

TOWN OF SOMERS
Conservation Commission
600 Main Street

REGULAR MEETING
WEDNESDAY, JANUARY 3, 2024
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 Drew Kukucka, Dan Fraro, Sydney Flowers, and alternate Lise Wood. Joanna Shapiro, Town of Somers Wetlands Agent, was also present.

Chairperson Formeister seated Lise Wood for Candace Aleks.

II. OLD BUSINESS

1. **Discussion/Possible Decision Application #798:** 301 Mountain Road. Addition within Upland Review Area. Michael Monteiro.

Mr. Monteiro showed the updated plans and pictures, including the requested details made during the November 2023 meeting. He presented photographs and showed the pathway, which will be used to bring in equipment and materials, which is all vegetated, but will be careful of soil movement/erosion. He will put crushed stone down if the path does begin to get torn up. Joanna Shapiro also reminded him to keep the road clear of any soil or debris, especially as Gillette Brook reappears directly across the road after the Mountain Road crossing. Currently, three tree stumps in the area will also be buried, using any excess excavated soils. Joanna Shapiro stated that everything requested was on the plan now, and she described to him what happens next regarding town permits.

Drew Kukucka made a motion to approve application #798 (301 Mountain Road), Addition within the Upland Review 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.

Dan Fraro seconded. All were in favor, and the motion carried.

2. **Discussion/Possible Decision Application #800:** 12 Hampden Road. Subdivision with proposed driveway in the Upland Review Area. Mark Polek.

Joanna Shapiro mentioned that this item is technically old business, but nothing has been presented yet, so we may not be ready to approve it. Mark Polek’s attorney Andrew Urbanowicz introduced himself and distributed copies of the site plans. They are requesting to turn one existing lot into two building lots; Mr. Polek would like to build on Lot 2 (2.5 acres) and sell Lot 1 (1 acre). No construction will occur in the wetlands, and part of one of the driveways will be in the Upland Review Area. Glen Martin, the Landscape Architect for this project, was also present and presented the plan and described proposed improvements and site work. Agent Shapiro explained how she had previously requested that the wetland be accurately mapped on the plan, with soil scientist’s signature. She reported that this had been done, and their soil scientist had

visited and delineated the wetland and submitted a report, and also determined that the isolated wetland is not a vernal pool.

Glen Martin explained that there will be a separate driveway and entrance for each lot, and each driveway will be 12' wide. Builders will install a silt fence along the driveway, up around the septic systems, and along the entire lot two driveway. The silt fence was not indicated on the plans handed out, but we were informed they were on the other plans. The cleared area will be seeded for the lawn. Trees along the road will remain undisturbed, although that wasn't apparent from the plans. Joanna Shapiro mentioned she did not have a hard copy of the revised plans. Chairperson Formeister asked if all of the trees on lot 1 had to be removed as proposed.

Joanna Shapiro questioned whether or not the slope on lot 1 was adequate for clearing and maintaining as lawn based on her calculations (over 3:1 slope), but she will review this again with the hard copy of the revised plan provided during the meeting. She also suggested using creative measures such as a retaining wall to limit the extent of grading and clearing, and reduce the gradient of the slope.

The Commission requested that the limit of clearing be indicated on the plans and what trees will not be removed. The driveway's slope will indicate whether the driveway can be gravel/crushed stone, paved, or a mix of both, based on zoning rules. A gravel driveway may help lessen the runoff from the driveway. The landscape architect mentioned they are open to planting shrubs and a conservation mix for the sloped area behind the house. The plan will be updated to include the Commission's requests and will be presented at the February meeting for approval.

III. NEW BUSINESS

1. **Discussion of Watchaug Road** Agricultural Stormwater Management.

Joanna Shapiro mentioned that the purpose of this is to have a constructive conversation regarding the sedimented runoff from the field areas on Watchaug Road during the rainstorm a week before Christmas. Brandon Gudeman with Oakridge Dairy and Gordy Burson with B&B Produce were present to discuss their observations and describe what they usually do to prevent runoff. Three different farmers operate the land in the area where the runway is located. The runway is owned by Jarmoc Farms; Oakridge uses one side of the runway, and B&B Produce uses the other side. For the past several years, Oakridge has used cover crops and no-till practices to prevent soil from running off, which has typically worked well. They also inject manure to prevent it from running off, and it had last been injected around Thanksgiving, so the brown stormwater runoff would have contained sediment and not manure. In addition, it was mentioned that the amount of rain this year has been exceptional. Typically, they are able to harvest the corn and plant the cover crop much sooner, but due to the weather this year, by the time they planted the cover crop, it didn't have time to grow enough before cold weather began, which caused much of the erosion of topsoil from the field. Recently, the runway was resurfaced, and the swales that were on either side have been removed but may need to be reinstalled due to erosion.

