOR SOIL EROSION AND SEDIMENT CONTROL, (REVISED 2002) BY THE CONNECTICUT COUNCIL ON SOIL AND WATER CONSERVATION.

ADDITIONAL EROSION CONTROL MEASURES MAY BE REQUIRED AT THE DISCRETION OF THE TOWN WETLANDS ENFORCEMENT OFFICER ON THE DESIGN ENGINEER BASED UPON SITE CONDITIONS.

OWNER OF RECORD: IRON MOUNTAIN PROPERTY, LLC



**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 # _____
Filing fee \$ _____
Date of receipt _____
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: 147 Treasure Hill Rd South Kent

2. MAP: 17 BLOCK: 32 LOT: 23

**3. APPLICANT'S INFORMATION:**

Name	Jeff Fleet
Mailing Address	31 Sackett Hill Rd
City ST ZIP Code	Warren CT 06754
Home Phone	860-868-3407
Work Phone	
E-Mail Address	qfleet702@yahoo.com

**4. OWNER'S INFORMATION:**

Name	Charyl Gould
Mailing Address	147 Treasure Hill Rd
City ST ZIP Code	South Kent CT 06785
Home Phone	860-927-1936
Work Phone	
E-Mail Address	

**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)

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

7. PLEASE DESCRIBE, IN DETAIL, THE PROPOSED ACTIVITY:

(If needed, please attach additional pages.)

24' x 26' 2 Car Garage

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

This site chosen because 24' x 26' Garage will be placed over existing driveway area

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

No

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)

Jeff Fleet

Signature

Jeff Fleet

Date

9-23-2020

HC

September 22, 2020

To Whom It May Concern:

As the owner of the property at 147 Treasure Hill Road, South Kent, CT,

I hereby authorize Jeff Fleet to act as my agent for applications for putting up a garage on my property. Please don't hesitate to contact me if you have any further questions.

Thank you so much.

Sincerely,

A handwritten signature in black ink that reads "Cheryl Gould". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Cheryl Gould

147 Treasure Hill Road

South Kent, CT 06785

Cherylann.gould@gmail.com



COPY 4C

**TOWN OF KENT  
INLAND WETLANDS COMMISSION**

**PERMISSION FOR INSPECTION**

Property Address:	147 Treasure Hill Rd South Kent
Map/Block/Lot:	map 17 Block 32 Lot 23
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)	Jeff Fleet
Signature	<i>Jeff Fleet</i>
Date	9-23-2020



Adjacent Land Owners to  
147 Treasure Hill Rd.  
South Kent, Ct. - 06785

COPY

W/C

Hearst - 131 Treasure Hill Rd.

Moses - 151 Treasure Hill Rd.

Landrigan - 160 Ore Hill Rd.

46

**Brian E. Neff, P.E.**  
Licensed Engineer

128 Bacon Road  
Roxbury, Connecticut 06783  
Phone & Fax (860) 354-2246  
E-Mail brnneff@charter.net

PROPOSED HOUSE ADDITION SEPTIC SYSTEM FEASIBILITY PLAN

THE GOULD RESIDENCE  
147 TREASURE HILL ROAD (TAX MAP 17, BLOCK 32, LOT 23)  
KENT, CONNECTICUT

11-21-03

SYSTEM DESIGN DATA:

EXISTING HOUSE SIZE: (4) BEDROOMS  
PROPOSED ADDITION: (1) BEDROOM (25% INCREASE IN SEWAGE FLOW)  
DWELLING DESIGN SIZE: (5) BEDROOMS

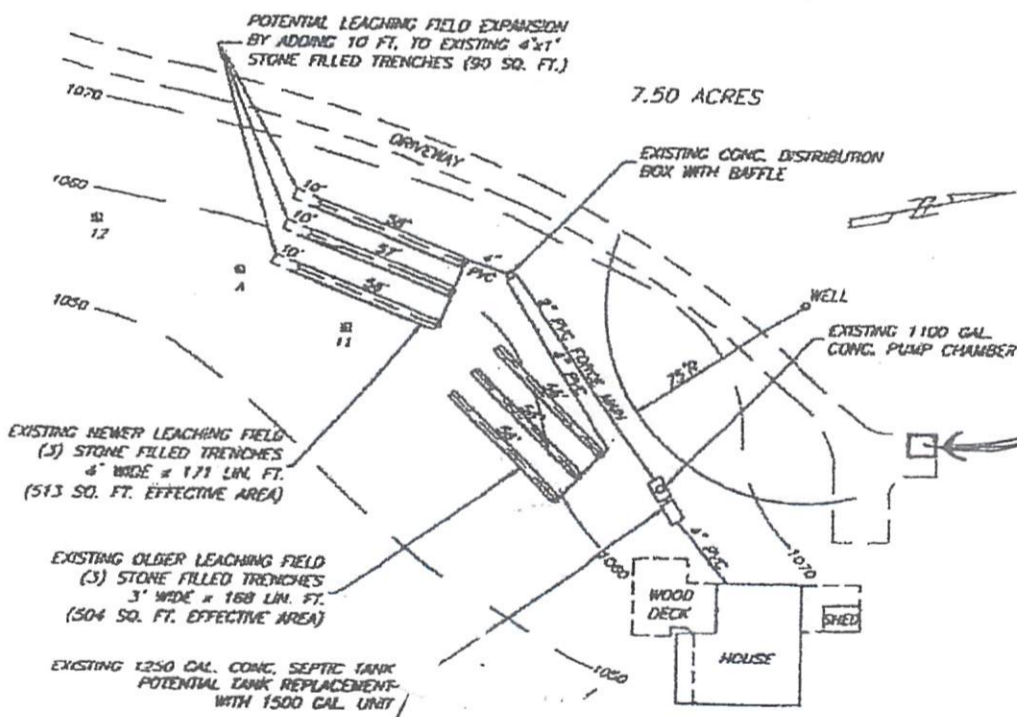
HEALTH CODE REQUIRED MINIMUM EFFECTIVE LEACHING AREA (BASED UPON 10.1-20.0 MIN./IN PERCOLATION RATE) = 1050 SQ. FT.

THE EXISTING LEACHING FIELDS CONSIST OF TWO SETS OF STONE FILLED TRENCHES. THE OLDER FIELD (CLOSER TO THE HOUSE) CONSISTS OF (3) STONE FILLED TRENCHES, 3' WIDE x 56' LONG, TOTALLING 504 SQ. FT. EFFECTIVE AREA. THE NEWER FIELD CONSISTS OF (3) STONE FILLED TRENCHES, 4' WIDE x 1' DEEP x 56', 57' & 58' LENGTHS, TOTALLING 513 SQ. FT. EFFECTIVE AREA. THE TOTAL EFFECTIVE AREA OF BOTH FIELDS IS 1017 SQ. FT.

POTENTIAL LEACHING FIELD EXPANSION WOULD CONSIST OF ADDING 10 FT. OF 4' WIDE x 1' DEEP TRENCH TO THE SOUTH END OF THE NEWER EXISTING (3) STONE FILLED TRENCHES (90 SQ. FT. EFFECTIVE AREA), TOTALLING 1107 SQ. FT. EFFECTIVE AREA

MINIMUM LEACHING SYSTEM SPREAD (MLSS)  
HF = 28 (NOTTLING AT 22", 10.1-15% GRADIENT)  
FF = 2.5 (5 BEDROOM DWELLING)  
PF = 1.5 (10.1-20.0 MIN./IN. PERC.)  
MLSS = 28 x 2.5 x 1.5 = 105' x 122' (56'+56'+10')

REFER TO "SEPTIC AS-BUILT SKETCH" BY SEPTIC INSTALLER PERCY ALLMAN AND "SEPTIC AS-BUILT SKETCH" (3-13-92) BY CATHY WEBER, R.S. (TORRINGTON AREA HEALTH DISTRICT)

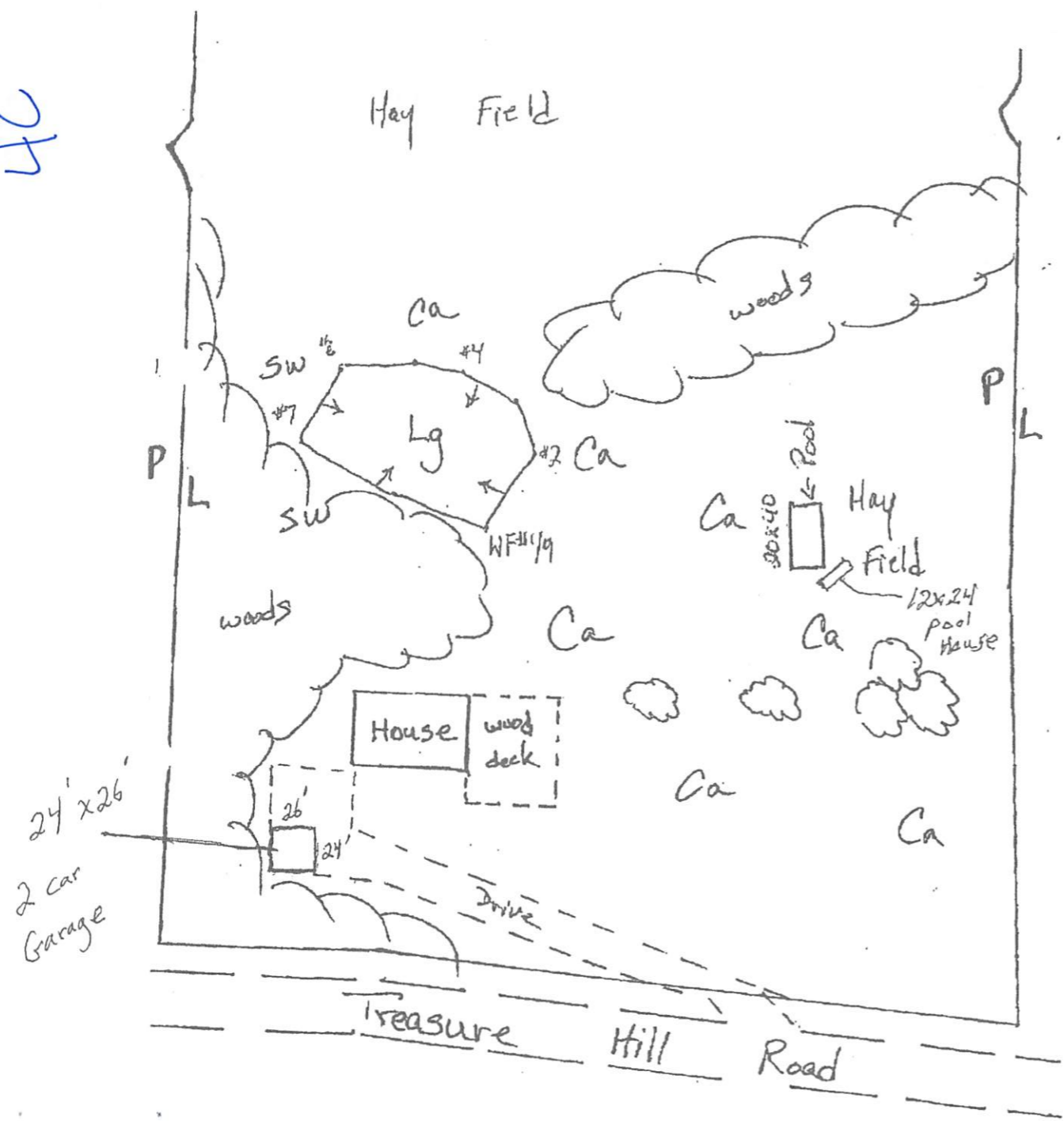


24' x 26'  
2-car  
Garage  
9/23/20

LEGEND  
■ TEST PIT  
○ PERC. HOLE  
— ELEV. CONTOURS

PLAN SCALE: 1" = 50'

46



147 Treasure Hill Road  
 Kent, Conn.

Soil sketch map prepared  
 by Michael D. Temple.  
 Sketch map is not to  
 scale.

Wetland soil - Lg  
 Non-wetland soils - Ca, Sw  
 Wetland flagging sequence #  
 - #9  
 Wetland boundary -   
 Property line -

Michael D. Temple  
 Certified Soil Scientist  
 August 18, 2019



Town of Kent Inland Wetlands Commission

COPY

41 Kent Green Blvd.

P.O. Box 678

Kent, CT 06757

Phone: (860)927-4625

Fax: (860)927-4541

FOR OFFICE USE ONLY
Application # 1233-20
Filing fee \$ _____
Date of receipt _____
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):

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- 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: 463 Segar Mt Rd  
S. Kent CT 06755

2. MAP: 15 BLOCK: 22 LOT: 61

3. APPLICANT'S INFORMATION:

Name	Jay Brown
Mailing Address	463 Segar Mt Rd
City ST ZIP Code	S. Kent CT 06755
Home Phone	860-927-4946
Work Phone	" " "
E-Mail Address	jay@jaybrownstudio.com

4. OWNER'S INFORMATION:

Name	Jay Brown
Mailing Address	463 Segar Mt Rd
City ST ZIP Code	S. Kent CT 06755
Home Phone	860-927-4946
Work Phone	" " "
E-Mail Address	jay@jaybrownstudio.com

5. APPLICANT'S INTEREST IN THE PROPERTY:

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

42

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

5	TOTAL ACREAGE OF PROPERTY
0	TOTAL ACREAGE OF WETLANDS AND/OR WATERCOURSES DISTURBED (sq. ft. divided by 43,560)
0.1	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.)

septic system for cabin  
and cabin addition (10 x 12')

