

TOWN OF SOMERS
Conservation Commission
600 Main Street

SPECIAL MEETING
WEDNESDAY, MARCH 4, 2026
6:30 PM TOWN HALL
MINUTES

I. CALL TO ORDER

Chairperson Joan Formeister called the meeting to order at 6:33 p.m. The commissioners in attendance were Dan Fraro, Candace Aleks, Drew Kukucka, Sydney Flowers, and alternate Lise Wood. Joanna Shapiro, the Town of Somers Wetlands Agent, was also present.

Lise Wood was seated for Pasquale Pio.

II. **PUBLIC HEARING—6:30 PM: Application #823: 122 Watchaug Road.** Improvement of farm road in the wetland and upland review area, including culvert crossing of Hall Hill Brook. Oakridge Dairy LLC.

Joan Formeister called the public hearing to order. She stated that the legal notice went out to hold a public hearing on March 04 at 6:30 pm in the town hall auditorium, 600 Main Street, Somers, CT, to hear application #823, 122 Watchaug Road, improvement of farm road in the wetland and upland review area, including culvert crossing of Hall Hill Brook, Oakridge Dairy LLC. At this hearing, interested people shall be heard and correspondence received. Application materials can be viewed in the town of Somers' Land Use Office. First, the applicant will present.

The first to speak was Dorian Reiser, a land-use attorney at Kahan, Kerensky, Capossela LLP, who is representing Oakridge Dairy in connection with the application. She introduced Jay Ussery from J.R. Russo & Associates (civil engineering & land surveying firm), who has worked on the plans; David Moser, Operations Manager of Oakridge Dairy; and two soil scientists, Rick Zulick and Donald Parizek. Reminded the commission that this came to us in January 2026, but did not have a lot of time to review before the meeting, so continued to meet about it in February, when it was decided that it would be in the public interest to have a public hearing. Attorney Reiser explained that, since tonight is a public hearing, much of what you hear has been reviewed, but we want to create a record regarding the entire presentation. She explained the limit of tonight's review is the regulated activity, either in the wetlands or the upland review area. The only work proposed there is improving an existing farm road and creating a cul-de-sac and a stream crossing, as it is necessary to reach the other side of the stream to access the well and power source. She stated that this has nothing to do with a manure pit or a manure lagoon; those plans are off the table. She stated that if the road construction did not involve any filling or excavation within the wetlands, it would be permitted as of right, but since there is a culvert installation that will potentially have an interim impact on the wetlands, that takes it out of the permitted as-of-right agriculture exemption. She stated that Rick Zulick and Donald Parizek delineated the wetlands, and she would like them to discuss now how they did so.

Donald Parizek introduced himself as a former employee of the USDA-NRCS for 33 years and has conducted soil survey work throughout the United States, but mainly in Connecticut. Now works with Rick Zulick as a private soil scientist consultant. He explained that the delineation was conducted using the Connecticut methodology, which delineates wetlands by drainage class. He pointed out on the map that he found poorly and very poorly drained soils at this site, as well as a pond area. Pond is mapped as a wetland area based on the watercourse definition. They flagged the adjacent area where capillary rise of the water table would occur next to the pond. He explained that Hall Hill Brook is a perennial stream, and he found some alluvial soils (floodplain soils) that were mapped. Those meet the double definition of being poorly/very poorly drained soils and alluvial/floodplain soils, which is part of the Connecticut definition of a wetland. He flagged the area around the pond and the area below the access road, which was installed many years ago. He stated that, from what he could see in the 1934 photos, there was no pond, but it was there in the 1990 photo, so it was built as an agricultural pond at some point. He did not do any delineations outside of the scope of the project area. He also found some drainage coming off the road that was captured in the delineation. He pointed out where a pipe was found and where Hall Hill Brook fed into the pond, which was also delineated as part of the project area.

