

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

**REGULAR MEETING**  
**WEDNESDAY, MARCH 1, 2023**  
**7:00 PM TOWN HALL**  
**MINUTES**

I. CALL TO ORDER

The meeting was called to order by Chairperson Joan Formeister, at 7:01 P.M. Commissioners in attendance were Dan Fraro, Drew Kukucka, Sydney Flowers, and Lise Wood. Joanna Shapiro, Town of Somers Wetlands Agent, was also present.

Chairman Formeister seated Lise Wood for Candace Aleks.

II. OLD BUSINESS

- a. **Discussion/Possible Decision Application #785:** 58 Manse Hill Road (not Lane). Construction of garage in the Upland Review Area. John O'Donnell.

Joanna Shapiro spoke about how she visited the site and saw no concerns with the updated plans to build a garage at this location. There are erosion control methods proposed on the plan, and there is an existing grassed leach field between the proposed garage and the wetland. Drew Kukucka made a motion to approve application #785 (58 Manse Hill Road) 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.

III. NEW BUSINESS

- a. **Presentation:** Scantic River – Somers Stream Team and State of the Scantic. Kirsten Martin, Ph.D.

Dr. Martin spoke about how she started the Scantic River study in 2009. The original study focused on E. coli levels but, over the years, has added monitoring pH levels, temperature, phosphorous, nitrate, and turbidity and recently started surveying microplastics. The State of the Scantic River is published by her every year. The funding for the E-coli testing, done weekly in the summer months and posted online, is funded by the Scantic River Watershed Association, East Windsor, Somers, Enfield, and the University of Saint Joseph. Dr. Martin uses her personal funds for the other testing. Testing is only done in the summer months due to limited funding.

We reviewed the report, and Dr. Martin pointed out that this year's numbers have changed due to all the rain we had this past year. The higher amounts of rain seem to have kept the nitrate levels lower; in the past, it was 4/5 (less than one mg/L is normal). Phosphorous and turbidity were still significant issues. Somers' testing sites include Durkee Road, Four Bridges Road, Kibbe Grove Road, King Road, Rt 190 Bridge, Rt 83, and the Somersville Mill Pond Dam area. Durkee Road was the most concerning site, and the Somersville Mill Pond had some of the best water quality, possibly due to the vegetation.

Dr. Martin can only continue this study as funding is secured. Limited to testing only in the summer because testing equipment is costly. Limited sample sizes and frequencies she has to test due to testing costs are not ideal. Not able to locate the sources of pollution due to small test size.

Funding was secured from the Hartford Foundation for Public Giving to create a Stream Team with Somers HS (part of the STEM program). She recently visited a high school class, and many students had yet to go to the Scantic River. SHS students are adopting the tributary near the school and testing the water. She will train them and provide nitrate testing equipment through the grant and hopes to start this spring. Dr. Martin also discussed how a grant was recently awarded through CRC (Connecticut River Conservancy) and a 319 grant through DEEP to create a Scantic River Watershed Management Plan. This will include public forums, issue awareness, culvert assessments, upgrading lab capability, and implementing stream walks (federal program). This is slated to start this summer.

We discussed how Somers' testing funds ran out before the end of the testing season, and potentially adding a testing site at Camp Aya-Po. Joanna will check the Conservation Commission budget, and Dr. Martin will email her about what is needed for funding for the continuation of the Scantic River study. The report will be shared with the Board of Selectman and the Land Use Committee.

Scantic River will be featured in a Silvio O Conte National Fish & Wildlife Refuge documentary on April 21, 2023, in the Hoffman Auditorium at 6:00 pm, part of the Earth Day celebration.