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

Because alternatives were closer to wetlands

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

NO

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) JOY BROWN

Signature *Joy Brown*

Date Sept 21, 2020



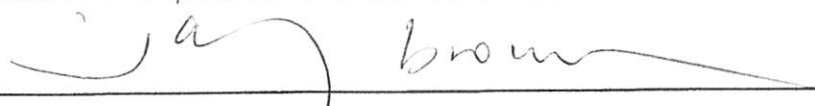
4D

**TOWN OF KENT  
INLAND WETLANDS COMMISSION**

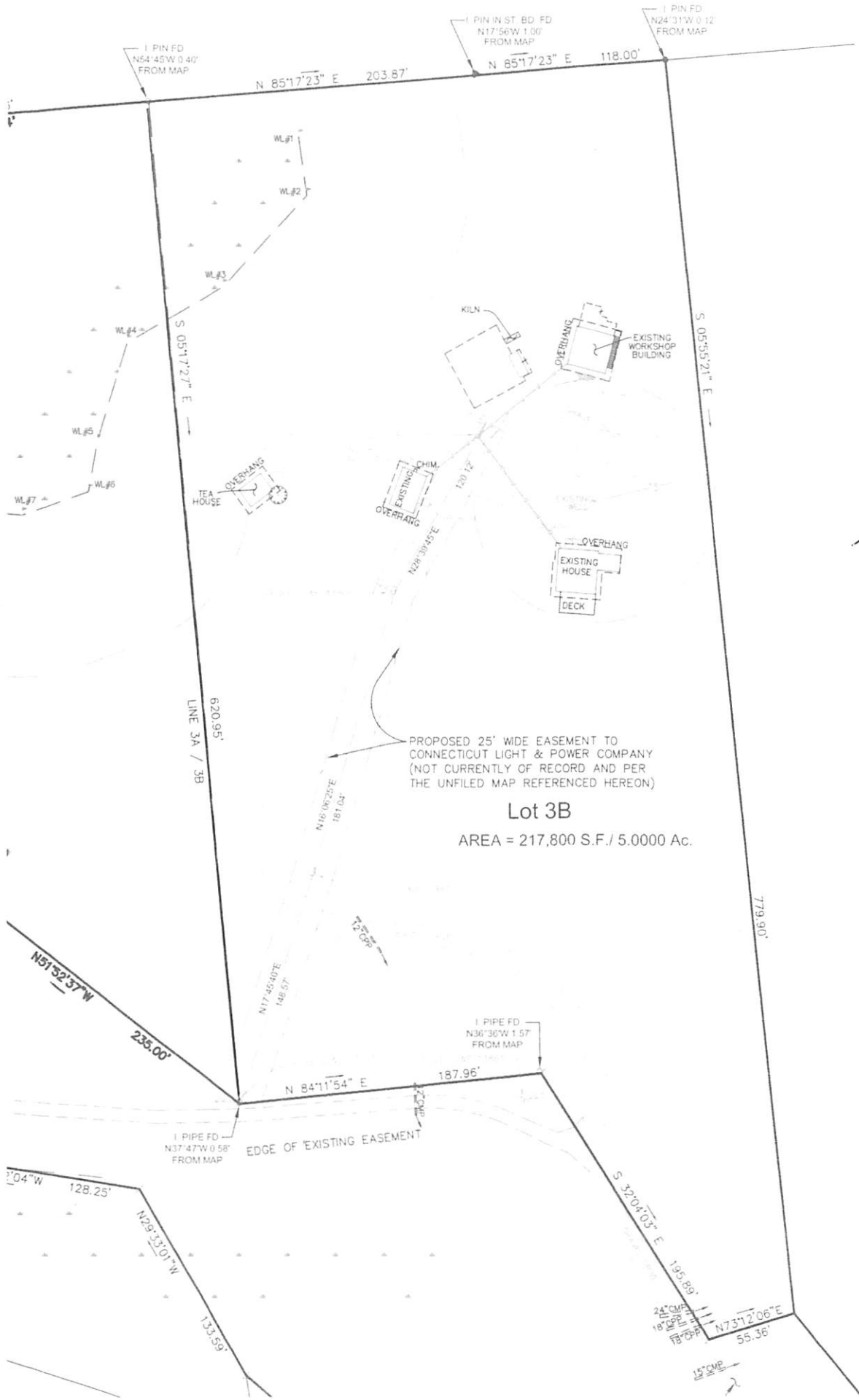
**PERMISSION FOR INSPECTION**

Property Address:	463 Segar Mt Rd S. Kent CT 06785
Map/Block/Lot:	15, 22, 67
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)	Joy Brown
Signature	
Date	Sept 21, 2020

4D

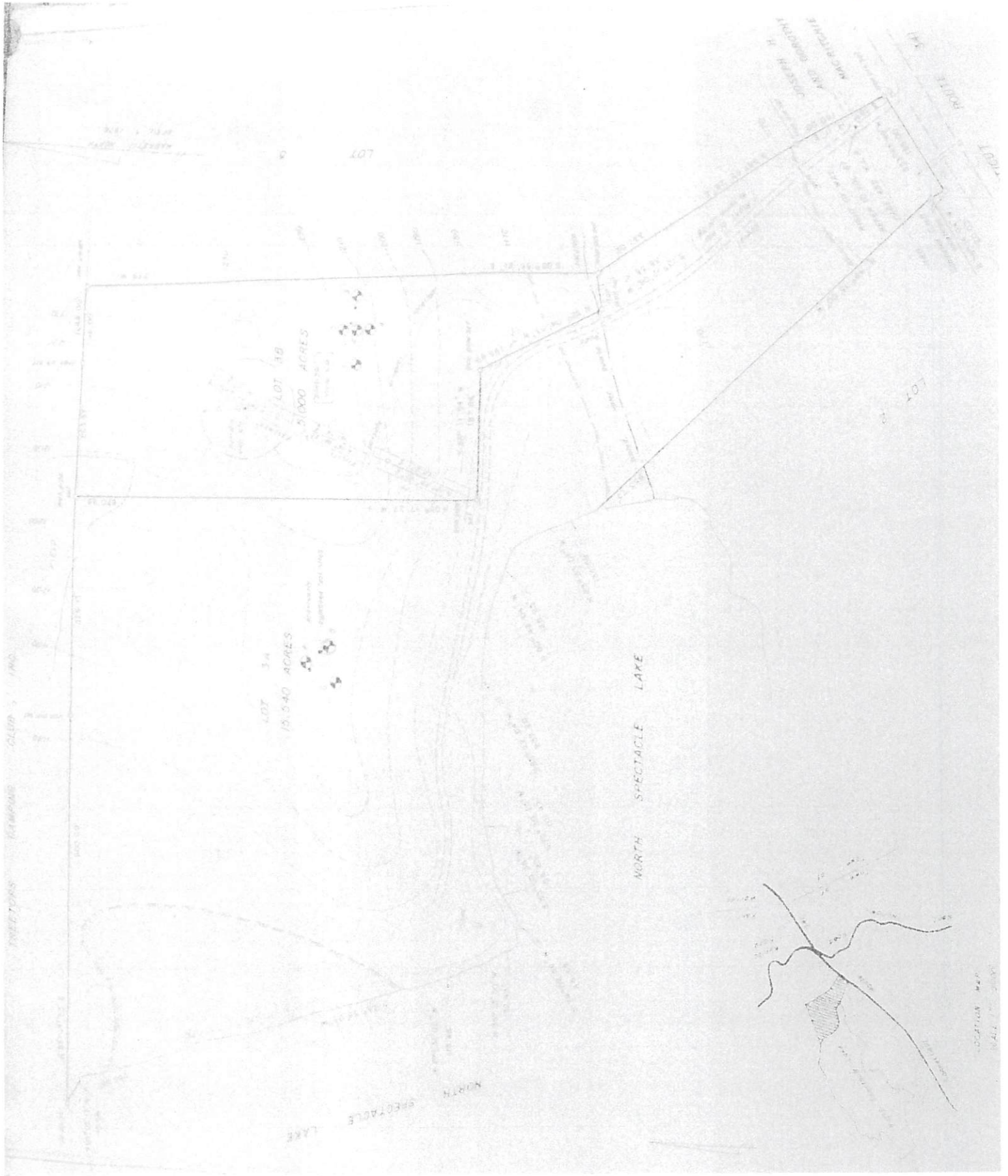


PROPOSED 25' WIDE EASEMENT TO  
CONNECTICUT LIGHT & POWER COMPANY  
(NOT CURRENTLY OF RECORD AND PER  
THE UNFILED MAP REFERENCED HEREON)

**Lot 3B**

AREA = 217,800 S.F. / 5.0000 Ac.







LD

**MANTIS LEACHING FIELD INSTALLATION PROCEDURE**

- 1) GENERALLY LAY OUT THE SYSTEM COMPONENTS AND BOUNDARIES DISTRIBUTION OR DROP BOXES BASED ON THE OUTLET ELEVATION OF THE SEPTIC TANK AND PIPE GRADES REQUIRED TO MAINTAIN FLOW TO EACH COMPONENT
- 2) PREPARE THE SITE ACCORDING TO STATE AND LOCAL REGULATIONS AND SET SOL GRADES TO INSURE STORM WATER DRAINAGE AND SURFACE WATER IS DIVERTED AWAY FROM THE ABSORPTION AREA ONCE THE SYSTEM IS COMPLETE
- 3) EXCAVATE A MINIMUM FORTY-EIGHT (48) INCH WIDE LEVEL TRENCH TRENCH AREA
- 4) REMOVE ALL ORGANIC SOIL AND ROOTS WITHIN THE ABSORPTION TRENCH AREA
- 5) SCARIFY RECEIVING LAYERS INCLUDING SIDEWALLS TO ELIMINATE SOIL SMearing. ONCE SCARIFYING IS COMPLETE, AVOID WALKING ON THE TRENCH BOTTOMS. THE TRENCH BOTTOMS SHOULD BE REFINISHED TO THE SPECIFIED SAND HAS BEEN PLACED ON THE BOTTOM OF THE TRENCH
- 6) PLACE CARDBOARD BASES (MINIMUM BY FINISHED LEVEL) OVER OF SPOILED SAND ALONG THE TRENCH BOTTOM. SPOILED SAND MUST MEET THE MINIMUM REQUIREMENTS LISTED ON THE CHART BELOW. A HAND TAMPER IS SUFFICIENT FOR COMPACTION OF THE SPOILED SAND LAYER
- 7) PLACE THE MANTIS UNITS IN THE TRENCH WITH THE FABRIC SIDE UP
- 8) ADJUST THE MODULES TO ENSURE THEY ARE SPACED EVENLY AND HAVE NOT SHIFTED DURING PLACEMENT
- 9) CENTER THE UNITS ALONG THE TRENCH LENGTH. THE REMAINING UNITS ARE JOINED BY CONNECTING THE SUPPORT DISTRIBUTION PIPE (ONE) AND ALL PIPE CONNECTIONS MUST BE PRIMED AND GLUED
- 10) REPAIR REMAINING SOIL TO THE FLOOR OR THE SURROUNDING INFILTRATION PIPE ON EACH TRENCH LINE TO PREVENT SOIL DISTRIBUTION CHANGES CAN BE ACCOMPLISHED BY USING EITHER 80, 45, 22.5, 11, OR 5.5 PITTINGS
- 11) SPOILED SAND FILLING BETWEEN AND OVER THE UNITS MAY BE PLACED LIGHTLY AND MAY BE ACCOMPLISHED WITH A BACKHOE OR OTHER SUITABLE EQUIPMENT
- 12) SAND FILL MUST BE APPROVED ASTM MODIFIED C-39 MATERIAL WHICH MEETS THE FOLLOWING SPECIFICATIONS REQUIRED BY STATE HEALTH AND HEALTH CODE

SIZE	PERCENT PASSING
3/8"	100
NO. 4	85-100
NO. 10	50-85
NO. 20	25-50
NO. 40	0-25
NO. 100	0-5
NO. 200	0-2

- 13) THE CONTRACTOR SHALL PROVIDE A CERTIFIED TESTING LAB ANALYSIS OF THE SAND FILL TO THE ENGINEER AND HEALTH DEPARTMENT
- 14) SAND FILL MUST BE APPROVED ASTM MODIFIED C-39 MATERIAL WHICH MEETS THE FOLLOWING SPECIFICATIONS REQUIRED BY STATE HEALTH AND HEALTH CODE

- 15) STEPS FOR PLACEMENT OF SPOILED SAND
- 16) STARTING AT THE TOP CENTER OF THE MANTIS UNITS, USE A MINIMAL AMOUNT OF SPOILED SAND NECESSARY TO SET IN PLACE EACH MODULE. REMOVE ANY REMAINING PLASTIC STRAPS FROM THE VOID AREA UNDER THE SUPPORT DISTRIBUTION PIPE IS FILLED AND COMPACTED WITH SPOILED SAND
- 17) AFTER THE MODULES ARE SET IN PLACE, CUT THE PLASTIC STRAPS HOLDING THE CARDBOARD SUPPORTS ON THE SIDES OF THE MANTIS UNITS
- 18) REMOVE THE CARDBOARD SUPPORTS FROM THE BOTTOM OF THE MANTIS UNITS
- 19) REMOVE THE CARDBOARD SUPPORTS THAT ARE ON TOP OF THE MANTIS UNITS. REMOVE ANY REMAINING PLASTIC STRAPS FROM THE CARDBOARD SUPPORTS FROM THE TRENCH
- 20) ADDITIONAL SPOILED SAND IS LIGHTLY ADDED BETWEEN THE SUPPORT MODULES AND ALONG THE SIDES OF THE MANTIS UNITS TO BRING THE SAND FILL 1-INCH ABOVE THE SUPPORT MODULES
- 21) USING A STANDARD 2" X 4" WOOD STUD, CONTINUE TO MODERATELY TAMP AND COMPACT THE SAND THAT IS IN BETWEEN THE SUPPORT MODULES. SPRAY ADDITIONAL SPOILED SAND AS NECESSARY
- 22) SET DISTRIBUTION BOX TO THE PROPER ELEVATION
- 23) MAKE THE CONNECTION TO THE BEGINNING OF THE FIRST MANTIS ROW FROM THE DISTRIBUTION BOX WITH 80#-33 PIPE
- 24) INSTALL A TERMINATION CAP OR VENT PIPING IF REQUIRED AT THE DISTAL (FAR) END OF THE DISTRIBUTION PIPE
- 25) SYSTEM VENTING IS OPTIONAL, BUT REQUIRED WHEN THE SYSTEM WILL HAVE MORE THAN 18" OF COVER MATERIAL AS MEASURED FROM THE TOP OF THE LINE TO THE TOP OF THE VENT FITTING. INSTALL A SECTION OF NON-PERFORATED PIPE EXTENDED ABOVE FINAL GRADE. FLUSH TO PREVENT RAIN WATER AND REST THE SYSTEM BY USING TWO 1/2" PITTINGS OR A MUSHROOM CAP FITTING

**OBSERVATION PIT & SOIL PROFILE DATA**

By: [Name], [Address]  
Kern, California  
Testing Conducted By: [Name], [Address]  
1st Date: November 12, 2022

**TEST HOLE A**

DEPTH	TIME
0" - 4"	15:00
4" - 8"	15:15
8" - 12"	15:30
12" - 16"	15:45
16" - 20"	16:00
20" - 24"	16:15
24" - 28"	16:30

**TEST HOLE B**

DEPTH	TIME
0" - 4"	16:45
4" - 8"	17:00
8" - 12"	17:15
12" - 16"	17:30
16" - 20"	17:45
20" - 24"	18:00
24" - 28"	18:15

**TEST HOLE C**

DEPTH	TIME
0" - 4"	18:30
4" - 8"	18:45
8" - 12"	19:00
12" - 16"	19:15
16" - 20"	19:30
20" - 24"	19:45
24" - 28"	20:00

**PERMEATION TEST HOLE A**

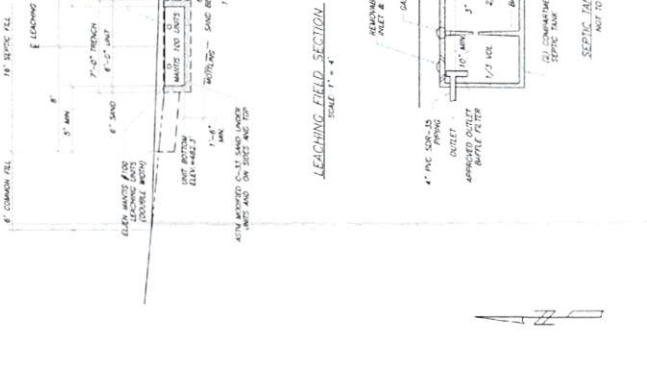
DEPTH	PERMEATION RATE (ml/min)
0" - 4"	1.5
4" - 8"	1.8
8" - 12"	2.0
12" - 16"	2.2
16" - 20"	2.5
20" - 24"	2.8
24" - 28"	3.0

**PERMEATION TEST HOLE B**

DEPTH	PERMEATION RATE (ml/min)
0" - 4"	1.8
4" - 8"	2.0
8" - 12"	2.2
12" - 16"	2.5
16" - 20"	2.8
20" - 24"	3.0
24" - 28"	3.2