Attorney Reiser explained that the delineation was then added to the plans J.R. Russo developed. Jay Ussery passed out to the Commission a proposed culvert drawing on the GIS Town of Somers map showing the existing farm road and pump house that was printed 3/4/26; the original January letter talking about the delineation of soils; a March 03 2026 letter from Rick Zulick regarding the revised plan with the larger culvert; and the alternatives analysis. Mr. Ussery explained that the application is for the improvement of an existing farm road, which he pointed out on the plans that comes off of Four Bridges Road, he pointed out where it crosses Hall Hill Brook, and explained how piles of soil dug out from when the pond was created decades ago and they created a road at that time as well, which has been used to access the field. They would like to widen the road a bit, regrade the area near the road, and take water and power from the road across the brook; therefore, a new culvert will need to be installed. The culvert will be a 60-inch corrugated, polyethylene pipe with a flare section at the inlet and a plunge pool energy dissipator at the outlet. He explained they over-sized the pipe to allow it to be buried in the streambed. The bottom third of the pipe will be buried, and the excavated material will be returned to the pipe to create a natural bottom. Jay explained they came up with the original 42" pipe that they planned to install by going downstream to Durkee Road to look at the size of the culvert there, and since there have been no flooding issues at the Hall Hill Brook area, they felt if they match the size of one downstream that would be sufficient to handle the water flow of Hall Hill Brook. Now that we will bury part of the pipe, they bumped it up to 60 inches. Jay Ussery explained that the new plunge pool may create more habitat for wildlife, as noted in Zulick's report. Jay explained that the turnaround area for the equipment will be gravel, and power and water will come from the pumphouse and be buried below the culvert pipe, as shown on the plans. There will be a little over 4300 square feet of disturbance in the wetland, and the rest of it will be in the upland review area. Mr. Ussery then read the through the five alternatives that were considered on the alternative analysis handout; 1) no action and continue to access the field by driving directly through Hall Hill Brook; 2) put a new access road in from Watchaug Road but lose additional farm land; 3) create a bridge crossing which would be prohibitively expensive; 4) install a 42" culvert which was the original plan; or 5) install a 60" culvert which is the current plan. Jay then described that the January letter from Rick Zulick addressed the 42" culvert plan and described how the wetland was delineated, and the March 03, 2026 letter from Rick Zulick, which addressed the alternatives analysis and his option on the embedded 60" pipe. Rick stated in the January letter

that there would be no negative long-term impact on the wetland with the 42” pipe, and the new plan will have little impact, which Rick will speak to now.

Rick Zulick explained that all the alternatives were discussed regarding the proposed crossing, which is the bulk of the proposed disturbance, along with the filling that will occur on the existing road. Rick explained that this area has been historically disturbed. He described how the 60” culvert will have a natural bottom and match well with the width of the stream. He stated that the scour hole to be installed at the outlet will help prevent erosion and may provide additional environmental diversification for flora and fauna. Rick concluded that the proposed farming activity will greatly improve an existing farm road and result in no significant negative long-term environmental impacts on the wetlands or wildlife.

Sydney Flowers asked which unsuitable material, as outlined in the culvert cross-section, will be removed. Jay Ussery explained that it would be anything that is not structurally sound under the actual roads. For example, there are hydric soils there, and those are the type of soils we want under our new driveway or under the pipe itself for support, but that soil would be good inside the pipe.

Jay Ussery then explained that an area of the brook with a sharp 90-degree turn is currently eroding, and this will be fixed by constructing the flush pool, which will be armored to stabilize the banks. Joanna Shapiro had taken pictures of this during her site visit on January 15, 2026, which the Commission saw at the February meeting, and she passed them around for viewing again during this meeting (five pictures total). Joanna Shapiro also stated that in addition to the documents introduced to the record by Jay Ussery, there are also her 1/15/26 photos and two versions of the site plan: one dated 12/30/25 and the other revised to 1/29/26.

Sydney Flowers asked if anyone had viewed any wildlife in that area during their time on site. Jay Ussery explained that, although it is mapped as a perennial stream, it does dry up seasonally, and he is not aware of a fish population, but there are probably some frogs and other amphibians, but they don’t think anything they are planning to do will jeopardize them; it will improve their habitat.

Drew Kukucka asked if Hall Hill Brook flows through the farm pond. Jay Ussery explained the brook's flow and how it enters the pond in the northwest corner, and he pointed out that additional water from the drainage ditch along Four Bridges Road also enters the pond at that location. He pointed out that the existing dry 15” pipe that comes out under the farm road and directs flow into the brook may have been installed in case a really big storm were to happen, to keep the pond level low enough not to flood the fields, and was probably installed when the pond was originally dug.

Drew Kukucka asked Jay Ussery to explain how they came to the length of the pipe. Jay Ussery explained that the pipe will be 42 feet long with a flare at the inlet. He explained that they have a 12'-wide driveway, and on the sides of the driveway, there are slopes that are not super steep. They need this length of pipe to prevent creating a steeper slope, which would increase the likelihood that vehicles would slide off the edge into the ditch. Drew Kukucka asked how the material in the pipe will be stabilized. Jay Ussery stated that it should stabilize on its own by finding its natural elevation, and he does not anticipate it being washed out.