Brandon and Gordy further explained that the town recently reconstructed a catch basin within the front portion of the Jarmoc hangar property; however, since that was installed, the water has not shed as quickly as it used to, possibly due to the drain entrance being higher than the road surface. Most fields are below grade, so the water does not necessarily run directly off the fields to the road. Brandon and Agent Shapiro shared pictures and the topography/wetland map of that area. Drew Kukucka said the issue is not the water itself, but the sediment being washed into the stream, particularly where the equipment enters the field. Commission requested that some sort of erosion control/construction entrance be installed at the farm road entrance, similar to what is across the street. Brandon explained that the beginning of the farm road is actually on Jarmoc's property, but Oakridge has always used it. Both Brandon and Gordy stated that a lot of the water seen flowing down the side of the road is from the residential areas and not from the farm; water from the farm starts where the runway is located.

Gordy discussed different ideas for improving drainage, as he experienced significant flooding of his vegetable crops this year. Agent Shapiro asked that they present their plan to her before proceeding, so that she can determine if any action by the Commission is needed for work within 100' of a wetland or watercourse, most likely a simple jurisdictional ruling. Brandon and Gordy explained that they have worked cooperatively with Jarmoc as a neighboring farm, and would discuss possible solutions with them and try to come up with a plan together. Drew Kucucka reminded everyone that we must capture this water runoff before it gets to the streams because of e.Coli and other contaminants. Brandon mentioned that his farm is regulated by CAFO permit. This requires that farmers have a nutrient management plan regarding when and where they can spread manure (must consider timing of rain events, how much frost/snow is on the ground, how far is the location set back from wells/residences, etc.). CAFO permits started recently, and Oakridge has been doing it for 3-4 years.

Joanna Shapiro will follow up with the town regarding the catch basin. Joanna also mentioned that the hope is that the landowners will all work together to improve the water/drainage/erosion issue cooperatively.

Lise Wood motioned to add Application #801: 21 Bobolink Road, Addition in Upland Review Area, to new business. Dan Fraro seconded. All were in favor.

2. **Application #801:** 201 Bobolink Lane. Addition in Upland Review Area. Jim Patsun.

Joanna Shapiro dug deep into the files for prior subdivision development plans, which showed a plan move the brook. The old plans also showed a wetland area, where there is now a pond, but the plans from 1986 did not show a pond. The old plans also do not show the house location, so Jim Patsun used a rough as-built survey instead to show proposed improvements. The addition will be built within the Upland Review Area, and they will demolish an existing old building/shed that is currently closer to the brook. The current retaining wall will stay in place. Mr. Patsun explained that there would be minimal site work and limited excavation, if any, and they could use the current foundation and build right next to it within the current driveway. Currently, the closest area of the house is 52' from the brook, and the new addition will be 36' from the brook. A silt sock will be designated and used to contain any sediment, including any soil stockpiles.

IV. AUDIENCE PARTICIPATION – None

V. STAFF REPORT

1. Agent Shapiro met with Jim Patsun on 183 Mountain Road today near Gillette Brook. The Eastmans want to start working on the driveway, which will be shared. They plan to access it from their other property above as long as possible so there is little impact on the driveway until needed. Joanna visited to inspect the erosion controls, a condition of the wetland approval, yet they did not span the crossing. The pipe will be set in the channel to allow clean water to flow through during construction. Jim will keep Joanna in the loop so she can recheck it before the crossing goes in.
2. Agent Shapiro issued a minimal impact permit at 57 Stebbins Road for a new shed, and it was a simple process. The shed will be between the pool and house, and the pool is closer to the Brook.
3. Agent Shapiro had spent significant time reviewing E&S plans for the current subdivision application, which will also be discussed with Planning, along with other planning concerns.

Lise Wood made a motion to approve the staff report. Dan Fraro seconded. All were in favor, and the motion carried.

VI. CORRESPONDENCE AND BILLS

1. December 2023: The Journal Inquirer's legal notice is \$55.09. Lise Wood made a motion to pay the fee of \$55.09 to Journal Inquirer. Sydney Flowers seconded, All in favor.

2. Received a formal notice regarding the solar installation on South Rd.

VII. MINUTES APPROVAL: December 6, 2023

Drew Kucucka made a motion to approve the minutes of December 06, 2023. Dan Fraro seconded. All were in favor, and the motion carried.

VIII. ADJOURNMENT

Lise Wood made a motion to adjourn the January 03, 2024 meeting. Drew Kucucka seconded. All were in favor, and the motion carried. The meeting was adjourned at 8:57 p.m.

Respectfully Submitted,

Commissioner Sydney Flowers, Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVED AT A SUBSEQUENT MEETING