**PERMEATION TEST HOLE C**

DEPTH	PERMEATION RATE (ml/min)
0" - 4"	2.0
4" - 8"	2.2
8" - 12"	2.5
12" - 16"	2.8
16" - 20"	3.0
20" - 24"	3.2
24" - 28"	3.5



**EXISTING HOUSE SYSTEM DESIGN DATA**

DWELLING DESIGN SIZE: (1) BEDROOM  
NO 100 GALLON CAPACITY OR LARGER BATH TUBS  
NO KITCHEN SINK GARbage GRINDER  
HEALTH CODE REQUIRED MINIMUM EFFECTIVE LEACHING (BASED UPON 0-10 MINUTES PER INCH PERCOLATION RATE) AREA = 69 SQ. FT.  
POTENTIAL FUTURE LEACHING FIELD CONSISTS OF 45 LIN. FT. OF FLUSH COMP. MANTIS #38-6, 30" W. X 18" D. LEACHING UNITS (RATED 11.6 SA/F), TOTALING 485 SQ. FT. OF EFFECTIVE LEACHING AREA  
MINIMUM LEACHING SYSTEM SPREAD  
HF = 20 (LEDGE AT 30" 15.0% GRADIENT)  
PF = 10 (10.0 MIN VENT)  
MLSS = 20 X 1.5 X 1.0 = 30' - 45' ROW



**PROPOSED DETACHED APARTMENT SYSTEM DESIGN DATA**

DWELLING DESIGN SIZE: (1) BEDROOM  
NO 100 GALLON CAPACITY OR LARGER BATH TUBS  
NO KITCHEN SINK GARbage GRINDER  
HEALTH CODE REQUIRED MINIMUM EFFECTIVE LEACHING (BASED UPON 0-10 MINUTES PER INCH PERCOLATION RATE) AREA = 187.5 SQ. FT.  
PRIMARY LEACHING FIELD AND RESERVE LEACHING FIELD CONSIST OF 15 LIN. FT. OF FLUSH COMP. MANTIS DOUBLE-WIDE 100, 72" W. X 18" D. LEACHING UNITS (RATED 20.50 SA/F) TOTALING 300 SQ. FT. OF EFFECTIVE LEACHING AREA  
MINIMUM LEACHING SYSTEM SPREAD  
HF = 20 (LEDGE AT 30" 15.0% GRADIENT)  
PF = 10 (10.0 MIN VENT)  
MLSS = 24 X 0.5 X 1.0 = 12' - 15' ROW

- 1) THERE ARE NO WELLS OR SEPTIC SYSTEMS ON ADJACENT PROPERTY WHICH AFFECT THIS PLAN
- 2) NO BURRED OIL TANKS ARE PROPOSED
- 3) LOT SIZE: 6.09 ACRES
- 4) TAXASSESSOR MAP IS: BLOCK 22, LOT 87
- 5) PROPERTY OWNER: JOY C. BROWN

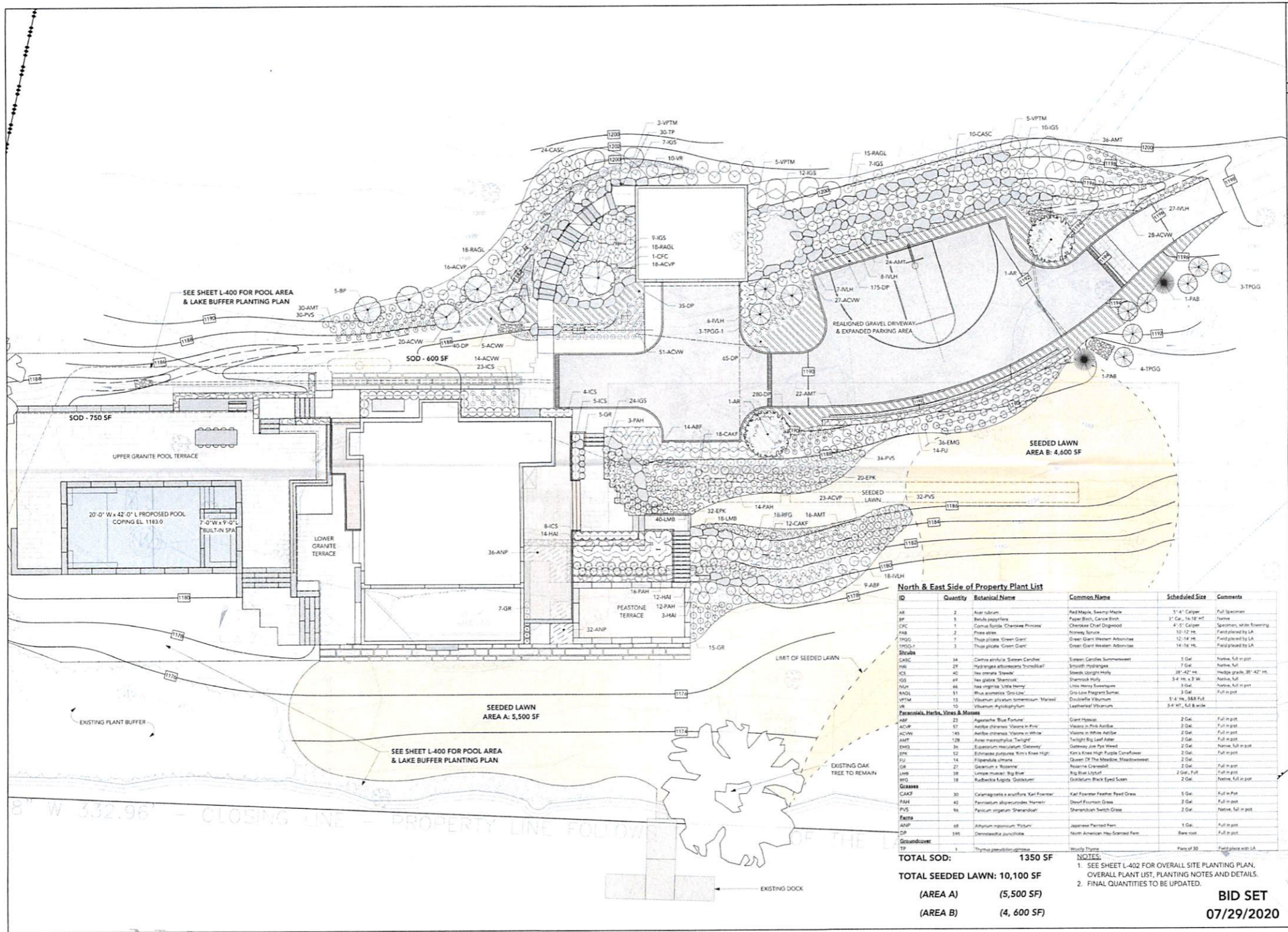
**SEPTIC SYSTEM PLAN**

PROPOSED DETACHED APARTMENT
463 SEAR MOUNTAIN ROAD (RT. 341)
REDFORD, CONNECTICUT
OWNER: BRADY E. NEFF
DATE: 7-15-2020
DESIGNED BY: J. E. NEFF
DRAWING NUMBER: 1128 BACON ROAD
PROJECT NUMBER: 1000157-0278J
SHEET 1 OF 1

AGENDA ITEM S.A.

**LEGEND**

- + 10.1 - Existing Spot Elevation
- + 10 - Proposed Spot Elevation
- 10 - Existing Contour
- 10 - Proposed Contour
- BC - Bottom of Curb
- BM - Benchmark
- BS - Bottom of Step
- BW - Bottom of Wall
- EJ - Equipment Joint
- FF - Finished Floor
- IC - Top of Coiling
- TC - Top of Curb
- TS - Top of Step
- TW - Top of Wall
- CC - Carpentry Contractor
- EC - Electrical Contractor
- FC - Fence Contractor
- GC - General Contractor
- LA - Landscape Architect
- LC - Landscape Contractor
- MC - Masonry Contractor
- PC - Pool Contractor
- TBD - To Be Determined
- TPW - Typical
- EQ - Equal
- F.O.B. - Point of Beginning
- F.O.E. - Point of Ending
- F.C. - Point of Curve
- F.T. - Point of Tangency
- O.C. - On Center
- CL - Centerline
- Max. - Maximum
- Min. - Minimum
- BME - Bottom of Metal Edge
- TKL - Top of Metal Edge
- V.I.F. - Yield in Field



**North & East Side of Property Plant List**

ID	Quantity	Botanical Name	Common Name	Scheduled Size	Comments
AR	2	Acer rubrum	Red Maple, Swamp Maple	5'-4" Caliper	Full Specimen
BP	1	Banksia lanata	Paper Birch, Carve Birch	3' Gal., 16-18 HT.	Specimen
CFC	1	Cornus florida, Cherokee Princess	Cherokee Chief Dogwood	4'-5' Caliper	Specimen, white flowering
PAB	2	Prunella serotina	Norway Spruce	10-12 HT.	Field planted by LA
TPGG	7	Thuja plicata, Green Giant	Green Giant Western Arborvitae	12-14 HT.	Field planted by LA
TPGG-1	3	Thuja plicata, Green Giant	Green Giant Western Arborvitae	14-16 HT.	Field planted by LA
<b>Shrubs</b>					
CASC	34	Carolina anemone, Stream Candy	Stream Candy	2 Gal.	Native, full in pot
HAI	28	Hydrangea arborescens, Doornbosel	Smooth Hydrangea	2 Gal.	Native, full
ICS	40	Ilex verticillata, Steud.	Smooth Upright Holly	38-42" HT.	Native, full
IGS	49	Ilex glabra, Shamrock	Shamrock Holly	34 HT. x 3 W.	Native, full
PAH	44	Parthenocissus vitacea, Henry	White Wreath Clematis	2 Gal.	Native, full in pot
RAGL	31	Rhus aromatica, 'Serp-Lol'	Grey Low Fragrant Sumac	3 Gal.	Full in pot
VPTM	13	Viburnum plicatum tomentosum, 'Marcel'	Doublefile Viburnum	5.4 HT., 8.88 Full	Full in pot
VR	10	Viburnum acerifolium	Lanceleafed Viburnum	3.4 HT., full & wide	
<b>Perennials, Herbs, Vines &amp; Mosses</b>					
ABF	23	Agapanthus 'Blue Fortune'	Grand Hyacinth	2 Gal.	Full in pot
ACW	67	Aster cernuus, 'Visions in Blue'	Visions in Blue Aster	2 Gal.	Full in pot
ACW-1	143	Aster cernuus, 'Visions in White'	Visions in White Aster	2 Gal.	Full in pot
AMT	128	Anemone maculata, 'Twilight'	Twilight Big Leaf Anemone	2 Gal.	Full in pot
ENS	35	Equisetum variegatum, 'Siamess'	Giant Japanese Horsetail	2 Gal.	Native, full in pot
EPK	12	Echinacea purpurea, 'Kiss Me High'	King's Kiss High Purple Coneflower	2 Gal.	Full in pot
FJ	14	Filipendula ulmaria	Queen Of The Meadow, Meadowweet	2 Gal.	Full in pot
GR	27	Geranium x 'Bicolor'	Heavenly Geranium	2 Gal.	Full in pot
LNB	18	Limonium carolinianum, 'Big Blue'	Big Blue Lysichiton	2 Gal., Full	Full in pot
BRG	18	Burke's Rudbeckia, 'Goldsturm'	Goldsturm Black-eyed Susan	2 Gal.	Native, full in pot
<b>Grasses</b>					
CASF	30	Crataegus mollis, 'Soft Framer'	Soft Framer Hawthorn	2 Gal.	Full in pot
PAH	45	Panicum oligosperum, 'Hemmi'	Deerfoot Fountain Grass	2 Gal.	Native, full in pot
PVS	96	Panicum virgatum, 'Shenandoah'	Shenandoah Switch Grass	2 Gal.	Native, full in pot
<b>Ferns</b>					
ANP	48	Adiantum nipponicum, 'Toku'	Japanese Painted Fern	1 Gal.	Full in pot
DP	195	Dryopteris argentea	North American Hayscented Fern	16oz. mix	Full in pot
<b>Groundcover</b>					
TP	1	Thymus praecox, 'Argenteus'	Woolly Thyme	Plants of 30"	Field planted with LA

**TOTAL SOD:** 1350 SF  
**TOTAL SEEDED LAWN:** 10,100 SF  
 (AREA A) (5,500 SF)  
 (AREA B) (4,600 SF)

**NOTES:**  
 1. SEE SHEET L-402 FOR OVERALL SITE PLANTING PLAN, OVERALL PLANT LIST, PLANTING NOTES AND DETAILS.  
 2. FINAL QUANTITIES TO BE UPDATED.

**BID SET**  
**07/29/2020**

North & East Side Property Planting Plan

Private Residence  
 59 Kemico Road, Kent, Connecticut



**ISSUE DATES**

02/14/2020	Weekend Submittal
06/18/2020	90% Progress Set
07/29/2020	Bid Set

JOB #	
DRAWN BY	MJ
DATE	07/29/2020
SCALE	1"=10'-0"
NORTH	SHEET
	L-401.00

This drawing and the details on it, as an instrument of service, is the property of the landscape architect, and may be used only for this specific project and shall not be loaned, copied or reproduced without the written consent of ARTEMIS LANDSCAPE ARCHITECTS, INC.

AGE 104 NEW 5.B.

### DESIGN CRITERIA

- 1. NUMBER OF CHANGING RECORDS
- 2. NUMBER OF REVISIONS
- 3. NUMBER OF REVISIONS
- 4. NUMBER OF REVISIONS
- 5. NUMBER OF REVISIONS
- 6. NUMBER OF REVISIONS
- 7. NUMBER OF REVISIONS
- 8. NUMBER OF REVISIONS
- 9. NUMBER OF REVISIONS
- 10. NUMBER OF REVISIONS

### MISCELLANEOUS

- 1. NUMBER OF REVISIONS
- 2. NUMBER OF REVISIONS
- 3. NUMBER OF REVISIONS
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- 6. NUMBER OF REVISIONS
- 7. NUMBER OF REVISIONS
- 8. NUMBER OF REVISIONS
- 9. NUMBER OF REVISIONS
- 10. NUMBER OF REVISIONS

### GENERAL NOTES

1. THE OWNER SHALL PROVIDE ALL NECESSARY PERMITS AND FEES FOR THE CONSTRUCTION OF THIS PROJECT.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FEES FOR THE CONSTRUCTION OF THIS PROJECT.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FEES FOR THE CONSTRUCTION OF THIS PROJECT.
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10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FEES FOR THE CONSTRUCTION OF THIS PROJECT.