Drew Kukucka asked if the scour hole on the downstream side will require any maintenance over time. Jay Ussery stated it could if it fills up with silt and sediment to the point where the water is just flowing over the top of it. At that point, you would dig out the silt and sediment. Therefore, Oakridge should keep an eye on it, and it will be part of the maintenance plan.

Jay Ussery pointed out that signs were posted on the property as required by the Commission's regulations, even with the snow, they went out and made sure they were all standing up.

Joan Formestier then opened up the hearing to public comment. She requested that the person identifies themselves and that comments should be limited to what the wetland commission can rule on. She stated that many things that are agriculturally permitted as-of-right would not normally be permitted. She also stated that it is not a time for you to ask the commission or the applicant any questions. We are here to hear what you have to say; the applicant can respond, and then the public will have another opportunity to make comments.

John Parks of Eleanor Road in Somers introduced himself as an attorney with an office in Enfield who represents several of the property's neighbors. He handed out a notebook he created to educate the commission. He stated he attended the February meeting and heard a member of the commission state that the commission lacked authority to regulate activities outside the Upland Review Area. He stated that this is not true in accordance with the laws of the state of Connecticut and that the conservation commission has the authority and responsibility to consider the impacts of activities beyond the upland review area when there is a potential for adverse impacts on wetlands and watercourses, and that the storage of liquid manure just outside the upland review area has the potential for an adverse impact on wetlands and watercourses on this property even if located beyond the upland review area. He pointed out that the notebook he created contained decisions from the Connecticut Supreme Court based on the Connecticut General Statutes and the commission's regulations regarding the commission's rights and responsibilities for activities beyond the upland review area. He stated that the notebook will also help demonstrate why the activity proposed in this application could adversely affect the watercourse and wetlands. Attorney Parks stated on page 42, you will find materials from a recent webinar that the planning and zoning section of the Connecticut Bar Association sponsors every two years for new conservation commission members. The included materials inform members about the laws concerning the commission. On page 47 you will find quotes from a 2016 case that the agency may rule that any other activity located within the Upland Review Area or any other non-wetland or non-water course area likely to impact or affect the wetlands or watercourses is a regulated activity within your jurisdiction and part of the commission's responsibility.

Attorney Parks stated that the storage tanks on this application fit that case example, and asked us to view page 41 which is a photocopy of Mr. Ussery's plan with highlights and some measurements that weren't included. Attorney Parks was able to scale the plan, and it indicates that 80,000 gallons of liquid manure are being stored 22 feet away from the upland review area, upgradient from a watercourse and a wetland, in a storage unit with no containment facility. He stated that if one of those units fails, there is a potential for 80,000 gallons of liquid manure to flow downhill into the wetlands and watercourse. Attorney Parks explained that he attended the February 2026 Planning and Zoning meeting and listened to Oakridge's presentation, which was different from the presentation tonight, and that a special permit is pending from the Planning and Zoning Commission for the manure storage. Attorney Reiser stated at that time that no special permit was pending and that the Planning and Zoning Commission was determining whether an application was required. Attorney Parks stated that on page 51 of the notebook, you will find a letter from Steven Trinkaus of Trinkaus Engineering, LLC in Connecticut, speaking to the four tanks being located upslope from an open watercourse, and any leaks would result in discharge into that watercourse. Attorney Parks pointed out that Mr. Trinkaus had many questions about these applications, such as why there is no containment system around the four tanks to prevent liquid manure from leaking into the environment.

