

TOWN OF SOMERS
Conservation Commission
600 Main Street

REGULAR MEETING
WEDNESDAY, APRIL 6, 2022
7:00 PM TOWN HALL
MINUTES

I. CALL TO ORDER

Meeting called to order by Joan Formeister at 7:04 pm. Commissioners in attendance were Candace Aleks, Daniel Fraro, Drew Kukucka, and alternate Lise Wood. Also in attendance were Recording Secretary Tara Comrie and Wetland Agent Joanna Shapiro.

Joan Formeister seated Lise Wood for Karl Walton.

II. OLD BUSINESS

1. **Application #763:** 207 Stafford Road. Extension of driveway and construction of detached garage in the Upland Review Area. Peter and Joy Ferwerda. (Application withdrawn)

Agent Shapiro stated that the homeowner had officially withdrawn their application, may resubmit at a later date.

2. **Discussion/Possible Decision: Application #767 (after the fact):** 63 Maple Street. Construct small boat dock into Mill Pond. C.G. Knorr, Jr. (State Approval Needed)

Agent Shapiro reminded the commission that at the last meeting in February, an issue was identified with the dock on the property. After doing research looking at old deeds and maps, she confirmed that the dock enters a state owned water body. The state of CT owns the waterbody; therefore, the commission does not have jurisdiction.

Agent Shapiro stated that DEEP should be doing the wetland permitting for this particular dock. She explained that she spoke with both dam safety and land management and discovered that land management needs to grant permission or an easement for work on state land. Land management stated that unless the landowner can prove that there are already deeded rights to a dock into the state water body, there is no permitting process. They don't tend to grant new rights.

Agent Shapiro already reached out to the property owner and explained that the commission has no jurisdiction since the dock is partially on state land.

Drew Kukucka made a motion to reject application 767 (after the fact): 63 Maple Street. Construct small boat dock into Mill Pond. C.G. Knorr, Jr., due to lack of jurisdiction regarding work on state property. The commission made a recommendation that the homeowner follow up with the state.

Lise Wood seconded. All in favor. Motion carried.

3. **Discussion/Possible Decision: Application #768:** 27 Partridge Run. Installation of above ground pool in the Upland Review Area. James A. Cudnik.

Brian McRitchie was present to speak on behalf of the homeowner.

Agent Shapiro explained to the commission that the homeowner wants to have a pool installed approximately 50 feet from the wetlands. She and the homeowner came up with this plan as an alternative location, further from wetland than originally planned. There was a prior temporary smaller pool there already so there's a level asphalt spot. No grading will be needed. No erosion controls will be needed in the area during construction. The lawn is level and stable between the pool and the wetland.

Drew Kukucka asked where the filter is located and Mr. McGurchy said that it will be located on the side of the pool that is closer to the house. He stated that any necessary drainage will be directed away from the wetland.

Candace Aleks made a motion to approve Application #768: 27 Partridge Run. Installation of above ground pool in the Upland Review Area. James A. Cudnik.

Lise Wood seconded. All in favor. Motion carried.

III. NEW BUSINESS

1. **Application #769:** 16 Mason Lane. Construction of in-ground pool within Upland Review Area. Christopher Colin Darling.

Agent Shapiro showed the as-built for the house demonstrating the upland review area which cuts across the back yard. She also showed commission an aerial photo and a drone image from the landowner, showing where the pool and two buildings would be placed as well.

Agent Shapiro stated that she'd spoken with the homeowner about additional details that would be needed on the plan, including grading and stabilization. Drew asked about the amount of concrete indicated around the pool, and Mr. Darling explained that the final plan will include the pool and fence perimeter with river rocks and concrete surround. The Commission would like a surveyor to come up with a grading plan for this project.

2. **Conservation Funds for FY22**

The commission has \$300 to use toward a conservation project. Joan Formeister contacted the boy scouts and learned about two eagle scout projects. The first project involves installing resting benches along hiking trails at Camp Aya Po. The other project involves an informational kiosk on Bald Mountain. The projects were approved by the Boy Scouts district council and they're ready to begin.