### PERCOLATION TEST

DATE: 06/02/2020  
PROJECT: 104 Kent Hollow Road  
SHEET: 104-05

TIME	WATER LEVEL (INCHES)
1:00	10.0
2:00	10.5
3:00	11.0
4:00	11.5
5:00	12.0
6:00	12.5
7:00	13.0
8:00	13.5
9:00	14.0
10:00	14.5
11:00	15.0
12:00	15.5
1:00	16.0
2:00	16.5
3:00	17.0
4:00	17.5
5:00	18.0
6:00	18.5
7:00	19.0
8:00	19.5
9:00	20.0
10:00	20.5
11:00	21.0
12:00	21.5

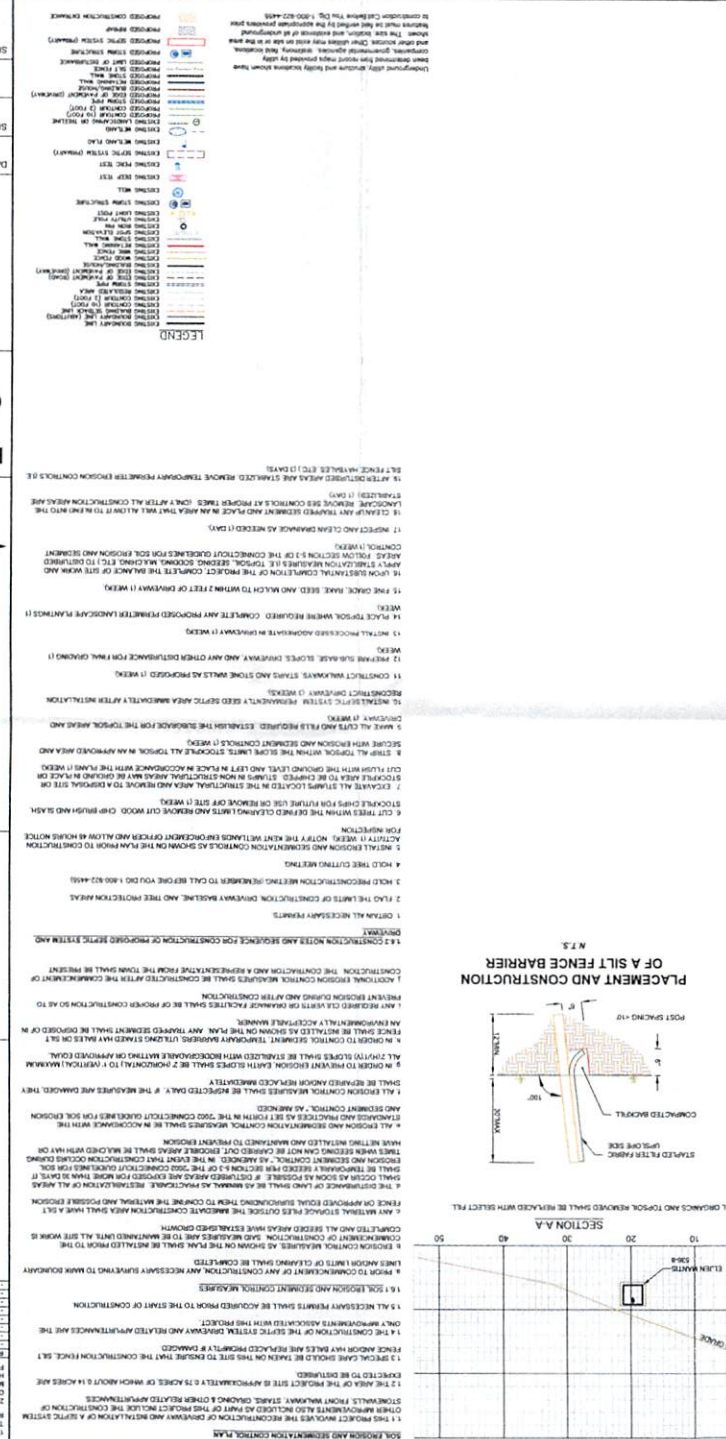
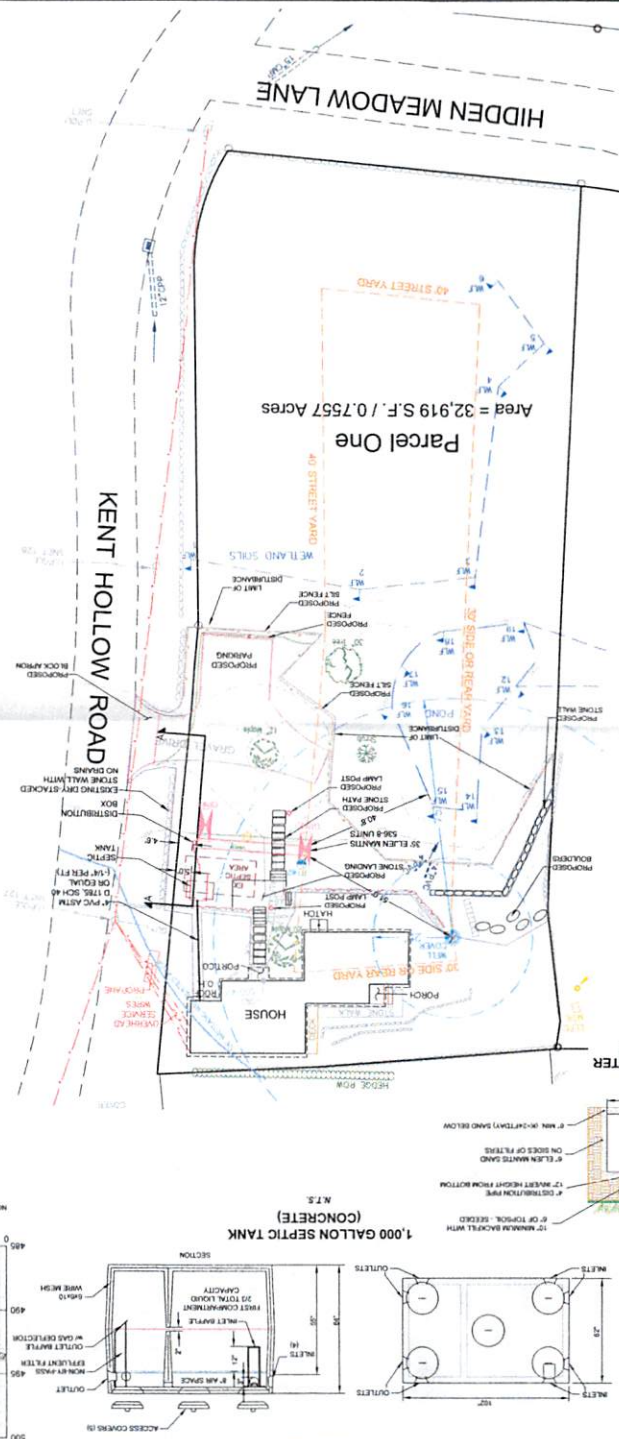
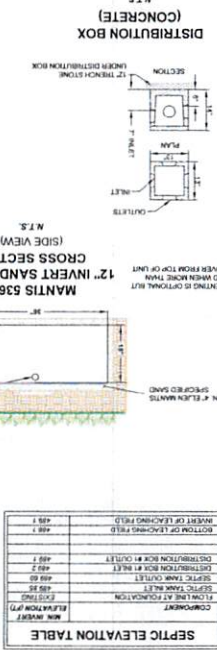
### SPECIFIC NOTES

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FEES FOR THE CONSTRUCTION OF THIS PROJECT.
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### PERCOLATION TEST

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PROJECT: 104 Kent Hollow Road  
SHEET: 104-05

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5:00	18.0
6:00	18.5
7:00	19.0
8:00	19.5
9:00	20.0
10:00	20.5
11:00	21.0
12:00	21.5



**Proposed B100a Sanitary Code Complying Area Plan**

for  
**Todd B. Portfield & Benoit Bolduc**  
Parcel One & Parcel Two  
20 Kent Hollow Road  
Town of Kent  
County of Litchfield  
State of Connecticut

DATE: June 2, 2020  
SCALE: 1" = 20'  
SHEET: B100a

**ARTHUR H. HOWLAND & ASSOCIATES, P.C.**  
CIVIL ENGINEERS & LAND SURVEYORS  
SOIL SCIENTISTS & LAND PLANNERS

104 Kent Hollow Road  
Kent, CT 06032

# AGENDA ITEM 5.C.

## Town of Kent

Permit for use of South Common parking area.

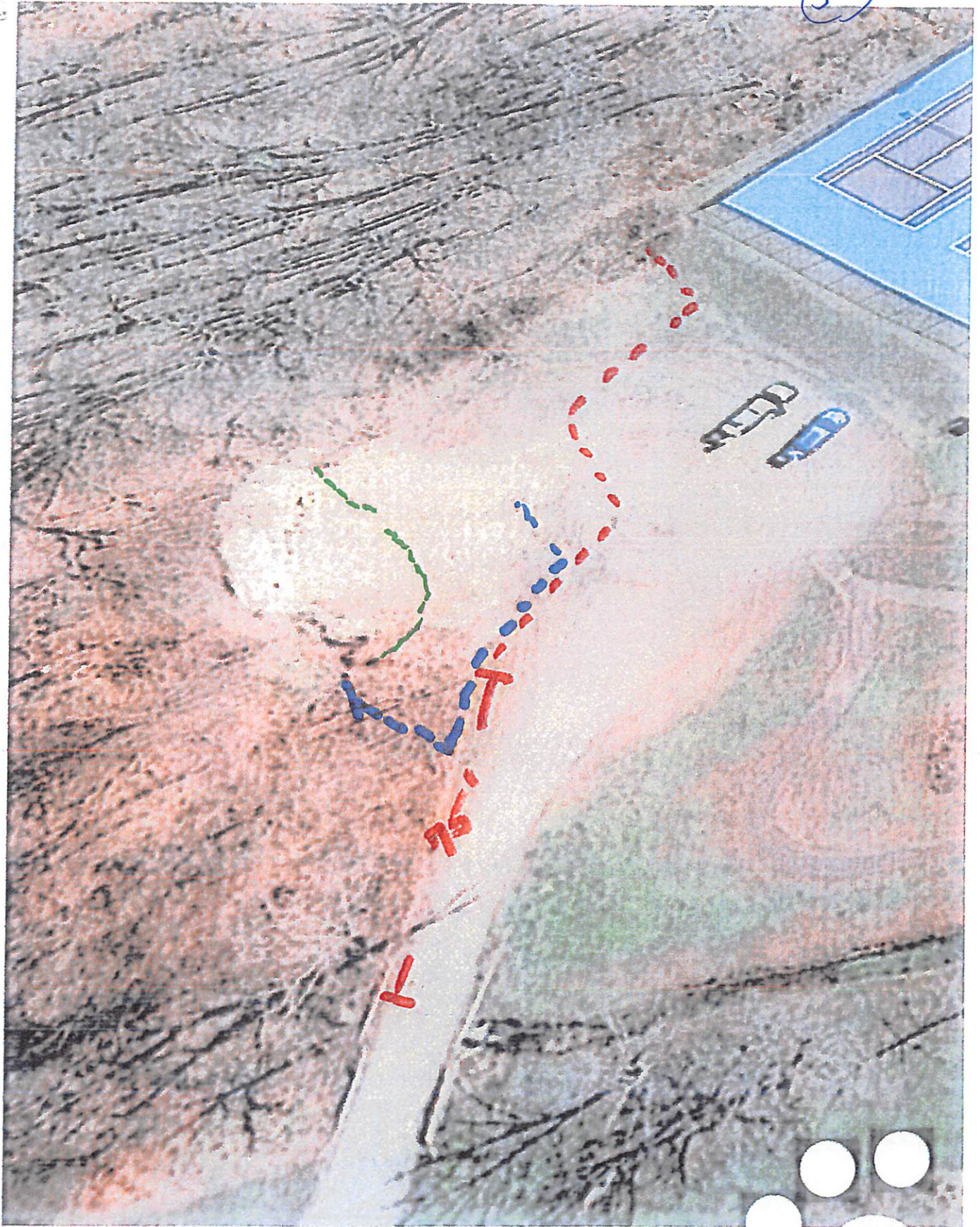
The aerial photo the parking area near the tennis courts which the Town would like to use for temporary storage of materials for the sidewalk replacements is marked in red.

Work area is marked in red leaving parking for tennis and walking.

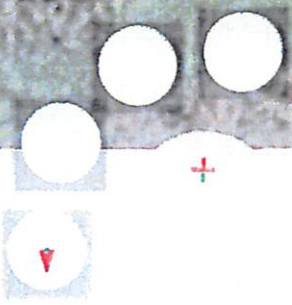
The area in green will be a pile of processed gravel. There is an existing vegetated pile of soil that we will stay in front of. We plan to start silt fence, marked in blue, at the pile go to the driveway edge then towards the tennis courts then return towards woods when we have gone the width of the gravel.

The remaining area will be used to store granite curb pieces. We did not surround with silt fence since they are large stone and will not erode but we will put it in if requested.

5c



- - - - - SILT FENCE / HAY BALES
- - - - - LIMIT OF WORK AREA
- - - - - GRAVEL PILE



100%

Camera: 200 m 41°43'15"N 73°25'34"W 121 m

5C

## Kent Park and Recreation

Lesly Ferris, Director  
P.O. Box 678  
41 Kent Green Boulevard  
Kent, CT 06757-0678

Telephone 860-927-1003  
Fax 860-927-1313  
parkandrec@townofkentct.org  
www.kentctparkandrecreation.com

To: Rick Osborne

From: Lesly Ferris



Date: Sept. 22, 2020

Re: Parking lot use request

The Kent Park and Recreation Commission at its Sept. 21, 2020 monthly meeting voted unanimously to allow the Town to use a portion of the gravel parking lot near the tennis courts at Kent Common Park for a temporary storage area for granite curbing and processed gravel for the Streetscape project as outlined in your memo of Sept. 9, 2020.

Thank you.



March 25, 2020

Department of energy & Environment  
Bureau of Materials Management & Compliance  
Pesticide Management Program  
c/o Mr. Zachary Donais, Environmental Analyst  
79 Elm Street  
Hartford, CT 06106-5127

**Re: SOLitude Lake Management Business Compliance Plan – COWPST 2019-004**

---

Dear Mr. Donais:

Please accept the following as SOLitude Lake Management's Business Compliance Plan as required in condition seven of the approved consent order issued in late February 2020 (COWPST-2019-004). In the following sections we have outlined the processes, procedures, and other actions that SOLitude Lake Management (SLM) will employ moving forward in order to insure compliance with issued permits and other regulations pertaining to the execution of our work in the state of Connecticut.

#### **SELLING APPLICATION SERVICES**

SLM employs one Business Development Consult (BDC) that covers the state of CT. It is the responsibility of this position to consult with prospective and existing clients regarding our pond and lake management services and coordinate the development of a proposed management program. The BDC receives training regarding general applied pond and lake management science, our specific service offerings, and the regulatory/permitting requirements for the states they operate in. Through the execution of their duties the BDC routinely advises prospective and existing clients about proper safe pesticide use and the federal and state programs regulating the application of these products. Although the BDC is responsible for coordinating the development of our proposed management programs, the actual management program design is conducted by our team of Aquatic Specialists, Project Managers and Regional Director. The management program design involves an evaluation of management goals, site conditions, water uses, regulatory restrictions, and applicable chemical and non-chemical management strategies. Those individuals that are heavily involved in management program design are largely CT aquatic supervisory level applicators and degreed Biologists with years of experience. SOLitude prides itself in taking a very scientific approach to lake management and will therefore continue to follow the above outlined process for the development of our programs and selling of our services to ensure that we are not only providing the most effective approach, but one that is utilizing cutting edge technologies that are environmentally sensitive and sustainable.