Attorney Parks also included in the notebook a seven-page memorandum of law and four full court decisions. He stated that the Commission knows nothing about the four storage tanks on the plan and that the Commission has the authority and responsibility to assess the potential for adverse impacts on wetlands and watercourses. He stated that storing thousands of gallons of highly concentrated manure distillate without any protection in the event of an undetected minor leak or catastrophic breaching of the tanks or an extraordinary storm event that would result in overtopping of the containment vessels, which would dump large volumes of concentrated nitrogen and other contaminants into the surface and into the groundwater. He stated that pollution would ultimately enter the wetlands and watercourses, contaminate the groundwater, and pollute homeowners' wells. He stated the containment tanks are located 22 feet from the upland review area, 120 feet from the wetlands, and 172 feet from the edge of a watercourse and are upgradient from the upland review area, wetlands, and watercourses. He also stated that the containment vessels are located over groundwater supplies that provide the only potable water source for residents in the area. Mr. Parks stated the Commission must deny this application until a full application is submitted, including the exact location and details of the surface water body located 187.5 ft and identified in the attached survey; one-foot contours from the tanks to the wetlands and the watercourse; details on the containment vessels including a designed impervious containment system consisting of a reinforced concrete pad with an impermeable barrier below; a monitoring system with real-time alarms that will indicate when the barriers have been breached; a system of containment around the vessel to contain 150% of the volume of the containment vessel; a design for covering the vessels to fully contain vapor odors coming from them; a transportation schedule indicating the hours and operations of trucks that will be coming and going; characteristic of trucks; truck routes that will be followed; efforts that will be taken to clean up the streets after the inevitable spills from these large tankers; an emergency management plan in the event of a leak, catastrophic failure, over-topping tanks, odor from emanating from the storage facility, and pollution of the streets resulting from the spillage of the trucks; groundwater monitoring at appropriate locations surrounding the storage facility with periodic reports to the conservation commission to ensure that groundwater in the neighborhood is not being contaminated. Attorney Parks continued to state that any approval should include a condition requiring Oakridge to extend the public water supply to any property owner whose well is adversely affected by increased nitrogen or other contaminants in the groundwater, and a decommissioning plan and performance bond for that. Attorney Parks stated that if the applicant ceases its operation in this area for any reason, there must be assurances that the site will be restored. Attorney Parks stated that at the end of the notebook, there is a picture taken in the center of Somersville, at the intersection of School Street and 190, showing the back end of a vehicle that makes regular trips from Job's Hill Road in Ellington to Watchaug Road in Somers. He stated there are also pictures of the containers located on Hurlburt Road that Oakridge owns, but that no wetland is involved at that site.

Jill Conklin of School Street in Somersville, CT, stated that she owns a couple of properties in town, including a building lot on Hall Hill Road, near the location of this application. She stated her concern is groundwater protection because this proposal involves 80,000 gallons of animal waste and other additives to be stored in four open-top containers just feet away from the upland review area in a town where homes are serviced by well water. She stated that the impact may not show up today, but may appear in five or 10 years, when groundwater contamination occurs. She stated that remediation is complex, costly, and often incomplete, and she asked the commission to consider whether adequate hydrogeologic analysis and long-term monitoring are in place before approving this application. She stated her other concern is not whether manure is inherently hazardous; it's whether this scale and location are appropriate for a residential setting. Ms. Conklin stated she has a friend in town who has nitrates in her water, and nitrates are known to cause cancer, so she drinks bottled water. She asked if the

town has a map showing the aquifers in Somers because I could not find one online. She stated she was concerned about what the tanks look like because they are open tanks, and during a heavy storm, they may overflow, allowing nitrates to enter the groundwater, which would then be hard to contain. She stated her concern is agricultural waste, not from a local farm, but from industrial waste being transported into our town and stored in a residential area where homes depend on private wells, and that the contaminants will directly impact the private drinking water for many years, if not forever. She also stated that she is concerned about what would be in place around these tanks if they were to let go. Ms. Conklin stated she is speaking against this applicant. She would encourage any resident at least a mile away from this to get their water tested now, so they know what's in their water, because if there is a problem, you're going to want to compare. She is concerned about what would happen if Oakridge goes bankrupt. They end up with well issues, will DEEP step in? She stated she felt this was the wrong location. She emphasized that the Commission can ask the applicant for what they need, and if you don't know something, you can ask the town attorney for help.

Attorney Reiser stated that if there are going to be comments regarding the storage tanks, they would like to be heard on that specifically, since they did not address it at the beginning of the meeting. She stated that she did not dispute that the law allows the Commission to review activities beyond the upland review area. Still, you have to see if the Commission has jurisdiction over it, because the only thing happening in the upland review area is the fertilization of fields, which is an exempt farming activity. Attorney Reiser stated they are proposing to bring in tanks to temporarily hold the manure and the digestate that will fertilize these fields outside the regulated area, which is no different from what has been happening for 50 years on this property. She stated that in the past, hundreds of dump truck loads of solid manure were trucked up in the spring and fall and dumped directly on the fields, fertilizing them. Now they will be using holding tanks outside the upland review area to store the fertilizing product, which is a liquid form of manure, as opposed to a solid form, which is critical and integral to farming operations. Farming includes cultivating soil, such as fertilizing and adding enhancements to grow crops, which is an exempt activity. These fields have been fertilized for the past 50 years, and they will continue to be fertilized regardless of what happens to this digestate storage. Still, fertilization is not on the docket tonight, and it is not within the jurisdiction. She stated that all the questions we've heard thus far concern manure storage and that is not something the commission can regulate.

