

TOWN OF SOMERS
Conservation Commission
600 Main Street



REGULAR MEETING
WEDNESDAY, SEPTEMBER 1, 2021
7:00 PM TOWN HALL
MINUTES

- I. CALL TO ORDER Meeting called to order by Drew Kukucka at 7:02 pm. Commissioners in attendance were Candice Aleks, Daniel Fraro, Karl Walton, and Lise Wood. Also in attendance were Recording Secretary Tara Comrie and Wetland Agent Joanna Shapiro.

Karl Walton made a motion to seat Lise Wood for Joan Formeister.
Candice Aleks seconded.
All in favor. Motion carried.

II. OLD BUSINESS

1. **Discussion/Possible Decision: Application #753:** 132 Stafford Road. Construction of new house in the Upland Review Area. Richard Daniele.

Agent Shapiro reminded the commission that last month's discussion covered any concerns about the application. The proposed plan was approved in early 2000s but has since expired. The only concern is the meadow between the wetland and the proposed house location. The commission agrees that there can be no manicured lawn with chemicals in that space.

Karl Walton suggested requiring markers along the meadow boundary, 50 feet from the wetland line.

Agent Shapiro showed the meadow on the plans to the commission members. She suggested that markers could be placed at silt fence limit of work, which is approximately 50 feet from the wetland.

Karl Walton made a motion to approve Application #753: 132 Stafford Road. Construction of new house in the Upland Review Area. Richard Daniele. Approval conditional that they erect wetland demarcation signs along the limit of work area as shown on the plan, pursuant to our spacing standards.

Daniel Fraro seconded.

All in favor. Motion carried.

III. NEW BUSINESS

1. **Application #754/Jurisdictional Ruling:** 242 Billings Road. Resubdivision of property containing wetlands, no activity proposed. Steven J. and Renee A. Rumore.

Agent Shapiro stated that there is a procedural issue with the process of approving the application. There are already two houses on the lot, the owner is just carving off one of the houses and splitting the lot. No additional work is planned. The state statute says that the wetland commission should make a referral to the planning board. Somers Wetland regulations specify a permit, but only a referral is necessary according to the state statute.

Jay Ussery was in attendance representing the Rumores. He stated that one house on the property has been renovated by the Rumores and they are living in it. In 2014 they built another house on the property and would like to create a lot around that existing house. Agent Shapiro stated that her concern regarding proceeding without a permit could set a bad precedent for future applications. If it was a traditional subdivision the application would be necessary. She spoke with the town attorney who suggested using a jurisdictional ruling in place of a permit.

Karl Walton made a motion to find that, per the advice of the town attorney, the commission does not have jurisdiction over this type of activity; because the buildings are all existing and technically no new activity is proposed.

Lise Wood seconded.

All in favor. Motion carried.

2. Application #755: 80 Wood Road/538 Turnpike Road. Resubdivision of property to create an additional residential lot with new house and barn in the Upland Review Area. T-Square Builders, LLC.

Daniel Fraro recused himself from the discussion for this application.

Jay Ussery showed the property in question on a plan. Dave Tullock of T-Square Builders is proposing subdividing 5 acres of land out of Daniel Fraro's farm to build a new home for his daughter Ashley. The majority of the wooded area on the property is wetland. The shortest distance from the corner of the deck to the wetland line is 19 feet. There are two sections of wetland on the property. There is a corner field area of wetlands, and wooded wetlands. Both were delineated by Rick Zulick who submitted a report. The soils within the field area are considered disturbed soils due to farming activity over the years. The owner plans to use that area to pasture horses. Rick Zulick assessed the functions and values of the field wetland. They are limited to groundwater recharge and nutrient removal. The area is a very sandy and gravelly area. The wooded wetland is the more valuable wetland, which requires the usual protective measures. The field area is not a functioning wetland ecosystem. Sediment controls in place during construction will prevent adverse wetland impact.

Dave Tullock stated that there will be very little disturbance to the back of the building closest to the wooded wetland. He explained that all the front yard would be filled with soil removed for the foundation and that the back needed no grading. He also expressed that the footing drain would likely not need an outlet near the wetland.

Agent Shapiro addressed the idea of a reasonable alternative by explaining that the current plan is alternative B to an the original concept which presented concerns. Originally the house was planned 10 feet from the wooded portion of the wetland. On the current alternative plan there's a 50 feet buffer. The new plan puts the house closer to the field wetland which has been deemed non-functioning.

Drew Kukucka asked the developer about the potential for including wetland markings. T Square said that they can mark the wooded wetlands. Agent Shapiro stated that markings on the tree line will suffice. Drew Kukucka asked about updating the plans to reflect the reduction in disturbance related to grading and drainage, which Dave Tullock believes can be scaled back.

Daniel Fraro rejoined the meeting.

IV. AUDIENCE PARTICIPATION

NONE

V. STAFF REPORT

Agent Shapiro stated that since last month there is no update on the property on Ninth District Rd. After driving by she observed that vegetation is growing back in along stream. She will follow up on the relocation of the shed.

Agent Shapiro stated that there have been issues on Gulf Rd due to recent heavy rains. NRCS had a prior project reinforcing Gulf Stream with rip rap. Their repairs were damaged by recent storms. Agent Shapiro will reach out to see if they have funds to repair the damage.

Agent Shapiro stated that she spoke with a representative of the Northern CT Land Trust. They have some plans that may be coming before the commission soon. They are considering improving the laneway up to the McCann property on 190. They are also considering building a boardwalk on the land off of Durkee Rd.

Agent Shapiro worked with Ann Logan to draft a caveat to place on the local land record, to state that property owners can't clear near the vernal pool at 67 Pine Knob Ln. While the deed has already transferred, restrictions on properties due to wetlands can be put on the local land record so that it will be seen during a title search.

Agent Shapiro has been in contact with a property owner on Denison Rd. who has a quarter acre lined pond designed by Mike Mocko. The weeds in the pond were bothering the homeowner who would like to place grass carp in the pond to eat the weeds. She was advised that she needs a permit from DEEP to do so.

Karl Walton made a motion to accept the staff report.
Candice Aleks seconded.
All in favor. Motion carried.

VI. CORRESPONDENCE AND BILLS

Agent Shapiro stated that the JI bill from last month's notice has not yet been received. Karl Walton made a motion pay the Journal Inquirer bill when it comes in. Lise Wood seconded.
All in favor. Motion carried.

VII. MINUTES APPROVAL: August 4, 2021

Karl Walton made a motion to approve the minutes from the August 4, 2021 meeting. Daniel Fraro seconded.
All in favor. Motion carried.

VIII. ADJOURNMENT

Karl Walton made a motion to adjourn.
Lise Wood seconded.
All in favor. Motion carried. The meeting was adjourned at 8:44

Respectfully Submitted,

Tara Comrie, Recording Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVED AT A SUBSEQUENT MEETING