#### **PERMITTING**

Once a management program has been contracted, the elements of the program are entered into our workflow management software, so that we can easily track status of completion and record necessary data. Required permitting will be conducted by our Permit Coordinator and a team of designated Aquatic Specialists, all operating

**Competitively Sensitive & Proprietary Materials** - The information contained herein is the intellectual property of SOLitude Lake Management. Recipient may not disclose to any outside party any proprietary information, processes, or pricing contained in this document or any of its attachments without the prior written consent of SOLitude Lake Management. This document is provided to the recipient in good faith and it shall be the responsibility of the recipient to keep the information contained herein confidential.



under direct oversight from the Compliance Specialist. The following steps will be executed for the preparation and filing of each aquatic pesticide permit application.

- Review program design and requirements to understand permit request
- Review site locus and NDDDB, water supply watershed, and Land Management jurisdiction
- Prepare permit application, supporting maps, alternative filings, and other supporting information
- Submit NDDDB request, if required
- If treatment site is 80 acres or greater, submit NPDES
- If waterbody is state owned or has a state boat launch, submit Land Management review (include NDDDB determination letter, if applicable)
- Send application, certified mail, to local Inland Wetlands Agency
- Submit application, all supporting documents, and fee to CT DEEP for review

## PROJECT EXECUTION

The receipt of an approved permit will trigger a series of procedures and activities necessary for the effective and regulatory compliant execution of each project. These events can be broken down into three major categories or stages, 1. Pre-Treatment, 2. Pesticide Treatment, 3. Post-Treatment. The following outlines the specific steps and the corresponding responsible staff for the procedures that will be followed when executing each project.

### ***Pre-Treatment***

Pre-treatment activities will include all the tasks that are undertaken from the time an approved permit is issued until the day of the pesticide application or treatment. All permitted projects will be assigned to a specific Aquatic Specialist that is directed by a District Manager and Project Manager. Both the District Manager and Project Manager will be CT aquatic supervisory level applicators. Both the District Manager and the Project Manager will maintain direct oversight of the execution and completion of the various steps of the process. The steps that will be followed are listed below.

- Review approved permit and save electronic copy in appropriate project file - *Compliance Specialist, Permit Coordinator, District Manager and/or Project Manager, Aquatic Specialist*
- Identify and understand any discrepancies in product type and/or quantities requested in the permit application and the approved permit - *Compliance Specialist, Permit Coordinator, District Manager and/or Project Manager*
- As specified in Condition #3 of the Consent Order, a checklist that outlines all the specific requirements that must implemented and completed for the project will be created - *Compliance Specialist, Permit Coordinator, Aquatic Specialist*
- Identify if a third-party consultant will be used to complete any requirement of the approved permit. Specifically communicate the consultant's role in compliance with the permit conditions and the expected timeline for completion of work and submission of associated deliverables - *Compliance Specialist, Permit Coordinator, District Manager and/or Project Manager*
- Conduct permit or contract required pre-treatment field data collection, including but not limited to vegetation surveys, water quality sampling, site inspection, water flow documentation, etc. - *Aquatic Specialist*
- Schedule and coordinate a date for treatment commensurate with observed conditions, target plant biology, weather forecast, water use restrictions, and regulatory requirements - *District Manager and/or Project Manager, Aquatic Specialist*





- Review of permit and permit checklist to ensure that all required pre-treatment activities have been completed - *Compliance Specialist, Permit Coordinator*
- Upon authorization of the Compliance Specialist & Permit Coordinator, conduct all notifications of the scheduled treatment. This includes but is not limited to the client, other stakeholders or interested parties, CT DEEP, CT DPH, local water utility, downstream water users, etc. – *Regional Support Specialist, Project Manager, Aquatic Specialist*
- Update project status on CT Project Tracker spreadsheet – *Permit Coordinator*

#### ***Pesticide Treatment***

Field work and herbicide and algaecide treatments will primarily be the responsibility of the assigned Aquatic Specialist. The activities of the Aquatic Specialist will be under the direction and written instruction of either the District Manager and/or the Project Manager. However, on occasion the District Manager and Project Manager will either accompany the Aquatic Specialist on the treatment or conduct treatment themselves. The procedure that will be followed for the actual execution of the permitted treatment is outlined below.

- Review permit, permit checklist, and the specifics of the management program with District Manager or Project Manager – *Aquatic Specialist*
- Schedule any permit or contract required post-treatment field data collection, including but not limited to vegetation surveys, water quality sampling, residue sampling, site inspection, water flow documentation, etc. - *Aquatic Specialist*
- Complete CT written instructions template and review product(s) and quantity to be applied – *District Manager and/or Project Manager, Aquatic Specialist*
- Confirm that all necessary and required parties have been notified - *Aquatic Specialist*
- Confirm and document treatment area conditions (target vegetation growth, non-target vegetation growth, water depths, fish and wildlife observations, water temperature, dissolved oxygen, etc.) - *Aquatic Specialist*
- Post shoreline with warning signs indicating the type of aquatic treatment being performed and the appropriate EPA label water-use restrictions – photo-document postings - *Aquatic Specialist*
- Apply herbicide/algaecide commensurate with the USEPA product label, CT DEEP permit, CT Written Instructions - *Aquatic Specialist*
- Flush and clean all application equipment - *Aquatic Specialist*
- In detail complete the Treatment Record/Treatment Map template including all product and site condition information - *Aquatic Specialist*
- Update project status on CT Project Tracker spreadsheet – *Permit Coordinator*

#### ***Post-Treatment***

Post-treatment activities will include all steps following the completion of herbicide/algaecide applications and any project completion or annual use reporting. The assigned staff resources (District Manager, Project Manager, Aquatic Specialist) will coordinate to ensure that the following procedure is followed, and all post-treatment work is completed.

- Review requirements of all post-treatment field data collection tasks with District Manager or Project Manager – *Aquatic Specialist*
- Execute required and scheduled field data collection tasks as specified in approved permit or contract - *Aquatic Specialist*
- In the event that a third-party consultant is responsible for completion of any permit required monitoring,



coordinate and confirm that the work will be completed according to the timetable agreed upon prior to the initiation of the program – *District Manager, Project Manager, Aquatic Specialist*

- Once all program tasks are complete, organize all project data (pre-treatment, treatment, and post-treatment) in project file and review with respect to permit and permit checklist - *Compliance Specialist, Permit Coordinator, District Manager and/or Project Manager*
- Update project status on CT Project Tracker spreadsheet – *Permit Coordinator*

## REPORTING

The CT Project Tracker will be reviewed by the Compliance Specialist, Permit Coordinator, District Manager, and Project Manager every two weeks to determine which projects have been fully completed. A list of completed projects will be compiled following this review and the necessary project (vegetation surveys, etc.) and pesticide use reporting will be initiated. For those projects that involve a third-party consultant for any permit requirement, the third-party will be notified at this time of the required permit deliverable(s) and the deadline for submission. The District Manager, Project Manager, and Aquatic Specialist will periodically check in with all third-party consultants in order to ensure that all work is completed as required and on-time. If SOLitude suspects non-compliance or late submission of deliverables by any third-party consultants contracted by the project proponent, CT DEEP Pesticide Program staff will be immediately notified.

## GENERAL & CONSENT ORDER COMPLIANCE

The outlined operational and compliance plan incorporates multiple layers of oversight and operational involvement that will create a greater level of visibility and transparency to the overall process. This increased visibility and general oversight will ensure that all project requirements are completed as specified in all approved permits. Along with this multilayered approach, we have integrated several mandated review and/or approval steps that prevent projects from continuing to progress within the process without having completed the tasks necessary for moving to the next phase. The most significant of these are outlined below.

- During the Pre-Treatment phase of the process we have included an authorization point prior to proceeding with notification of a herbicide/algaecide treatment. This review and authorization point will prevent work from being conducted without the required pre-treatment tasks being completed.
- In the Treatment phase of the process, we have required advance coordination and/or scheduling of all Post-Treatment field data collection. This step will prevent these tasks from being overlooked due to a focus on the Pre-Treatment and Treatment phases of the plan.
- We have also included an audit/review of project completion status every two weeks by the Compliance Specialist, Permit Coordinator, District Manager, and Project Manager that will allow for routine oversight of not only how the projects are progressing through the process, but the level of accuracy and detail associated with the execution of the required tasks. This will allow more frequent and immediate corrective action as needed to maintain proper standards and records.

The District Manager and Project Manager will maintain communication regarding project execution and other logistics on daily basis. In addition, the District Manager will hold a weekly staff meeting to review project work and logistics, safety, and permit compliance. In addition, to the weekly staff meeting the District Manager will conduct at least one “coaching ride” with each of his/her applicators each month. These “coaching rides” will focus on best practices for conducting aquatic pesticide applications, data collection, safety, record keeping, and other company practices and standards.



SOLitude also conducts monthly staff meetings with the greater regional staff to review performance, company policies and updates, and most importantly necessary training pertinent to activities on going. The monthly staff meeting will be used as a means to fortify the training of all of our staff regarding the requirements of the approved Consent Order as well as general regulatory requirements and processes. These routine points of contact with our field staff will allow for supervisors to maintain oversight of the pesticide application operation and provide timely direction, guidance, and coaching for the proper completion of all project tasks.

We feel that this Compliance Plan provides a thorough process with several stop gaps to ensure that all projects are executed effectively and in full compliance with general and special regulatory requirements. If you have any questions, concern, and/or required modifications regarding the plan please do not hesitate to contact me.

Regards,

SOLitude Lake Management

Keith Gazaille

Regional Director – North & Mid-Atlantic



**STATE OF CONNECTICUT**

**CONSENT ORDER NUMBER  
COWSPST 2019-004**

**VS**

**SOLITUDE LAKE MANAGEMENT, LLC  
RESPONDENT**

**ISSUE DATE \_\_\_\_\_**

A. With the agreement of Solitude Lake Management, LLC (“Respondent”), the Commissioner of Energy & Environmental Protection (“Commissioner”) finds:

1. Respondent is registered with the Secretary of the State of Connecticut with a principal place of business at 590 Lake Street in Shrewsbury, Massachusetts. Marc Bellaud is the Manager of Respondent Solitude Lake Management, LLC.

2. Respondent is registered as a pesticide application business with the Department of Energy and Environmental Protection (DEEP).

3. Since 2016, the Respondent failed to abide by specific conditions required in at least nine (9) aquatic permits for the application of pesticides in waters of the state for at least seven (7) different sites where pesticide applications were made:

- Twin Lakes in Salisbury, Connecticut
- Lower Bolton Lake in Vernon, Connecticut
- Red Cedar Lake in Lebanon, Connecticut
- Lake Zoar in Monroe, Newtown, Oxford, and Southbury, Connecticut
- Chamberlain Pond in Woodstock, Connecticut
- Lake Housatonic in Oxford, Derby, Seymour, and Shelton, Connecticut
- Rader Pond in Woodbury, Connecticut.

4. Respondent failed to submit pre and post vegetation survey results to the Commissioner for the 2017 and 2018 treatment seasons as required by the permit conditions in permit numbers AQUA-2017-293, AQUA-2017-292 and AQUA-2017-296 for Twin Lakes (Third, East and Second) located in Salisbury, Connecticut.

5. Respondent failed to submit pre and post vegetation survey results to the Commissioner as required by the permit conditions in permit numbers AQUA-2017-366 and AQUA-2017-366rev for treatments performed in 2017 at Lower Bolton Lake in Vernon, Connecticut.



6. Respondent failed to submit a proposed treatment area map to the Commissioner at least fourteen days prior to treatment and performed treatment without first receiving Department approval as required by the permit conditions, and submit pre and post vegetation survey results as required by the permit conditions in permit number AQUA-2017-370 for Red Cedar Lake in Lebanon, Connecticut.
7. Respondent failed to submit pre and post vegetation survey results and a post treatment monitoring plan to the Commissioner for the 2017 and 2018 treatment seasons as required by the permit conditions in permit numbers AQUA-2017-164 and AQUA-2017-164rev for Lake Zoar located in the towns of Monroe, Newtown, Oxford and Southbury, Connecticut.
8. Respondent failed to notify the Commissioner that either there was no outflow at the time of sampling or provide Glyphosate monitoring results as required by the permit conditions in permit number AQUA-2017-230ws for treatment performed in 2018 at Chamberlain Pond located in Woodstock, Connecticut.
9. Respondent failed to provide the Commissioner with post treatment vegetation survey results for the 2018 treatment season and performed a chemical treatment in 2019 without receiving the commissioner's approval as required by the permit conditions in permit number AQUA-2018-372 for Lake Housatonic between the Derby and Zoar dams in the towns of Oxford, Derby, Seymour and Shelton, Connecticut.
10. Respondent failed to submit fluridone monitoring results to the Commissioner for treatments performed on 6/29/16 and 6/25/18 as required by the permit conditions in permit numbers AQUA-2016-385 and AQUA-2016-385rev for Rader Pond located in Woodbury, Connecticut.

By virtue of the above, Respondent has violated Connecticut General Statutes §22a-66z.

B. With the agreement of Respondent, the Commissioner, acting under §22a-6 and §22a-66, of the Connecticut General Statutes, orders Respondent as follows:

1. Effective immediately upon issuance of this consent order, Respondent shall take all steps necessary to comply with all applicable provisions of Chapter 441 of the Connecticut General Statutes governing Pesticide Control, regulations promulgated thereunder, permits issued, and shall maintain such compliance.
2. On or before thirty (30) days after issuance of this consent order, Respondent shall employ and notify the Commissioner of the identity of at least one "Compliance Specialist" to be directly responsible to assure timely compliance with the requirements of all Connecticut pesticide permits issued to the Respondent. Respondent shall employ at least one Compliance Specialist for at least two (2) years after the issuance of this consent order. The Compliance Specialist(s) shall be familiar with the permit requirements for all active permits issued to the Respondent and the day-to-day

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operations of each crew operating within Connecticut. The Compliance Specialist(s) shall also be knowledgeable about all applicable provisions of Connecticut pesticide statutes and regulations, specifically with respect to requirements for the use of pesticides in the waters of the state. The Compliance Specialist(s) shall have and maintain a Connecticut commercial supervisory certification in the aquatic category. Respondent shall ensure that each Compliance Specialist employed is authorized to implement all necessary actions to promptly remediate incidents of non-compliance. The Compliance Specialist(s) shall consult with the Respondent, as necessary, on matters of compliance and report matters of non-compliance in writing to the Respondent as they occur. Respondent shall notify the Commissioner in writing within thirty (30) days of any change to the identity of the Compliance Specialist(s).

3. Respondent and its Compliance Specialist(s) shall create a checklist for each Permit Issued subsequent to the date of this consent order and in effect at the date of issuance of this consent order that indicates the specific requirements that must be implemented for each permit. For complex projects (projects requiring submission of surveys and/or sample results) that use a 3<sup>rd</sup> party to fulfill any permit or sampling requirement, Respondent shall submit the permit checklist to the Commissioner no later than seven (7) days prior to treatment of the waterbody.

4. On or before the last day of March, June, September and December for a period of two years from the date of issuance of this consent order, Respondent shall report to the Commissioner on the status of all active aquatic permits issued for which all work has been completed and identifies all aquatic permits issued with requirements that have not yet been completed with an estimated date of completion. The report shall include a copy of each checklist required in paragraph B.3 of this consent order for each Permit Issued for which the permit requirements have not been completed. The report shall also include copies of ten (10) permanent pesticide application records including supervisory written instructions, if applicable, maintained by the Respondent for treatments performed within the previous calendar quarter. If the Respondent is unable to provide copies of permanent pesticide application records as required, Respondent shall provide a statement consistent with the requirements of paragraph B.15 of this consent order stating the reason for the inability to provide the required records.