Attorney Reiser also stated that a couple of misstatements were made by others tonight. One: there is no special permit application pending, and the planning and zoning commission held no special permit hearing. What is before them is a determination of whether those storage tanks require a zoning permit, and the zoning commission will decide whether and how to regulate them. Attorney Reiser asked the commission not to allow any further questions or comments regarding the storage tank, as it is beyond the scope of the conservation commission.

Joan Rivard, of Maple Ridge Drive in Somers, stated she doesn't live near this site, but she loves Somers and has a couple of problems she would like to address. She wants to know the size of the aquifer beneath this site because Somers has mainly well water. She asked, "What if the aquifer is emptied and the houses around here don't have access to water?" Who will supply them with water? She asked whether the town of Somers would have to pay to install a water system. She then stated that a jigsaw puzzle is made up of many little pieces; every single piece is necessary to make the puzzle, like the culvert is part of a much bigger picture. She told the Commission to think of the entire town of Somers, farmers and residents are important, and we have to figure out a way to work together.

Lorri Kumm of High Meadows Crossing in Somers, located across from the pump house on Four Bridges Road. She stated that about 100 geese live in the pond during spring and fall, and she has seen turtles, frogs, raccoons, foxes, and deer. Ms. Kumm stated that she is concerned about liquid manure entering her yard via a culvert that connects to a stormwater management pond in her yard. She also stated that she was not aware of an old farm road being there, and it must be overgrown. She is concerned that down the road, they may end up putting more storage tanks there.

Ann Levesque of Four Bridges Road in Somers spoke and stated that her dad owned the land before Oakridge took over. She talked about how they farmed potatoes and had a packing house. Ms. Levesque said she had no idea what was going on there until she came to this meeting. She referred to the current operation on Hurlburt Road, and stated she didn't know where the tanks or the sewage were, but they have been flowing for about a year now. She can hear the machines from her house, and she is concerned about what they are putting in the field for the grandchildren's sake.

Jim Lietz of Blue Ridge Drive in Somers stated that we have had many discussions about the aquifer and the potential for manure spillage. He stated he is also concerned about the amount of water being pumped out of the pumphouse. He stated that if they are going to be pumping 80,000 gallons of water from the well daily, how long will that aquifer hold up? He is concerned that his well will go dry.

John Parks stated that trucking waste from another town into Somers is not farming, and we are talking only about the storage aspect. He stated there is nothing about farming that includes an 80,000-gallon liquid manure container stored in a residential area. He stated that this is an industrial dairy operation in Ellington with a waste problem, and that this is their solution. He stated that the planning and zoning commission will require a special permit because this is not what has been going on for years there; this is a modified product that is stored in a liquid form, and the fact that it is liquid is the big problem because it is very easy to transport nitrogen into the wetlands in a liquid form. He stated that the solid form of manure, which was the predecessor of this, takes a long time to break down and become part of the soil.

Joanna Shapiro stated that we also received two written letters to the Commission, which she passed around. Both letters were opposed to the application. One was dated 3/4/26 and from George Van Tassell of Blue Ridge Drive, and the other one dated 3/2/26 from Joan Sears of Farm Lea Drive.

Attorney Reiser stated that most of what was said tonight was in opposition to the storage of digestate and the spreading of digestate on the fields, which is a liquid form of manure after it's been processed to take the energy and the solids out of it. It's not a hazardous waste but a fertilizer used in many farming operations. She stated that, if we look at the commission's regulations, the definition of farming is the use of land for the cultivation of crops, the raising of livestock, including horses, and other agricultural uses. She stated that growing crops implicitly requires cultivation, and that farming includes soil cultivation. She stated that the definition of soil cultivation, which she found online and submitted for the record, "is also known as soil tillage, is the process of preparing and managing soil to optimize conditions for plant growth. And one of the methods is adding amendments to it, incorporating organic matter such as compost or manure that can enhance soil fertility and structure". She stated that whether Oakridge is spreading hundreds of dump trucks' worth of solid manure or a tank of digestate, it is all part of soil cultivation and crop fertilization. This is a more effective, more efficient, more progressive manner. She stated that Oakridge is doing a wonderful green

initiative that the applicable state agencies heavily regulate. She stated that she believes this is a completely exempt activity. The only thing within the Commission's scope for review is the activities addressed in the initial part of their presentation, namely the work in the wetland and upland review area, along the existing farm road and the culvert installation.