There is also \$350 extra in the budget this year for Scantic River Watershed Monitoring Program. Agent Shapiro reached out to Dr. Kirsten Martin at the University of St Joseph (she is also part of the Scantic River Watershed Association) to confirm. She mentioned they were working on a microplastic survey at the University and she plans to continue doing so and expand the study.

Candace Aleks made a motion to approve the use of the \$300 conservation fund to be given to Boy Scouts group 387, and the \$350 for the Scantic Water Quality monitoring. Drew Kukucka seconded. All in favor. Motion carried.

3. Election of Officers

Drew Kukucka nominated Joan Formeister as chairperson.
Candace Aleks seconded. All in favor. Motion carried.

Candace Aleks nominated Drew Kukucka as vice chairperson.
Lise Wood seconded. All in favor. Motion carried.

Lise Wood nominated Candace Aleks as secretary.
Daniel Fraro seconded. All in favor. Motion carried.

IV. AUDIENCE PARTICIPATION

V. STAFF REPORT

Agent Shapiro stated that the construction at 67 Pine Knob Rd. and 21 Scully Rd had problems with the erosion controls being installed properly. Generally, silt fences are not installed sufficiently, and entrances are muddy. She suggested that the commission might require E&S inspection as a condition before work begins in more cases.

Agent Shapiro stated that a site on Root Rd might come up in the future for development.

There are two properties on Dillenback Rd. with a lot of wetlands. A potential buyer is considering a purchase. Agent Shapiro explained to them that it should be delineated prior to purchase so that they can understand its usability.

Agent Shapiro said that the homeowner of 68 Skyridge reached out to public works to ask about getting assistance with a flooding issue. There had previously been a jurisdictional ruling for improved drainage on that property. Agent Shapiro will be going to look at the property.

There are flooding concerns on Lower Scully Rd. after significant flooding. The DOT came out to investigate flooding and discovered that a tree had fallen down blocking a culvert. The homeowners want the town to consider enlarging the culvert that runs under the road, as it is smaller than the culvert under Turnpike. Somers DPW is already aware, and is in the pre-planning stages of this project.

Agent Shapiro stated that there may be another jurisdictional ruling for the property owned by the Jarmoc family. They are currently seeking building permits for 6 large barns, and it is not clear whether there will be work in the upland review area. The plan does not show where the actual delineated wetland line is or what the plan for grading is as of yet. Agent Shapiro had recommended that they submit a new application and come to this meeting for a jurisdictional ruling for the barns. She explained to the landowner that the two options are to either come to the Commission for another jurisdictional ruling for the barns, or if they do not want to for whatever reason and prefer an administrative sign-off, they will have to show that no work will occur within the upland review area, just as would be required for any other construction project. The Commission instructed Agent Shapiro to direct the landowners to either come before them for a jurisdictional ruling, or otherwise provide sufficient detail, including wetland delineation and grading plan, to demonstrate that no work will occur within the wetland or the upland review area in order for their Agent to do her job.

Drew Kukucka made a motion to accept the staff report.
Daniel Fraro seconded. All in favor. Motion carried.

VI. CORRESPONDENCE AND BILLS

Agent Shapiro presented a Journal Inquirer bill from January for \$55.09, and one from February for \$47.22.

Lise Wood made a motion to pay the bills.
Candace Aleks seconded. All in favor. Motion carried.

VII. MINUTES APPROVAL: February 2, 2022

Lise Wood made a motion to approve the minutes of February 2, 2022 with one correction.
Candace Aleks seconded. All in favor. Motion carried.

VIII. ADJOURNMENT

Lise Wood made a motion to adjourn at 8:32.
Candace Aleks seconded. All in favor. Motion carried.

Respectfully Submitted,
Tara Comrie, Recording Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVED AT A SUBSEQUENT MEETING