

TOWN OF SOMERS
Conservation Commission
600 Main Street

REGULAR MEETING
WEDNESDAY, APRIL 8, 2026
7:00 PM TOWN HALL
MINUTES

I. CALL TO ORDER

Chairperson Joan Formeister called the meeting to order at 7:00 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 Howie Coro.

II. OLD BUSINESS

1. **Discussion/Possible Decision Application #823: 122 Watchaug Road.** Improvement of farm road in wetland and upland review area, including culvert crossing of Hall Hill Brook. Oakridge Dairy LLC.

Wetland Agent Joanna Shapiro reminded the Commission that we held a public hearing in March, closed it at that time, and cannot accept any additional public comments or new information. She informed us that we can discuss and deliberate, but we should act on this tonight due to the regulatory timeline. Joanna Shapiro stated that the application is for the wetland crossing and improvement of the farm road. However, throughout the public hearing process, concerns about manure storage kept coming up as a potentially regulated activity. Joanna stated she spoke with the town's attorney, who advised the commission to split this into two issues and consider them separately. Joanna reminded us that she originally did not consider the manure storage as a regulated activity because it's both outside of the 100' upland review area and what she was considering farming. She stated the town attorney said it was in the town's best interest to consider only the crossing and farm road improvement tonight, and that if Oakridge wants to pursue the manure storage, it could be done as a separate application, possibly as a jurisdictional determination. Joanna passed around a drafted motion she created with this in mind.

Drew Kukucka made a motion to approve Application #823: 122 Watchaug Road. Improvement of farm road in wetland and upland review area, including culvert crossing of Hall Hill Brook. Oakridge Dairy LLC. We found that this application and decision only pertain to the crossing, and in support of that, we did talk during the public hearing and heard concerns from the residents and learned more about the operation and manure storage, which brought different questions to the commission. For the sake of this motion, the manure storage is separate, and should be considered for a jurisdictional ruling or other permits as needed.

I hereby move that application #823 for the road with wetland and watercourse crossing, as shown on plans revised to 1-29-26 with an embedded culvert, yet not including the placement of manure storage tanks, be approved based upon 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”. It held a public hearing pursuant to C.G.S. § 22a-42a(c)(1) and Section 211-9A of the Regulations. The Public Hearing was held on the basis of public interest.
- The Commission finds that the criteria set forth in Section 211-10B have been met by the Applicant and there is substantial evidence in the record to support this finding.

With the following conditions:

1. The applicant’s wetland scientist shall be present to oversee construction of the crossing.
2. Any vehicles containing manure shall be sufficiently covered when using this road to prevent manure from entering the stream or wetland.

Drew noted that the issue of manure entering the stream directly from the uncovered vehicles was brought up during the public hearing.

Lise Wood seconded.

Joan Formeister asked for any discussion. Sydney Flowers asked whether the town’s attorney had reviewed the draft of this motion, and Joanna Shapiro stated he had not, but that it covered what they discussed. Drew Kukucka added that the plans presented for the crossing seemed appropriately detailed and questions have been answered, but in the context of the public hearing, he questions the relevance of the manure storage operation in context to wetland regulations and how that operation may have a negative impact on wetlands, which many public comments received spoke to, although it was not the purpose of this application, so this motion speaks to that and allows further dialogue on the manure storage. Joan Formeister mentioned that the commission could draft a letter to the Planning and Zoning Commission with our concerns regarding the manure storage and the potential for water contamination, from the perspective of both Wetlands and Conservation. There will be a public hearing before the ZBA on April 23 to discuss this topic.

Wetland Agent Shapiro summarized that this motion reflects, that based on comments and information provided during the public hearing, the manure storage arose as a possible additional regulated activity, and that the commission would like to consider whether it falls under their jurisdiction. The request is that the applicant come before the commission for either a jurisdictional ruling or a permit application for the manure storage. Drew Kukucka specified that more specifics would be needed on the manure storage, and Joan Formeister agreed that we had not seen detailed plans for the tanks themselves. The Commission can request information they feel is necessary to make the determination. Joanna Shapiro asked the applicant if they had any concerns regarding the two conditions. The applicant had no objection to the listed conditions.

All were in favor, and the motion carried unanimously.

2. **Discussion/Possible Decision Application #826: 184 Durkee Road.** Subdivision of land containing wetlands to create one additional lot (no work in the upland review area). Richard McCullough.

Richard McCullough was in attendance as the realtor representative for this property. Joanna Shapiro explained that they are subdividing one lot into two lots, and since it is considered a subdivision with wetlands on the property, it must go before the Conservation Commission before it goes before the Planning & Zoning Commission. This was not reviewed at the last

meeting in March since that was a special meeting, but it was received in time to be automatically received, and is considered Old Business this month. She explained that all activity is outside the Upland Review Area and that she visited the site. She passed around photographs she had taken and showed an aerial picture of the land. Joanna said there is a wet spot in the back of the field that extends into the woods. Joanna Shapiro explained it's pretty straightforward and the land is flat, so there won't be much grading. As part of the application process for zoning and planning, they will be reviewing the erosion and sediment controls. Joanna Shapiro explained that she had no concerns as far as the wetland application goes, and that she will ensure that final plans include a construction entrance with anti-tracking pad, and that the silt fence or straw wattles will be placed downgradient of any stockpiles. Drew Kukucka mentioned that he has often observed silt fence being left behind after projects are completed, and Joanna stated that she ensures that it is removed before either CO or before the lawn bond is released, once the site is stabilized. Joanna Shapiro asked if the Commission wants to have permanent wetland markers installed. Drew Kukucka stated that it would be a good idea in case these homeowners to install sheds, pools, etc. in the future.