Wetland Agent, Joanna Shapiro, stated that, since we are at the end of public comment, she would like to respond generally to some of the comments. She stated that while she understood the residents' concerns, this Commission is limited in terms of what they regulate, but that there may be a process before the Planning and Zoning Commission. She stated the nature of many of the comments made tonight may be valid concerns, and while she is not here to defend the wetland statute, it does really narrow the purview of this particular commission to the issues of surface waters and wetlands. She stated there is no actual aquifer protection area in Somers aside from a tiny bit that isn't in this area, but even if it were, it would not be something this Commission regulates. She stated that many of the concerns raised tonight could be brought before the Planning and Zoning Commission. She stated that aquifer pollution and groundwater is a health issue, not a wetland and watercourse issue. She stated that the applicant's attorney mentioned the very broad exemption in the wetland statute for farming. She stated that it is up to the commission to determine whether activities meet the agricultural exemptions set out in the wetland statute and its regulations. Agent Shapiro also referred to Attorney Parks statement that it is the responsibility of this Commission to consider activities outside of the 100-foot upland area, and she read the definition of a regulated activity in the town of Somers' wetland regulations, referring to operation within or use of a wetland or watercourse. It gives examples, it then qualifies it by saying that such activities within 100 feet measured horizontally from the boundary of any wetland or watercourse is a regulated activity and the commission *may* rule that any other activity located within such upland review area or in any other non-wetland or watercourse area is likely to impact or affect wetlands or watercourses and is a regulated activity. She mentioned that, in the ten years she has been in Somers, she does not believe they have reviewed any activities outside the upland review area of a wetland/watercourse, and that, in this case, the Commission is focused on the brook crossing. As a staff member, she was operating under the framework that fertilizing the fields falls within an exempt farming activity, that the temporary manure storage for the purpose of mixing water and manure to fertilize and irrigate the fields is not only outside of the upland review area, but would also be considered farming, so there were two reasons why it was not considered a regulated activity for this application. Typically we do not hold a formal jurisdictional ruling for farming activities outside of the upland review area. The one thing that kicked this out of being exempt was the fill within the watercourse for the road crossing. Still, she does understand the concerns being raised.

Agent Shapiro mentioned that the other concern, groundwater drying up, is regulated by DEEP. She stated that the Director of Public Health in Somers has been communicating with CT DEEP, and the town is aware that DEEP regulates the farm.

Chair Joan Formeister informed the Commission that if there is potential for impact on the wetlands, the Commission can make recommendations to Planning and Zoning regarding concerns. She stated that in court cases, speculating or expecting something to happen is difficult to prove if you use it as a reason to deny an application. She stated that if a potential problem cannot be proven, the best thing the Commission can do is express its opinions to the Planning and Zoning Commission.

Attorney Reiser stated that, as an additional point of clarification, there's no change in the scope of this farming operation; the same number of fields will be farmed as in the last few decades, it's just a matter of fertilizing.

Jill Conklin spoke up to say that she does not believe that this big expansion of a road and a culvert is to continue what they've been doing for 50 years, but what they are planning down the road. She then asked if the town has a map of the aquifers because she has a list from Connecticut of towns that have adopted aquifer protection areas, and provided the map to Joanna Shapiro. Joanna stated that Somers has no aquifer protection areas, except for a small portion by Soapstone. She stated there is a specific definition for an aquifer protection area that is consistent with state GIS mapping of these areas. Aquifer protection areas define the land that contributes groundwater to active public water supply wells serving more than 1,000 people. Joanna Shapiro stated that, based on her educated guess, there isn't a well in town that serves more than a thousand people. That doesn't mean there isn't an aquifer people are drawing water from. Still, it's not a regulated aquifer protection area, and, again, the aquifer is not the purview of this commission, as important as it is.