5. For a period of two (2) years after the date of issuance of this consent order, Respondent shall notify the Commissioner of all scheduled pesticide applications. Notification shall be made by e-mail not later than 12:00pm on the Friday prior to the week for which the treatments are scheduled. The notice shall include the following information: name and address of each waterbody to be treated and the date of treatment.

6. In addition to current posting and notification requirements, Respondent shall document the placement of posting signs by photographing the posted signs at all posting sites. The photographs shall be dated, time stamped, geo-located and maintained with the permanent pesticide application record for at least two (2) years after the date of application. The photographs shall be made available upon the Commissioner's request.



7. On or before thirty days from the date of issuance of this consent order, Respondent shall submit a business compliance plan (in accordance with the requirements of paragraph B.12 "Approvals" and B.26 "Submission of documents") that describes in detail business practices and procedures to ensure compliance including individual employee responsibilities in selling pesticide application services, coordination of review by a certified supervisor and his/her assignment of work to applicators, performing pesticide applications, communication and oversight between certified supervisors and operators, and reviewing and maintaining of permanent pesticide application records and supervisory written instructions.

8. Progress reports: On or before the December 31st of each year after the date of issuance of this consent order, Respondent shall submit annual progress reports until actions required by this consent order have been completed and approved to the Commissioners' satisfaction, Respondent shall submit a progress report to the Commissioner describing the actions which Respondent has taken to date to comply with this consent order.

9. Full compliance. Respondent shall not be considered in full compliance with this consent order until all actions required by this consent order have been completed as approved and to the Commissioner's satisfaction.

10. Civil penalty. Respondent shall pay \$27,000.00 as the total civil penalty sought by the Commissioner in four (4) installments of \$6,750.00 payable on or before thirty (30) days, one hundred twenty (120) days, two hundred ten (210) days and three hundred (300) days after the date of issuance of this consent order for those, and only those, violations described in paragraphs A.3 through A.10 of this consent order.

11. Payment of penalties. Payment of penalties under this consent order shall be mailed or personally delivered to the Department of Energy and Environmental Protection, Bureau of Financial and Support Services, Accounts Receivable Office, 79 Elm Street, Hartford, CT 06106-5127, and shall be by certified or bank check payable to the "Connecticut Department of Energy and Environmental Protection." The check shall state on its face, "BMMCA, Pesticide Program civil penalty, consent order COWSPST2019-004."

12. Approvals. Respondent shall use best efforts to submit to the Commissioner all documents required by this consent order in a complete and approvable form. If the Commissioner notifies Respondent that any document or other action is deficient, and does not approve it with conditions or modifications, it is deemed disapproved, and Respondent shall correct the deficiencies and resubmit it within the time specified by the Commissioner or, if no time is specified by the Commissioner, within 30 days of the Commissioner's notice of deficiencies. In approving any document or other action under this consent order, the Commissioner may approve the document or other action as submitted or performed or with such conditions or modifications as the Commissioner

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deems necessary to carry out the purposes of this consent order. Nothing in this paragraph shall excuse noncompliance or delay.

13. Definitions. As used in this consent order, "Commissioner" means the Commissioner or a representative of the Commissioner.

14. Dates. The date of "issuance" of this consent order is the date the consent order is deposited in the U.S. mail or personally delivered, whichever is earlier. The date of submission to the Commissioner of any document required by this consent order shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this consent order, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is deposited in the U.S. mail or is personally delivered, whichever is earlier. Except as otherwise specified in this consent order, the word "day" as used in this consent order means calendar day. Any document or action which is required by this consent order to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed by the next day which is not a Saturday, Sunday or Connecticut or federal holiday.

15. Certification of documents. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this consent order shall be signed by Respondent or, if Respondent is not an individual, by Respondent's chief executive officer or a duly authorized representative of such officer, as those terms are defined in §22a-430-3(b)(2) of the Regulations of Connecticut State Agencies, and by the individual(s) responsible for actually preparing such document, and each such individual 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, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, that the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that any false statement made in the submitted information may be punishable as a criminal offense under §53a-157b of the Connecticut General Statutes and any other applicable law."

16. Noncompliance. This consent order is a final order of the Commissioner with respect to the matters addressed herein, and is non-appealable and immediately enforceable. Failure to comply with this consent order may subject Respondent to an injunction and penalties.

17. False statements. Any false statement in any information submitted pursuant to this consent order may be punishable as a criminal offense under §53a-157b of the Connecticut General Statutes and any other applicable law.





18. Notice of transfer; liability of Respondent. Until Respondent has fully complied with this consent order, Respondent shall notify the Commissioner in writing no later than 15 days after transferring all or any portion of the facility, the operations, the site or the business which is the subject of this consent order or after obtaining a new mailing or location address. Respondent's obligations under this consent order shall not be affected by the passage of title to any property to any other person or municipality.

19. Commissioner's powers. Except as provided hereinabove with respect to payment of civil penalties, nothing in this consent order shall affect the Commissioner's authority to institute any proceeding or take any other action to prevent or abate violations of law, prevent or abate pollution, recover costs and natural resource damages, and to impose penalties for past, present, or future violations of law. If at any time the Commissioner determines that the actions taken by Respondent pursuant to this consent order have not successfully corrected all violations, fully characterized the extent or degree of any pollution, or successfully abated or prevented pollution, the Commissioner may institute any proceeding to require Respondent to undertake further investigation or further action to prevent or abate violations or pollution.

20. Respondent's obligations under law. Nothing in this consent order shall relieve Respondent of other obligations under applicable federal, state and local law.

21. No assurance by Commissioner. No provision of this consent order and no action or inaction by the Commissioner shall be construed to constitute an assurance by the Commissioner that the actions taken by Respondent pursuant to this consent order will result in compliance.

22. Access to site. Any representative of the Department of Energy and Environmental Protection may enter the place of business without prior notice for the purposes of monitoring and enforcing the actions required or allowed by this consent order.

23. No effect on rights of other persons. This consent order neither creates nor affects any rights of persons or municipalities that are not parties to this consent order.

24. Notice to Commissioner of changes. Within 15 days of the date Respondent becomes aware of a change in any information submitted to the Commissioner under this consent order, or that any such information was inaccurate or misleading or that any relevant information was omitted, Respondent shall submit the correct or omitted information to the Commissioner.

25. Notification of noncompliance. In the event that Respondent becomes aware that it did not or may not comply, or did not or may not comply on time, with any requirement of this consent order or of any document required hereunder, Respondent shall immediately notify by telephone the individual identified in the next paragraph and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. Within five (5) days of the

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initial notice, Respondent shall submit in writing the date, time, and duration of the noncompliance and the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and Respondent shall comply with any dates which may be approved in writing by the Commissioner. Notification by Respondent shall not excuse noncompliance or delay, and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically so stated by the Commissioner in writing.

26. Submission of documents. Any document required to be submitted to the Commissioner under this consent order shall, unless otherwise specified in this consent order or in writing by the Commissioner, be directed to:

Zachary Donais, Environmental Analyst  
Department of Energy and Environmental Protection  
Bureau of Materials Management and Compliance Assurance  
Pesticide Management Program  
79 Elm Street  
Hartford, Connecticut 06106-5127

Respondent consents to the issuance of this consent order without further notice. The undersigned certifies that he/she is fully authorized to enter into this consent order and to legally bind the Respondent to the terms and conditions of the consent order.

SOLITUDE LAKE MANAGMENT, LLC

BY: \_\_\_\_\_  
MARC BELLAUD  
MANAGER

\_\_\_\_\_  
Date

Issued as a final order of the Commissioner of Energy and Environmental Protection.

\_\_\_\_\_  
Betsey Wingfield  
Deputy Commissioner

\_\_\_\_\_  
Date

# AGENDA ITEM 6.A.1.

## TOWN OF KENT Inland Wetlands Actual vs. Budget July through August 2020

	Jul - Aug 20	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
132-410 · Commission In/Wet	84.00	800.00	-716.00	10.5%
<b>Total Income</b>	84.00	800.00	-716.00	10.5%
<b>Gross Profit</b>	84.00	800.00	-716.00	10.5%
<b>Expense</b>				
<b>A · General Government</b>				
<b>026-000 · INLAND / WETLANDS</b>				
<b>Compensation</b>				
026-101 · Enforce. Officer	4,055.67	23,433.00	-19,377.33	17.3%
026-102 · I/W Clerk	215.55	2,220.00	-2,004.45	9.7%
026-996 · Health	3,057.82	10,384.00	-7,326.18	29.4%
026-997 · Pension	0.00	1,640.00	-1,640.00	0.0%
026-998 · Social Security	319.64	1,962.00	-1,642.36	16.3%
<b>Total Compensation</b>	7,648.68	39,639.00	-31,990.32	19.3%
<b>Department Operations</b>				
026-201 · Supplies	0.00	600.00	-600.00	0.0%
026-202 · Postage	0.00	300.00	-300.00	0.0%
026-203 · Notices	0.00	750.00	-750.00	0.0%
026-204 · Mileage	0.00	200.00	-200.00	0.0%
026-409 · Printing & Mapping	0.00	150.00	-150.00	0.0%
<b>Total Department Operations</b>	0.00	2,000.00	-2,000.00	0.0%
<b>Professional Development</b>				
026-451 · Conferences	0.00	150.00	-150.00	0.0%
026-452 · Training	0.00	150.00	-150.00	0.0%
<b>Total Professional Development</b>	0.00	300.00	-300.00	0.0%
<b>Total 026-000 · INLAND / WETLANDS</b>	7,648.68	41,939.00	-34,290.32	18.2%
<b>Total A · General Government</b>	7,648.68	41,939.00	-34,290.32	18.2%
<b>Total Expense</b>	7,648.68	41,939.00	-34,290.32	18.2%
<b>Net Ordinary Income</b>	-7,564.68	-41,139.00	33,574.32	18.4%
<b>Net Income</b>	-7,564.68	-41,139.00	33,574.32	18.4%

**TOWN OF KENT**  
**Inland Wetlands by month**  
**July through August 2020**

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	<u>Jul 20</u>	<u>Aug 20</u>	<u>TOTAL</u>
<b>Ordinary Income/Expense</b>			
<b>Income</b>			
132-410 · Commission In/Wet	84.00	0.00	84.00
<b>Total Income</b>	<u>84.00</u>	<u>0.00</u>	<u>84.00</u>
<b>Gross Profit</b>	84.00	0.00	84.00
<b>Expense</b>			
<b>A · General Government</b>			
026-000 · INLAND / WETLANDS			
<b>Compensation</b>			
026-101 · Enforce. Officer	2,253.15	1,802.52	4,055.67
026-102 · I/W Clerk	84.92	130.63	215.55
026-996 · Health	2,223.56	834.26	3,057.82
026-998 · Social Security	174.62	145.02	319.64
<b>Total Compensation</b>	<u>4,736.25</u>	<u>2,912.43</u>	<u>7,648.68</u>
<b>Total 026-000 · INLAND / WETLANDS</b>	<u>4,736.25</u>	<u>2,912.43</u>	<u>7,648.68</u>
<b>Total A · General Government</b>	<u>4,736.25</u>	<u>2,912.43</u>	<u>7,648.68</u>
<b>Total Expense</b>	<u>4,736.25</u>	<u>2,912.43</u>	<u>7,648.68</u>
<b>Net Ordinary Income</b>	<u>-4,652.25</u>	<u>-2,912.43</u>	<u>-7,564.68</u>
<b>Net Income</b>	<u><u>-4,652.25</u></u>	<u><u>-2,912.43</u></u>	<u><u>-7,564.68</u></u>



79 Elm Street • Hartford, CT 06106-5127

www.ct.gov/deep

Affirmative Action/Equal Opportunity Employer

**Notice of Tentative Determination to Approve an Application for  
Diversion of Water Permit and  
Notice of Intent to Waive Public Hearing**

**Applicant(s): Kent School  
Application No.: 202005113  
City/Town: Kent, Connecticut**

The Commissioner of the Department of Energy and Environmental Protection ("DEEP") hereby gives notice that a tentative determination has been reached to approve the following application to renew a permit to divert the waters of the state. The Commissioner also intends to waive the requirement for public hearing pursuant to Section 22a-371 of the Connecticut General Statutes (CGS), provided that a hearing may be held if the Commissioner determines that the public interest will best be served thereby, or shall hold a hearing upon receipt of a petition as more thoroughly described below.

Application Number: #202005113 (Renewal of Permit #DIV-199903324)

Applicant's Name and Address: Kent School  
P.O. Box 2006, Kent, CT 06757

Contact Name/Phone/Email: Joseph Wolinski  
wolinksij@kent-school.edu  
(860) 927-6000

Type of Permit: Water Diversion

Relevant statute(s)/regulation: Section 22a-365 through 22a-378 CGS

Project Description: Diversion of Groundwater from Wells 1 & 2 for public water supply

Project Location: Skiff Mountain Road, Kent CT

Waters: Groundwater

**COMMISSIONER'S FINDINGS/REGULATORY CONDITIONS**

The proposed activity includes the withdrawal of a maximum of 0.116 million gallons of water per day from Well No. 1 and Well No. 2 for public water supply. The proposed activity will affect groundwater resources.

COPY

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Pursuant to Section 22a-371 of the CGS, the Department has found that the application is complete and has determined that the proposed diversion 1) is necessary, 2) will not significantly affect long-range water resources management, and 3) will not impair proper management and use of the water resources of the State. Accordingly, the Commissioner hereby publishes this notice of intent to waive the requirement for a public hearing, provided if the Commissioner receives a petition requesting a hearing signed by twenty five (25) persons on or before the deadline for receipt of written comments specified at the end of this notice, a hearing will be held. Notice of any hearing will be published in a newspaper having general circulation in the area where the proposed diversion will take place or have effect.

#### **INFORMATION REQUESTS/PUBLIC COMMENT**

This application has been assigned no. 202005113. Please use this number when corresponding with DEEP regarding this application. Interested persons may obtain copies of the application from the applicant at the above address. Due to the ongoing COVID-19 virus pandemic, the Department of Energy and Environmental Protection located at 79 Elm Street, Hartford, CT is closed to the public until further notice. However, electronic copies of the application and supporting documentation can be provided to interested persons via email. Any such requests for electronic documents may be directed to Alexandria Hibbard of the Water Planning and Management Division at [Alexandria.Hibbard@ct.gov](mailto:Alexandria.Hibbard@ct.gov).

Before making a final decision on this application, the Commissioner shall consider written comments on the application from interested persons. Written comments on the application should be directed to Alexandria Hibbard via electronic mail at [Alexandria.Hibbard@ct.gov](mailto:Alexandria.Hibbard@ct.gov) no later than thirty (30) days from the publication date of this notice. Written comments may also be submitted in paper form to the Department of Energy and Environmental Protection located at 79 Elm Street, Bureau of Water Protection and Land Reuse Hartford, CT. In this submittal please identify the name of the staff assigned to the application, the permit application number and your phone number and/or email address to facilitate responses to your comments. Due to the COVID-19 virus pandemic and social distancing measures implemented by DEEP staff, there could be delays in the response to your comments. You may contact the staff person identified in this notice with any questions you may have.