#### IV. AUDIENCE PARTICIPATION

- a. John Gale, who owns a horse farm on 229 Billings Road, is interested in clearing about six acres of land to turn into a horse pasture. He attended the meeting to find out what he should do next and to share his idea with the Commission. He will get a surveyor out soon, develop a plan, and will bring that plan back to the Commission for review and approval.
- b. Jay Ussery and Dan O'Sullivan attended to discuss the subdivision plan on Turnpike Road. Based on the Somers wetland regulations, if an application to the Town of Somers Planning, Zoning, or Planning and Zoning Commission for subdivision or subdivision of land involves land containing a wetland or watercourse, the applicant shall, in accordance with Section 8-3(g), 8-3c, or 8-26, as applicable, of the Connecticut General Statutes, submit an application for a permit to the Commission in accordance with this section, no later than the day the application is filed with such Planning, Zoning, or Planning and Zoning Commission.

Jay Ussery argued that a permit should not be needed since the land containing wetlands will have no work done in the wetlands or upland review area, and he does not want to seek a permit because he feels this should not be regulated by the town. They requested that the Conservation Commission submit a report to the Planning Commission, saying there was no need for a permit. Jay also stated that the state statutes differ slightly from the Somers statutes. Joanna mentioned that there is currently no mechanism for a report or referral, and that the regulations specify that a permit is needed in this situation. We could consider refining that language as part of a larger update of the wetland regulations, once the state updates the model regulations. We briefly reviewed the supplied subdivision maps since we could not officially receive the application because it was submitted too late to the Commission. The Commission will wait to hear guidance from the town attorney, Carl Landolina. We can officially receive and decide on the next steps during the next meeting.

#### V. STAFF REPORT

Joanna Shapiro mentioned the Jarmoc Tobacco land on Watchaug Road, across from where the barns were recently built; two structures were demolished before a permit was received. During that time, it was noticed that there was a stockpile of materials placed on that lot, reportedly moved from across the street

after the new pond was excavated, and there was no silt fence put in place. The town will be looking into this more regarding zoning requirements. Drew Kukucka suggested that it would be a good idea if the town mandated that they have established egresses on both sides of the road due to heavy equipment and materials going back and forth. Joan Formeister asked Joanna Shapiro to inform the building official regarding the egress need since there was reportedly a meeting scheduled the next day in the land use office with the property owner.

Joanna Shapiro also mentioned that the new property owner of 144 Watchaug Road might want to do some grading near the stream so he can add a personal fishing spot/access. That is adjacent to the replacement culvert that the town installed. Drew Kukucka mentioned there is now a mailbox there.

Joanna Shapiro discussed the land being cleared on the corner of Sokol Road/190 near the Fire Dept. She visited the site to find out what was happening, and they were clearing because there were plans to build a house there. This is a lot of record, and a site plan is being developed but hadn't been submitted for a building permit yet, and not much clearing should have been required. Since there appear to be wetlands with a small stream, they will need to get a soil scientist out there and present plans to the Conservation Commission.

Joanna Shapiro briefly mentioned plans to build the remaining 2-3 units in the Soapstone Development.

Joanna Shapiro mentioned that someone might be interested in purchasing the land on the corner of Durkee and Four Bridges, and they may need to modify the wetland permit.

Lise Wood made a motion to approve the Staff Report. Dan Fraro seconded. All were in favor.

#### VI. CORRESPONDENCE AND BILLS

a. Journal Inquirer bill for February public notice...

Joanna Shapiro informed us that the Journal Inquirer bill has yet to be received. Lise Wood made the motion to approve an amount of up to \$100 to pay the February JI bill. Dan Fraro seconded. All were in favor.

b. Joanna Shapiro shared that the CAWS (Connecticut Association of Wetland Scientists) Annual Meeting will be held on 3/9 and passed around information.

#### VII. MINUTES APPROVAL: February 1, 2023

Lise Wood made a motion to approve the minutes of February 01, 2023, with four minor revisions. Dan Fraro seconded. All were in favor, and the motion carried.

#### VIII. ADJOURNMENT

Drew Kukucka made a motion to adjourn the February 01, 2023, meeting. Lise Wood seconded. All were in favor, and the motion carried. The meeting was adjourned at 9:07 pm.

Respectfully Submitted,

Commissioner Sydney Flowers, Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVED AT A SUBSEQUENT MEETING