Drew Kukucka went on to explain to the Commission that we have an application before us specific to the road improvements and a culvert crossing, and what they may use it for in the future is not what we are being asked to weigh in on at this point. He stated that this is a very large field and there are several other very large fields in town. This field gets a lot of attention whenever there's equipment and activity because there were plans for it that drew a lot of public interest in the past, and everyone is wondering what's next. He stated that many people said they are not against farming, and he believes those statements to be true, but he does think that Oakridge owes it to the residents of Somers to be a little more forthcoming about their plans for the future. Drew stated that, regarding the road and the stream crossing, Oakridge has done its due diligence by presenting alternatives and sufficient plans to understand how it plans to construct this.

David Moser read Oakridge's vision and mission statement. Oakridge's vision is to be the farm of the future in a world where people know their farmer. He stated their goal is to be transparent and be the farm of the future, innovating into new technologies. Our mission is to build a better future for families by producing safe and healthy food while delivering value to our employees, our owners, and our community. Mr. Moser stated that they are here to provide safe and healthy food without contaminating aquifers. David Moser explained that he mailed a letter to all residents near the property explaining the need for the road improvement to provide access to their irrigation systems, which are used to fertilize and water crops. While not the subject of this wetland application, in the spirit of being transparent, he agreed to describe the fertilization system. He stated it is an autonomous system that will fertilize and water crops to grow corn. He stated Oakridge owns two pieces of property here in Somers, and bring in manure not due to a waste issue from Ellington; it's a fertilization practice, and we will continue to farm this property. He stated they own that property, have sold the development rights, and they or others will continue to farm it for generations to come. He stated the other piece of land they own is on Hurlburt Road, which is not part of this application. Mr. Moser stated that DEEP manages Oakridge because they have a permit with them due to the farm's size. Additionally, NRCS oversees a nutrient management plan for Oakridge. Mr. Moser explained that the nutrient management plan is done by a group of professionals who sample the soil, know what our crop yields are, and they recommend to us how much nutrients, nitrogen, phosphorus, and any other nutrient that corn needs, and how much we need to apply. Therefore, their applications comply with this plan, which is submitted to the State and regulated to ensure they don't overapply and grow a healthy crop.

David Moser explained how the tanks will work, which was also detailed at the February Planning and Zoning Commission meeting. David Moser stated that there is a video on their Facebook account showing how this machine works. He also stated that if anyone wants to

reach out to him, his email is in the letter that went out to residents, and people can reach out with any questions or feel free to call him. Mr. Moser states that this is the gold standard for irrigation and fertilization across the country, and our goal is to get to where people know us and can trust us.

Agent Shapiro asked whether the Commission had any further questions and explained that once the public hearing is closed, the Commission can't accept any new information. They can consult with town staff, but won't be able to receive additional reports. She stated that you can close the public hearing if the Commission has all the information needed to make a decision, and the decision does not have to be made tonight; members can think about it and review materials and decide at the next meeting.

Drew Kukucka stated he felt there is sufficient information regarding the stream crossing, but he has some concerns about the storage tanks and their potential negative impact. He asked if there would be an opportunity to revisit that once the Planning and Zoning Commission decides on that part of the plan. Agent Shapiro was unsure what mechanism might trigger that in the future, under a typical review process. She stated that she hadn't brought it before the Commission for a jurisdictional ruling to determine if it is an exempt farming activity because the transfer/storage of manure is outside the Upland Review Area. Agent Shapiro further explained that, because it was both outside of the Upland Review Area and also farming, she also didn't bring it forward as a regulated activity as part of this permitting process. Drew stated he is concerned that the transfer/storage of manure is separate from the application of fertilizer, and he does not think that activity is exempt. This kind of operation has obvious spillage potential under normal conditions, and there could be catastrophic failures as well. Drew stated that, in the proximity of the wetland and watercourse, he thinks we should note it for the record and express our concerns to Planning and Zoning for consideration, which would keep it separate from the stream-crossing aspect.

Agent Shapiro reminded the Commission that if we feel we need more time to review the materials provided tonight or want additional staff input, including possibly from the town attorney, we can opt to close the public hearing and not make a decision tonight, or we can keep the public hearing open if more information is needed.

Attorney Reiser stated that if you look at the definition in the statutes of farming, it includes temporary structures used as incidental to ordinary farming operations. She stated that her client wants to be very transparent and to explain exactly what's happening, and if there is a process required for review, her client will undertake that process. She explained that is why they are talking to the Planning and Zoning. She stated that if it is found to be exempt, Oakridge has no issues with providing that information.

Lise Wood made a motion to close the public hearing, and Dan Fraro seconded. All in favor except Drew Kukucka opposed, the motion carried.