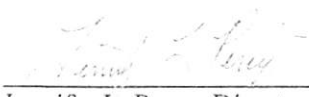
#### **PETITIONS FOR HEARING**

The Commissioner may conduct a public hearing if the Commissioner determines that the public interest will best be served thereby, or shall hold a hearing upon receipt of a petition signed by at least twenty-five persons. Petitions should include the application number noted above and also identify a contact person to receive notifications. Petitions may also identify a person who is authorized to engage in discussions regarding the application and, if resolution is reached, withdraw the petition. In order to facilitate the filing of requests for hearing during the COVID-19 emergency and consistent with the Department's Temporary Directive, the Office of Adjudications will accept electronically-filed petitions in addition to petitions submitted by mail. Petitions with required signatures may be filed by email to the Office of Adjudications at [deep.adjudications@ct.gov](mailto:deep.adjudications@ct.gov) or mailed to the DEEP Office of Adjudications, 79 Elm Street, Hartford, CT 06106. Within thirty (30) days, original petitions that were filed electronically must be also be mailed to the Office of Adjudications at the above-noted address. If the original

C.A.2

petition exists only in electronic format or signatures were produced using a computer or typewriter, the petition must be submitted with a statement bearing the wet-ink signature of the petitioner that the petition is only available in that format and has been submitted to satisfy the requirement that an original petition be filed. If a hearing is held, timely notice of such hearing will be published in a newspaper of general circulation and posted on the DEEP website at [www.ct.gov/deep](http://www.ct.gov/deep). Additional information can be found at [www.ct.gov/deep/adjudications](http://www.ct.gov/deep/adjudications).

8/27/2020  
Publication Date

  
\_\_\_\_\_  
Jennifer L. Perry, Director  
Water Planning and Management Division  
Bureau of Water Protection and Land Reuse

*DEEP is an Affirmative Action and Equal Opportunity Employer that is committed to complying with the Americans with Disabilities Act. To request an accommodation contact us at (860) 418-5910 or [deep.accommodations@ct.gov](mailto:deep.accommodations@ct.gov).*

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**Kent School - Notice - 202005113**

1 message

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**Edwards, Janet** <Janet.Edwards@ct.gov>

Mon, Sep 21, 2020 at 12:56 PM

To: "Firstselectman@townofkentct.org" <Firstselectman@townofkentct.org>, "landuse@townofkentct.org" <landuse@townofkentct.org>, "connie@Manes-consulting.com" <connie@manes-consulting.com>

Cc: "Perry, Jennifer" <Jennifer.Perry@ct.gov>, "Hoskins, Douglas" <Douglas.Hoskins@ct.gov>, "Hibbard, Alexandria" <Alexandria.Hibbard@ct.gov>, "Edwards, Janet" <Janet.Edwards@ct.gov>

Good Afternoon, please see attached notice. Thank you.

Janet M. Edwards

Administrative Assistant

Planning and Standards

Water Protection and Land Reuse

Connecticut Department of Energy and Environmental Protection  
79 Elm Street, Hartford, CT 06106-5127

P: 860.424.3047 | F: 860.424.4067 | E: janet.edwards@ct.gov

"I strive for excellence, but forgive me since I am not perfect yet" – Author, unknown



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

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

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

[PROGRAM/UNIT/OFFICE WEB SITE ADDRESS – OPTIONAL]



15/10



AGENDA ITEM 4.E



**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 # 1234-20
Filing fee \$
Date of receipt
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	chrishashspring@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)

4.E

**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

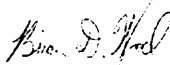
**11. AGREEMENT AND SIGNATURE**

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 9/24/20





4E

**TOWN OF KENT  
INLAND WETLANDS COMMISSION**

**PERMISSION FOR INSPECTION**

Property Address:	0 Lake Waramaug Rd. Kent CT,
Map/Block/Lot:	17/27/10
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)	Brian D. Wood
Signature	<i>Brian D. Wood</i>
Date	9/24/20

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## 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



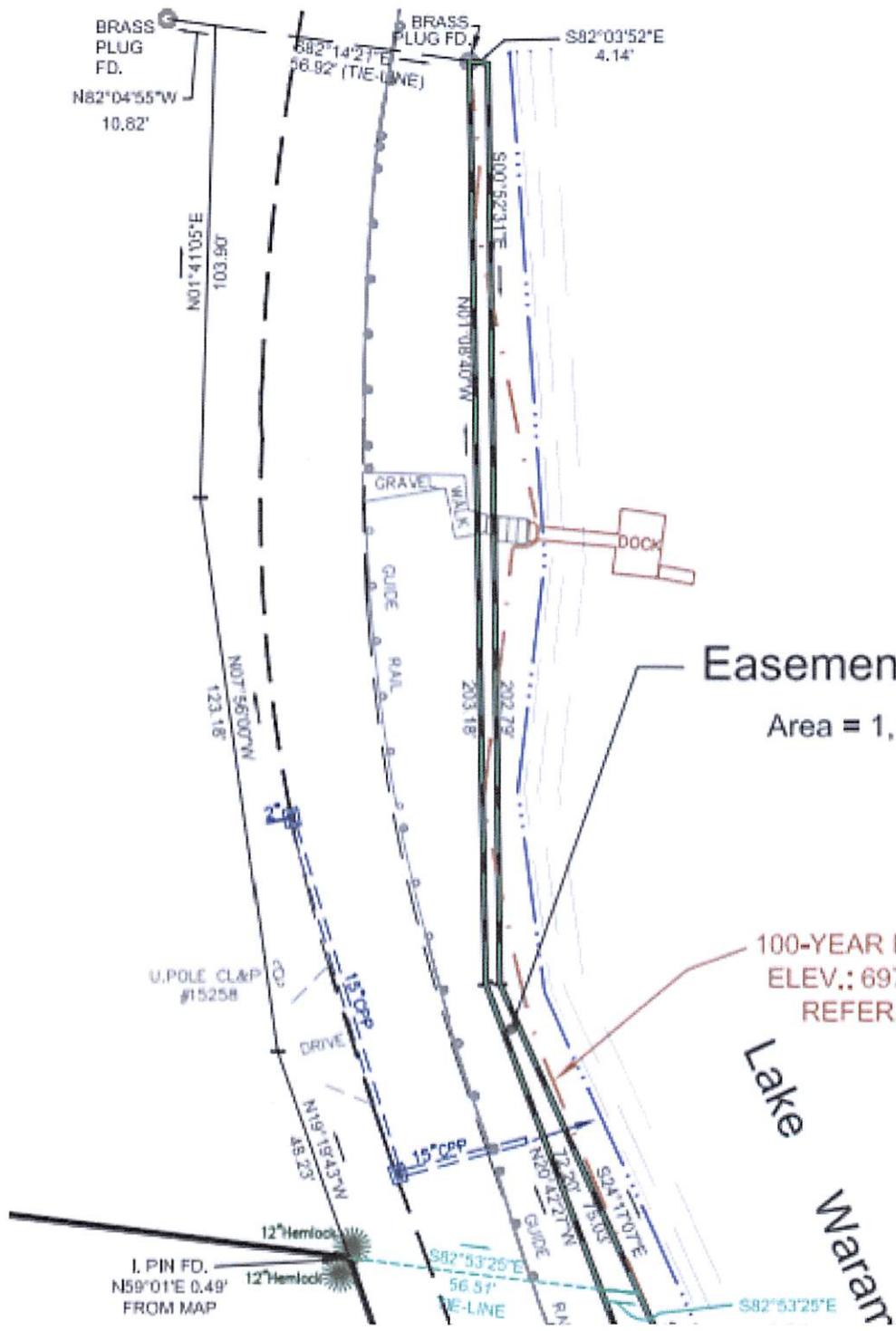
	Natural Riparian Areas		New Swim Steps
	View Corridor		New Storage Box
	Paths & Level Sitting Area		Riparian Planting Areas

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 Warran

## 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.

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## 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

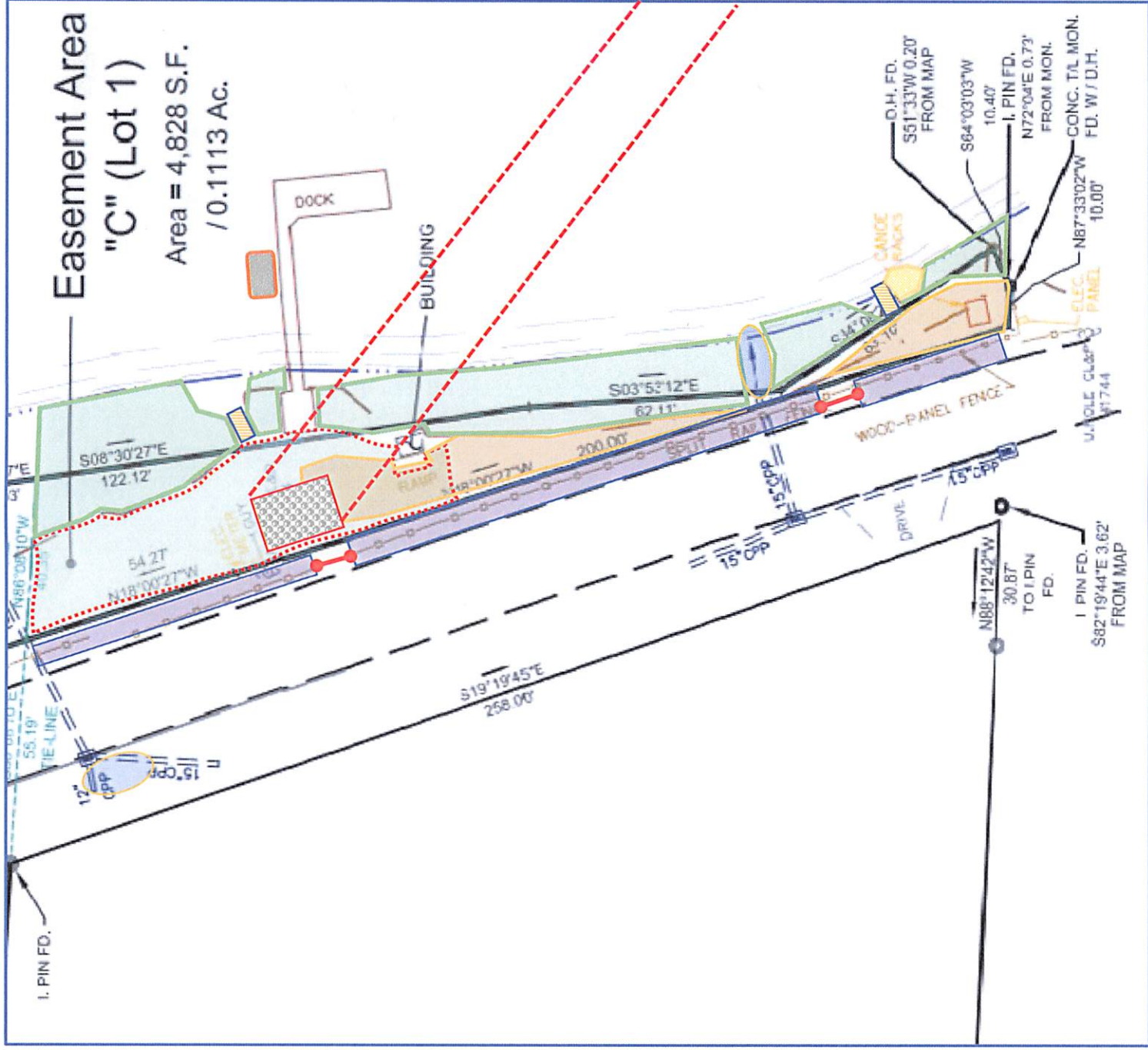


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











2016 6" Contours

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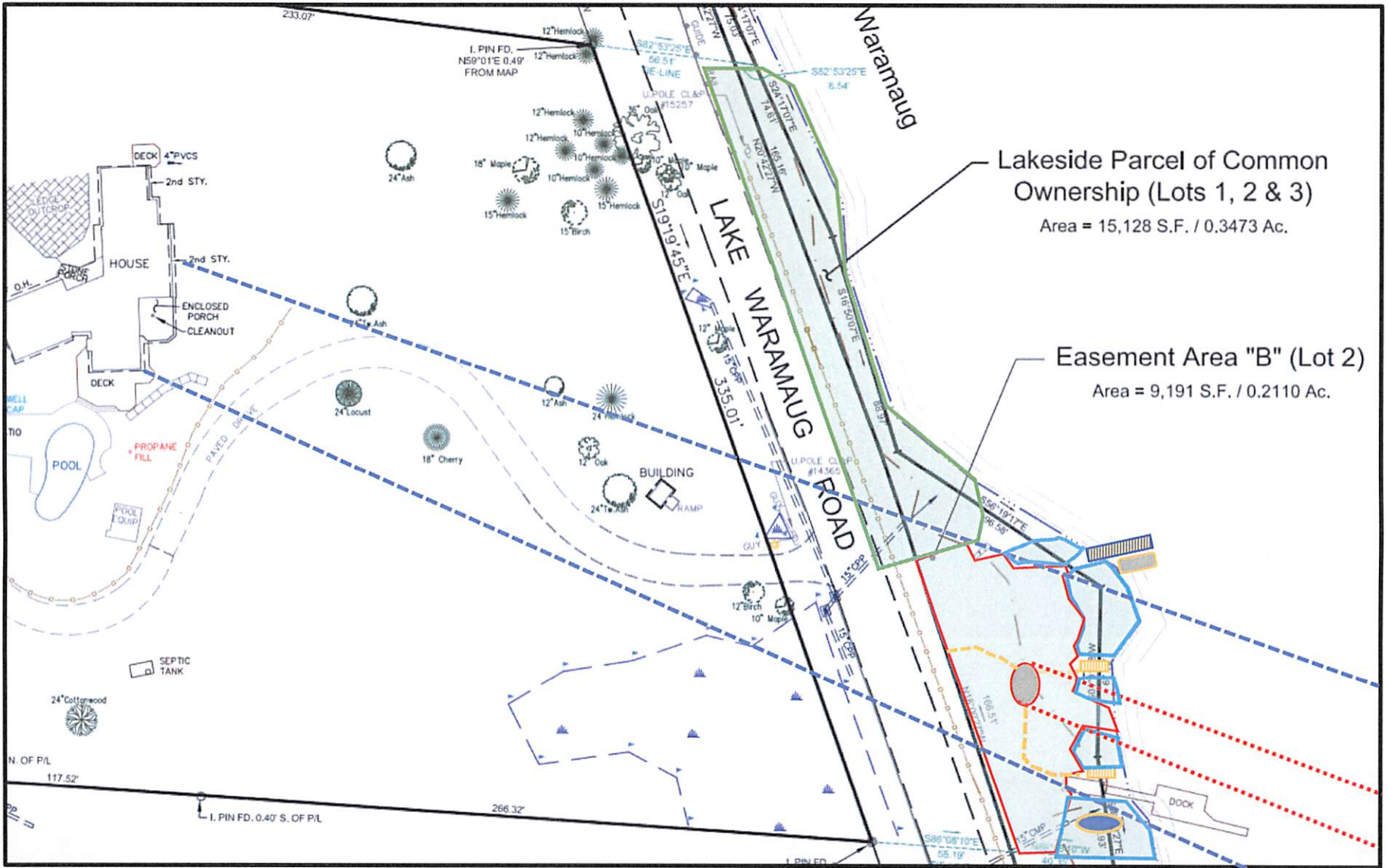












**Easement Area  
"C" (Lot 1)**  
Area = 4,828 S.F.  
/ 0.1113 Ac.

-  - Existing Lawn to Remain
  -  - Area to Be Graded Filled
  -  - Grind Stumps & Reseeded (Native Grass)
  -  - Existing Privacy Hedge to be maintained
  -  - New Patio/Level Gravel Area & Firepit
  -  - Existing Access Gates to be upgraded
  -  - New Steps to Water
  -  - New Boat Lift
  -  - Enhanced Sediment Forebays
  -  - Riparian Buffer Areas
  -  - Vista View Corridor
  -  - Canoe Launch & Landing Area
- > Marked Dead or Dying Trees to be Removed
  - > Invasive Plants to be removed
  - > Shoreline plantings

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-  - Level Sitting Area & Firepit
-  - Planted Plunge Pool
-  - New Lower View Corridor
-  - Lawn to Remain
-  - New Steps to Water
-  - New Bulkhead, Boat Lift & Dock
-  - Invasive Vine Removal & Tree Pruning
-  - Permitted Upper View Corridor
-  - Riparian Buffer Enhancement & Invasive Removal
-  - New Steppingstones

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4E



2016 Contours 6"

4E

## LAND USE AND GRANT OF EASEMENT AGREEMENT

This Agreement (hereinafter "Agreement"), is entered into by and among Craig M. Bibb, of 80 Lake Waramaug Road, Kent, Connecticut, Christopher N. Spring and Martha A. Holland, of 74 Lake Waramaug Road, Kent, Connecticut and Emmert J. Balis and Alberta M. Balis, of 70 Lake Waramaug Road, Kent, Connecticut. Craig Bibb, Christopher Spring, Martha Holland, Emmert Balis and Alberta Balis are collectively referred to as the "Landowners."