Sydney Flowers moved to approve Application #826, 184 Durkee Road, subdivision of land containing wetlands to create one additional lot (no work in the upland review area) with the condition of placing five to six wetland markers, as decided upon at a future site visit with the wetland agent, 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.

Candace Aleks seconded. All were in favor, and the motion carried.

III. NEW BUSINESS

1. **Application #827: 334 Springfield Road.** Timber harvest within upland review area. Colin Burson.

Colin Burson was in attendance and is the contractor doing the harvesting work. Joanna Shapiro informed the Commission that this is a jurisdictional ruling regarding a forest harvest to thin out the trees. She passed around the plans and narrative provided by the forester, Joseph Theroux. She stated that it is pretty straightforward and that there is no crossing or harvesting in wetlands, only within the 100' upland review area. They will be using best management practices to prevent erosion. Drew Kukucka asked if the harvest boundaries could be included on the plans in addition to the property boundaries. Colin Burson explained that about 33 acres will be harvested, none of the trees have been marked, but the property lines and wetland area had been marked. Joanna Shapiro pointed out that the narrative explains that no more than one-third of the timber within the Upland Review Area will be removed. Joanna Shapiro had Colin Burson circle the harvest area on the plan, with a note identifying it. Colin explained that the area is fairly flat, that a lot of the soil is very dry and sandy, and that he doesn't foresee any erosion issues. They will postpone work if the conditions get too wet.

Drew Kukucka moved to approve application #827 for 334 Springfield Road, timber harvest within upland review area, as an as-of-right exempt agricultural activity. Lise Wood seconded. All were in favor, and the motion carried.

2. **Application #828: 115 Parker Road.** Construction of addition and relocation of driveway within upland review area. Marcy Hogan.

Marcy Hogan, owner, and builder Dave Tullock of T-Square Builders were in attendance. Joanna Shapiro informed the Commission that we had issued a wetland permit for a new house with a long driveway on the property next door. As a result, this property experienced erosion and water runoff from that driveway. Tonight, they are seeking a permit for an addition and relocation of the driveway. Dave Tullock explained the plans, and they will use the existing driveway as the construction entrance throughout the whole project. He explained that there is a pond out back that is upgradient from where the work will occur. They will cut in the new driveway once the project is essentially done. He explained that his company will handle the majority of the work, so if there are any issues, he does not have to track down subcontractors. He also stated there will be no basement added, just frost walls with a slab. Any debris they pull out will be hauled off-site immediately so that no stockpiling occurs. Joanna Shapiro explained that the wetland had not been delineated, but they are fairly clearly defined by the pond and retaining wall, and a defined embankment and channel. Joanna explained that we can't act on this application tonight, but it asked if the Commission had any questions or wanted any further information before acting on it at the next meeting.

IV. AUDIENCE PARTICIPATION - Items not on the agenda or coming before the commission

- N/A, no audience

V. STAFF REPORT

- Lots of new building permit applications, not too many containing wetlands.
- Havenwood, the building site near Geisslers, just applied for four building permits. This project includes a complex septic system
- Inquiries on 122 Watchaug Road still, signs were left up about the public hearing until April 7, 2026.
- Concerns regarding Old Hampden Rd, Joanna Shapiro inspected it recently and observed that the water running from Juliano's property was clear, but the road has a lot of potholes
- Application for a ground-mounted solar project on 675 Hall Hill Road. They are working to revise the plans because they currently need a wetland permit.
- Subdivision on 144 Mountain Road, possibly a house outside of the URA, may come before us if it is a subdivision. Joanna met with the owner today, and wetlands are delineated; subdivision plans are being created.
- 75 Brittany Lane, new house has been constructed, wetland permit had a condition of wetland markers, Joanna reported they are installed, but the lawn is not stable yet.

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

VI. CORRESPONDENCE AND BILLS

1. Journal Inquirer March legal notice - \$39.35

Candae Aleks made a motion to pay the Journal Inquirer legal notice bill for \$39.35. Lise Wood seconded. All were in favor, and the motion carried.

VII. MINUTES APPROVAL: March 4, 2026, special meeting

Candace Aleks moved to approve the minutes of March 04, 2026. Lise Wood seconded. All were in favor, and the motion carried.

VIII. ADJOURNMENT

Drew Kukucka moved to adjourn the April 08, 2026, meeting. Lise Wood seconded the motion. All were in favor, and the motion carried. The meeting was adjourned at 8:22 p.m.

Respectfully Submitted, Commissioner Sydney Flowers, Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVED AT A SUBSEQUENT MEETING