III. OLD BUSINESS

1. **Discussion/Possible Decision Application #825: 207 Stafford Road.** Construction of an addition and an in-ground pool with patio and grading in the URA. Mark Christensen.

Danielle West, representing Juliano's Pools on behalf of Mark Christensen, was in attendance. Danielle explained they want to install an inground pool and a detached garage with a patio surrounding the pool and associated grading, all within the upland review area. She provided

Joanna Shapiro with an updated plan reflecting the revisions made since the February meeting. Danielle stated that the homeowners decided to plant elderberry shrubs to mitigate water runoff from the patio before it reaches the wooded area and wetlands. They will plan two rows of staggered elderberry bushes along the upper part of the driveway and along the fence. They will do a natural bed instead of a stone bed to help with runoff, as well. In addition, they added the equipment pad to the site plan, located on the back side of the detached garage, which is farther from the wetlands. They will use a cartridge filter for the pool, so they won't have to backwash. Danielle stated they also added the limit of disturbance to the site plan, which will be the extent of the silt fence. Once the whole area is graded, they will plan the shrubs, and there won't be any clearing beyond the silt fence. Drew Kukucka asked if they could note the limit of clearing on the site plan because he can see the limit of disturbance, which is the area of soil to be disturbed. Can you specify the tree line that separates the wetland from the construction area? Danielle stated that the pink, dashed line is also the limit of clearing and where the silt fence will be installed. Drew Kukucka asked if they would be doing any tree clearing. Danielle stated there would be some, but it wouldn't go beyond the silt fence. Drew recommended stating this on the site plan specifically because the limits of clearing and disturbance can be interpreted differently. Joan Formeister asked about the placement of the permanent wetland markers, as they are not shown on the site plan. Danielle stated she did not include them on the map because she wasn't sure where to place them. Joanna Shapiro stated that she can help work this out with the applicant.

Candace Aleks moved to approve Application #825, 207 Stafford Road, Construction of an addition and an in-ground pool with patio and grading in the URA with the conditions that limit of clearing is marked on the site plan and that permanent wetland markers should be installed in locations based on the Wetland Agent's recommendation, based on the following:

- The Commission finds that the Applicant has submitted all necessary application materials pursuant to Section 211-7 of the Wetlands Regulations, including but not limited to Section 211-7(E)(5), "Alternatives considered and rejected."
- The Commission did not find the proposed activities "significant."
- The Commission finds that the criteria set forth in Section 211-10B have been met by the Applicant.

Lise Wood seconded. All were in favor, and the motion carried.

IV. NEW BUSINESS

- None

V. AUDIENCE PARTICIPATION

- N/A, no audience

VI. STAFF REPORT

- Several new building permits for foundation replacements. One on Bradley Road that involves a wetland. Joanna has provided guidance on erosion control for all foundation replacements.
- No update on 330 South Road because we haven't found a good time to visit due to snow cover.

- A new application was sent to Joanna and will be received at the next meeting for a one-lot subdivision on Durkee Road.
- 143 Four Bridges Road, Grower's Direct wants to install a very large above-ground propane tank. The first proposed site was in the Upland Review Area. They have since identified a new spot which seems to be right on the edge of the Upland Review Area. Joanna has been asking for additional details to determine if wetland permitting is required.
- Joan Formeister asked Joanna to see if the town's Conservation Plan will have a more thorough review and edit soon.

Lise Wood moved to approve the Staff Report. Candace Aleks seconded. All were in favor, and the motion carried.

VII. CORRESPONDENCE AND BILLS

- Twenty signs for public hearing, \$240 to DG Graphics.
- Journal Inquirer: notice of decision for February was \$47.22, two legal notices for the public hearing were \$157.40.

Lise Wood made a motion to pay the bills listed above. Candace Aleks seconded. All were in favor, and the motion carried.

VIII. MINUTES APPROVAL: February 4, 2026

Drew Kukucka noted how detailed and accurate the minutes were, and moved to approve the minutes of February 04, 2026. Sydney Flowers seconded. All were in favor, and the motion carried.

IX. ADJOURNMENT

Lise Wood moved to adjourn the March 04, 2026, meeting, and Drew Kukucka seconded the motion. All were in favor, and the motion carried. The meeting was adjourned at 9:34 p.m.

Respectfully Submitted, Commissioner Sydney Flowers, Secretary
 MINUTES ARE NOT OFFICIAL UNTIL APPROVED AT A SUBSEQUENT MEETING