WHEREAS, the Landowners jointly own a lakefront Parcel with an address of 0 Lake Waramaug Road, Kent, Connecticut, identified on the tax map as Map 17, Block 27, Lot 10, and described in Schedule A – Property and Easements Descriptions below.

WHEREAS, the Landowners desire to grant each other exclusive use to a portion of the Parcel through the conveyance of a permanent, exclusive easement; and,

WHEREAS, the Landowners wish to fully and finally resolve any and all disputes concerning the use of the Parcel.

NOW, THEREFORE, the Landowners hereby agree and understand that:

1. **Non-Admission.** This Agreement may not be cited as, and does not constitute, evidence of or an admission of liability, or of any violation or breach by any of the Landowners hereto of any federal, state or local law or regulation, or local requirement, or of any duty whatsoever, whether based in contract, statute, regulation, common law, or otherwise.

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2. **Exclusive Use of Areas of the Parcel.** The Landowners agree that each of them, their heirs, successors and assigns shall have a permanent easement for exclusive use of the Parcel substantially within an extension of their respective Northern and Southern boundary lines over the Parcel as shown on Exhibit A. The area of exclusive use for 70 Lake Waramaug Road is shown as "Area A". The area of exclusive use for 74 Lake Waramaug Road is shown as "Area B". The area of exclusive use for 80 Lake Waramaug Road is shown as "Area C". The Landowners each agree to execute deeds within (60) days of the Effective Date of this Agreement granting the other two Landowners an exclusive, permanent easement over each of their respective Areas as shown on Exhibit A.

3. **Permits for use of Exclusive Easement Area.** In exchange for the promises described herein, the Landowners have agreed on behalf of themselves, their heirs, successors and their assigns that they shall not object to any legal use of the exclusive easement area by the other Landowners that can be permitted under applicable state and local land use regulations. The Landowners agree not to oppose any Permit applications to local or state land use boards for any legal use of any of the exclusive easement areas.

These uses encompass usage by the Landowners solely. The exclusive use areas may not be subdivided in any way nor can access be leased to third parties that are not simultaneously leasing the home located on the adjacent parcel. No commercial endeavor can take place on the exclusive easement areas.

4. **Ownership of the Parcel and Transfer of the Easements.** The Landowners agree that the permanent, exclusive easements that are contemplated by



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this Agreement can be freely transferred, but the easement for Area A can only be transferred with a sale or transfer of 70 Lake Waramaug Road, the easement for Area B can only be transferred with a sale or transfer of 74 Lake Waramaug Road and the easement for Area C can only be transferred with a sale or transfer of 80 Lake Waramaug Road. The Landowners agree that if 70 Lake Waramaug Road, 74 Lake Waramaug Road or 80 Lake Waramaug Road is conveyed at any time, all ownership rights to the Parcel and all rights to the exclusive easement shall be transferred to the new owner of each of the respective properties such that ownership rights to the Parcel or the exclusive easement rights shall never be severed from the ownership of 70 Lake Waramaug Road, 74 Lake Waramaug Road, or 80 Lake Waramaug Road respectively.

5. **Taxes on the Parcel.** The Landowners agree that property taxes on the Parcel shall be allocated as follows: Currently property taxes will continue to be paid in 1/3 amounts by each Landowner annually. In the event that the Municipal Tax Assessment allocations are modified after the effective date of the agreement by the Town of Kent then each adjacent upslope lot will be responsible for payment of their respective exclusive use area with regards to their uses.

6. **Mutual Release.** On behalf of themselves, their heirs, successors and assigns, each of the Landowners releases the other Landowners for any and all claims, actions, causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, executions, claims, and demands, whatsoever, in law, admiralty or equity, which against the other Landowners, the Landowner ever had, now has or hereafter can, shall or may, have with respect to any

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causes of action and/or claims, whether asserted or unasserted, arising out of or related in any way to the use or ownership of the Parcel.

7. **Effective Date of this Agreement.** The Landowners agree that the Effective Date of this Agreement is \_\_\_\_\_, 20\_\_\_\_.

8. **Effect of Breach.** Should any of the Landowners breach this Agreement, notice shall be given to the address in Paragraph 22, and the Landowner claimed to have breached the Agreement shall have thirty (30) days to remedy the breach, or provide a written explanation as to why that Landowner believes it is not in breach of the Agreement. Should any of the Landowners fail to cure or otherwise resolve a breach of the Agreement, the other Landowners shall have all rights and standing to seek enforcement of this Agreement in a court of competent jurisdiction through an action for damages and/or injunctive relief. The prevailing Landowner(s) in any such action shall be entitled to its attorneys' fees in connection with the action.

9. **Costs and Expenses.** The Landowners agree that each of them shall be solely responsible for their own costs, expenses and attorneys' fees in carrying out any of their respective obligations under this Agreement.

10. **Governing Law.** The validity and construction of this Agreement shall be governed by the laws of the State of Connecticut.

11. **Complete Agreement.** This Agreement sets forth the entire agreement between the Landowners hereto and, except as otherwise expressly provided herein, supersedes any and all prior oral and written agreements between them, except as expressly set forth in this Agreement.

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12. **Modifications/Amendments.** This Agreement may not be altered, amended or modified except in writing.

13. **No Implied Waiver of Breach.** The failure of any party to insist upon strict adherence to any term of this Agreement, or to waive any breach of this Agreement on any occasion shall not be considered a waiver of any other breach of the Agreement or deprive that Landowner of the right thereafter to insist upon strict adherence to that term or any other term of the Agreement.

14. **Severability.** If any of the provisions, terms or clauses of this Agreement are declared illegal, unenforceable or ineffective by an authority of competent jurisdiction, those provision(s), term(s) and clause(s) shall be deemed severable, such that all other provisions, terms and clauses of this Agreement shall remain valid and binding upon all Landowners. In place of any severed provision, the Landowners agree to substitute a legal, valid and enforceable provision that is as similar as possible to the severed provision.

15. **Non-Reliance on Extra-Contractual Representations.** The Landowners represent and acknowledge that in executing this Agreement they have not relied upon any representation or statement made by the other or by any agents, representatives or attorneys of the other with regard to the subject matter, basis or effect of this Agreement or otherwise, other than as specifically stated in this written Agreement.

16. **No Third-Party Beneficiaries.** Nothing in this Agreement shall be deemed to create any rights or benefits to any third party.

17. **Voluntary Participation.** The Landowners agree and acknowledge that this Agreement has been entered into freely, knowingly and without coercion or duress

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and that the signatories hereto are competent to enter into this Agreement, and that they are voluntarily entering into this Agreement and in doing so are not acting under coercion or duress, and are not impaired by any medication or mind altering chemical of any type. Each party represented by counsel agrees and acknowledges to representation by competent counsel, and that each Landowner has had an opportunity to seek advice from and discuss this Agreement with counsel before signing the Agreement.

18. **Construction.** The Landowners agree to waive the provisions of any applicable law that requires uncertainties or ambiguities be construed against the drafter of this Agreement or any disputed portion thereof. The Agreement shall be interpreted in accordance with the plain meaning of its terms and not strictly for or against any of the Landowners hereto. Counsel for each Landowner represented by counsel and each Landowner has read and approved the language of this Agreement.

19. **Execution in Counterpart.** This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which together will constitute one and the same instrument.

20. **Copies.** A photocopy or other reproduction of this Agreement shall be valid for all legal purposes. A photocopied or faxed signature of this Agreement shall also be valid for all legal purposes.

21. **Captions.** The captions contained in this Agreement are for the convenience of the Landowners and shall not be deemed or construed in any way limiting or extending the language of the provisions to which such caption refers.

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22. **Notices.** Any notices under this Agreement shall be sent to the Landowners of record maintained by the Town of Kent for 70 Lake Waramaug Road, Kent, CT; 74 Lake Waramaug Road, Kent, CT and 80 Lake Waramaug Road, Kent, CT respectively.

[signature pages follow]

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74 Lake Waramaug Rd. Kent, CT

\_\_\_\_\_  
Christopher N. Spring

and

\_\_\_\_\_  
Martha A. Holland

STATE OF \_\_\_\_\_ )  
  ) ss. \_\_\_\_\_  
COUNTY OF \_\_\_\_\_ )

On this the \_\_\_\_\_ day of \_\_\_\_\_, before me, the undersigned, personally appeared, \_\_\_\_\_, signer and sealer of the foregoing instrument, and acknowledged the same to be her/his free act and deed, before me.

\_\_\_\_\_  
Commissioner of the Superior Court  
Notary Public  
My Commission Expires:

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70 Lake Waramaug Rd. Kent, CT

\_\_\_\_\_  
Emmert J. Balis

and

\_\_\_\_\_  
Alberta M. Balis

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

ss. \_\_\_\_\_

On this the \_\_\_\_ day of \_\_\_\_\_, before me, the undersigned, personally appeared, \_\_\_\_\_, signer and sealer of the foregoing instrument, and acknowledged the same to be her/his free act and deed, before me.

\_\_\_\_\_  
Commissioner of the Superior Court

Notary Public

My Commission Expires:

L/E

80 Lake Waramaug Rd. Kent, CT

\_\_\_\_\_  
Craig M. Bibb

STATE OF \_\_\_\_\_ )  
  ) ss. \_\_\_\_\_  
COUNTY OF \_\_\_\_\_ )

On this the \_\_\_\_\_ day of \_\_\_\_\_, before me, the undersigned, personally appeared, \_\_\_\_\_, signer and sealer of the foregoing instrument, and acknowledged the same to be her/his free act and deed, before me.

\_\_\_\_\_  
Commissioner of the Superior Court  
Notary Public  
My Commission Expires:



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### Schedule A – Property and Easements Descriptions

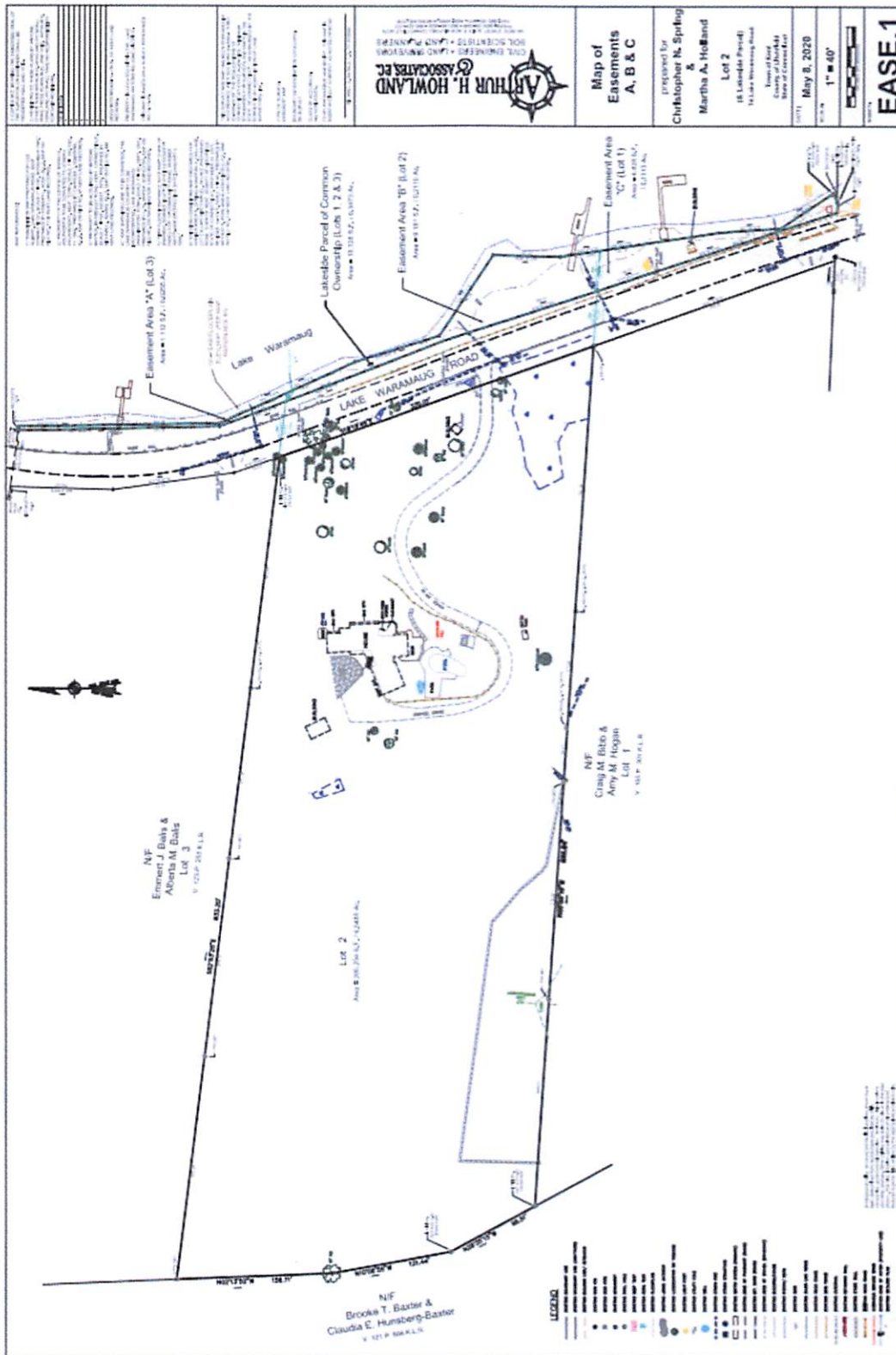




EXHIBIT A – Exclusive Use Area Map



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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.