

**TOWN OF SOMERS**  
**Conservation Commission**  
**600 Main Street**

REGULAR MEETING  
WEDNESDAY, AUGUST 2, 2023  
7:00 PM TOWN HALL  
MINUTES



I. CALL TO ORDER

The meeting was called to order by Chairperson Joan Formeister at 7:03 P. M. Commissioners in attendance were Lise Wood, Dan Fraro, Sydney Flowers, and Candace Aleks. Also present was Joanna Shapiro, Town of Somers Wetlands Agent.

Chairman Joan Formeister seated Lise Wood for Drew Kukucka.

II. OLD BUSINESS

1. **Discussion/Possible Decision Application #793:** 700 Main Street. Restore flow within the watercourse to correct flooding. Northern CT Land Trust.

Richard Bailey, Chairman of Land Trust, was the main presenter. Also in attendance was Mike Ulitsch, who is a neighbor of the property and the equipment operator who plans to perform the work. Richard showed the Commission the updated map and discussed the revised plan from when this was brought to the Commission's attention at the July meeting. Joanna Shapiro informed Richard that they should also keep in mind any federal permits that may be needed, and they should consult with the Army Corps of Engineers. The Land Trust would like to use the sediment/debris that is removed to build a berm along the stream to prevent further run-off. Shapiro mentioned that this may increase the sediment run-off if not stabilized appropriately. The excavated material will be brought off-site if they don't build the berm. Mike stated that the work should not take more than a day. Mike also pointed out that the land is never dry, and the vegetation is very thick. Richard mentioned that they would like to clear away the brush growing on the field so they can use it again to grow hay. Shapiro informed them that they should not plan the hay up to the water's edge, a buffer would be needed, and that planting a conservation mix and maintaining a meadow buffer would be a compromise, since there are concerns about trees going into the stream. Richard Bailey agreed and mentioned that the buffer would only need to be mowed down once or twice yearly. Mike mentioned that he lives near the property and can do the work as soon as it is dry enough to do, and he will need to start downstream and work his way up. Richard Bailey also provided a written request that the \$180 permit fee be waived due to being a non-profit and that they provide passive recreational opportunities for the public and preserve the land so it is not developed.

Candace Aleks made a motion to approve application #793 (700 Main Street), including the permit fee waiver of \$180 to restore flow within the watercourse to correct flooding, with the stipulation that the narrative includes more information about creating a berm, removing woody debris from further downstream, and planting a conservation mix in the buffer area 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.

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

III. NEW BUSINESS

1. **Request to Modify Application #792:** 573 Hall Hill Road. Construction of a detached garage in the Upland Review Area, amended to include a storage building. Christopher Williams.

Tim Coon, engineer from JR Russo, spoke briefly about the updated plan to build a storage shed on the property in addition to the already approved garage. Christopher Williams, the landowner, was also in attendance and stated that this would be needed because they won't have time to build the garage before winter arrives, and he has a lot of equipment that will need to be secured. The additional shed would be about 560 square feet, slightly too large for Joanna to approve as an agent permit, and they will need to do some slight grading in the area proposed. The shed is prefabricated and will be delivered on-site. The site of the proposed shed is as far away from the wetland as they can get on the property but is still in the upland review area. On the modified application, the proposed disturbance within the wetland area of 2380 square feet is in addition to the square footage on the June approved application (3874 square feet), bringing the total to 6254 square feet.

Commissioner, Candace Aleks made a motion to approve the request to modify application #792: 573 Hall Hill Road. Construction of a detached garage in the Upland Review Area, amended to include a storage building. Commissioner Dan Fraro seconded. All were in favor, and the motion carried.

2. **Informal Presentation – 159 South Road Solar Project**

Tim Coon from JR Russo briefly spoke about the plan to build a solar project in Somers on South Road. Also in attendance were two representatives from Santa Energy (Luke and Mackenzie), and a representative of a partner firm. The proposed site will be leased from the landowners, and the existing house will remain on the property. The property has two farm ponds, and the proposed solar panels will not be in the wetlands or the Upland Review Area, yet site work will extend within the upland review area, but will stay 50 feet from the wetland. Existing vegetation will be preserved within the field, and some tree clearing and grading will be needed. Rick Zulick recently delineated the wetland, as shown in a proposed plan. They plan to use 17.1 acres of this land, where 8710 tracking solar panels will be installed and connected to the electrical grid, upgrading existing utility lines. They will put a fence around the trackers and provide evergreen screening. Shapiro asked if any pollinator plantings will be included. Tim Coon stated that they do not plan on reseeding the land due to the existing vegetation. A pre-application meeting with the siting council was today and will apply in a couple of weeks. The Santa Energy company requests that the Conservation Commission provide a letter stating that the plan was presented to the commission, and that they have no concerns regarding impact on wetlands. The Commission asked that conservation seed mix be used wherever possible. Tim Coon will email the plans to Shapiro and she will circulate a draft letter in the next few weeks.

IV. AUDIENCE PARTICIPATION

N/A

V. STAFF REPORT

1. There is currently a house for sale on 1 Pinney Road, and people have contacted the town hall to inquire whether or not the land could be subdivided or chickens could be raised there. Shapiro has been informing them that no definitive information or answers can be provided at this time because detailed survey data is not available. The land will most likely need a wetland delineation before additional activity can occur.

2. 87 Brittany Road would like to put in a pool and informed Shapiro that the silt fence would be exactly 100' from the wetland; therefore, no permit is needed. Shapiro is working with the pool company, so that they can provide more assurance that no disturbance will occur within the URA.
3. 31 Oak Grove Road would like to install a pool, and they will need a wetland delineation
4. 659 Hall Hill Road would like to install a pool, and they have completed a wetland delineation
5. 225 Stafford Road was required to put in wetland monuments based on prior approval. When Shapiro visited the site recently, she noticed that the columns installed were only about 1' out of the ground, and they need to be a minimum of 2'. Shapiro mentioned that these were a bit difficult to locate. Commission members discussed how the owner was provided with instructions before the installation about how these should be installed and neglected to put them at the correct minimum height. Based on the Commission's directive, Shapiro will inform the landowner that they either need to reset the current columns at the correct height or install two more between the existing ones.
6. Shapiro received a call regarding the proposed parking spots at the vineyard on 359 Mountain Road and whether or not that should require a permit from the Conservation Commission. The Commission decided that at this time, since they are not proposing any site work, it would only be needed if they plan to gravel/pave or grade the area or need to plow the area.

Commissioner Sydney Flowers made a motion to approve the staff report. Commissioner Lise Wood seconded. All were in favor, and the motion carried.

#### VI. CORRESPONDENCE AND BILLS

1. Journal Inquirer bill for \$47.22 – July public notice.  
Commissioner, Lise Wood made a motion to approve the bill of \$47.22 for the Journal Inquire July public notice. Commissioner Candace Aleks seconded. All were in favor, and the motion carried.

#### VII. MINUTES APPROVAL: July 5, 2023

Lise Wood made a motion to approve the minutes of July 05, 2023. Commissioner Dan Fraro seconded. All were in favor, and the motion carried.

#### VIII. ADJOURNMENT

Lise Wood made a motion to adjourn the August 02, 2023, meeting. Dan Fraro seconded. All were in favor, and the motion carried. The meeting was adjourned at 8:26 pm.

Respectfully Submitted,

Commissioner Sydney Flowers, Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVED AT A SUBSEQUENT MEETING