

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

**REGULAR MEETING**  
**WEDNESDAY, APRIL 3, 2024**  
**7:00 PM TOWN HALL**  
**MINUTES**

I. CALL TO ORDER

Joan Formeister, the Chairperson, called the meeting to order at 7:00 p.m. Commissioners in attendance were Drew Kukucka, Dan Fraro, Lise Wood, and Sydney Flowers. Joanna Shapiro, Town of Somers Wetlands Agent, was also present. Lise Wood was seated for Candace Aleks.

Drew Kukucka motioned to move New Business to the top of today's agenda and then discuss Old Business. Dan Fraro seconded. All in favor. Motion carried.

II. NEW BUSINESS

1. **Application #803:** 449-455 Billings Road (Drainage Easement). Pipe section of the watercourse to eliminate washouts. Town of Somers.

Todd Rolland, the Director of Somers Public Works and Land Use departments, explained that the town acquired a drainage easement in order to construct this project. He has been with the town for fifteen years and has had to rebuild this area several times due to washouts. The location is 449 & 455 Billings Road, across from the golf course. This was an intermittent watercourse at one point. Currently, there is riprap along the banks and channel, with a pipe running under the road. During high flows, the water takes out the banks and the end of the driveway at 449; it is also eroding right up to the driveway's edge for 455. At one point, mafia blocks were installed to control erosion, but erosion is still occurring. The town had to recently repave the end of the driveway for 455. The owners of these two properties have given the town a 25' drainage easement so that the town can work on fixing this issue long-term. The town proposes installing a double-catch basin at the road near 455's driveway, piping the water to another catch basin and extending to the pipe past 449's driveway. Currently, no catch basin has been installed. The town will dispose of the current riprap, mafia blocks, and other masonry work. Joan Formeister stated it was a well-thought-out plan.

Joanna Shapiro also mentioned that since the current channel is fully riprap and walls, there is little ecological concern for piping the watercourse because there is no obvious functionality, aside from water conveyance. Drew Kukucka asked if there would be a disturbance downstream due to this construction. Mr. Rolland clarified that the work will stop right past the driveway, so there will be minimal vegetation disturbance, and haybales will be placed to prevent sediment from going downstream while they are doing the work. Mr. Rolland was not sure when this work was going to be done, but he wanted to get the permits in place so that when the weather is dryer they can get in and do the work at that time. There were no further questions/concerns voiced.

2. **Request to Modify Application #793:** 700 Main Street. Restore flow within the watercourse to correct flooding. Northern CT Land Trust.

Richard Bailey, Chairman of the Northern CT Land Trust, submitted the original application, which was approved in August 2023. They are now submitting modifications to that approved plan after the fact because the work has already been done. Also in attendance was Mike Ulitsch, a neighbor of the property who leases the farmland, and the equipment operator who performed the work, and his partner and another neighbor Becky, who had been greatly affected by the flooding. Becky has had basement flooding due to the blockage in the stream. Mr. Bailey explained that when the application was approved in August 2023, they were to wait for a dry period to do the work, but there was a lot of rain, and the flooding was getting worse. There was a window of opportunity to do the work when the ground was somewhat frozen, and they could get the equipment there to excavate the debris out of the stream channel. They also changed the location of the excavation because, with the original plan, they would have to remove a lot of stable vegetation to dig a ditch. Therefore, Mike dug a parallel channel along the edge of the field where the area was heavily vegetated, about 12' from the original channel. The dirt excavated was piled near a shallow swale, and they will create a berm between the field and stream with that soil. Then, they will plan a conservation mix of wildflowers. Mike reported they can drive on the field for the time in three years, and Becky hasn't had to deal with flooding in her house since the work was completed. According to them, the stream now has a broad gravel base with a low flow, which Joanna confirmed. They put hay bales downstream to prevent sediments from washing away, and the banks are already filling in with grass. They will keep an eye on it until the swales and build, and if they notice any sediment buildup, they should shovel it out.

Joanna mentioned that the change in plan to alter the watercourse could trigger other federal or state permitting requirements, such as a diversion permit through CT DEEP, although that may not be needed since the drainage area seems to be well under 100 acres. She forwarded the relevant information to Mr. Bailey to look into. Any work within the state ROW would also be in the jurisdiction of the state.

Commissioner Drew Kukucka moved to approve the modification to application #793 at 700 Main Street to restore flow within the watercourse and correct flooding. Commissioner Lise Wood seconded. All were in favor, and the motion carried.

3. Wetland Informational Flyer

The Conservation Commission made live edits to the first paragraph of the flyer. All agreed with the edits, and Sydney Flowers will send a finalized flyer to Joan Formeister and Drew Kukucka for the town meeting on April 04, 2024. The goal is to get this flyer out to Somers residents so they know when they need to apply for a wetland permit.

4. Approve the use of Conservation Funds

Joanna Shapiro told us that the Conservation Commission has money to be used for some conservation projects, and we should all think about ideas for this. Joan Formeister said the Eagle Scouts are looking for projects and may be interested. Joanna Shapiro believes there is \$650 in our budget, but she will check with finance to see if there are additional funds available for water quality monitoring, as was done last year, using open space funds. We have previously used funding for University of St. Joseph's water quality monitoring in town and Scouts' conservation projects. Dan Fraro mentioned there are areas of the Scantic River that have a lot of debris buildup, and maybe we can use the money to get those areas cleaned out. We were tasked with thinking of some projects and bringing those ideas to future meetings in the next month or two.

### III. OLD BUSINESS

1. **Discussion/Possible Decision Application/Jurisdictional Ruling #802:** 144 Watchaug Road, Soil Deposition in Upland Review Area. Matt Moylan.

No site walk has been completed yet, and the applicant is currently talking with a soil scientist about getting the wetland delineated. Joanna Shapiro asked the applicant to send a note to the Commission stating that he needs an extension to act on this application, which was received and accepted. Drew Kukucka requested that the site walk be done a bit before the next meeting because there are a lot of unknowns now. Joanna Shapiro and Drew Kukucka stated that they could do the site walk on April 23, 2024. The big questions that need to be answered before we can act on this application are the precise location of the property line and wetland delineations.

### IV. AUDIENCE PARTICIPATION

N/A – no audience in attendance at this time

### V. STAFF REPORT

1. Joanna Shapiro reported that she was notified of a concrete patio built at 194 Field Road, and she wants the Commission's thoughts on what should be required of this property owner. The patio is close to a wetland. Joanna Shapiro had not been on-site but passed around pictures of the patio. The landowners had to do some ground leveling/grading to put the patio in, but no excavation had occurred. Joanna Shapiro stated this could potentially be considered a permitted use as of right and nonregulated uses, particularly #4 (“Uses incidental to the enjoyment or maintenance of residential property, such property defined as equal to or smaller than the largest minimum residential lot site permitted in the Town of Somers, and containing a residence. Such incidental uses shall include, but are not limited to, maintenance of existing structures and landscaping, but shall not include the removal or deposition of significant amounts of material from or into a wetland or watercourse, or diversion or alteration of the watercourse.”) The Commission decided that no permit or application would be needed since the patio was not built in or caused disturbance to the wetland. Joanna will follow up with the landowner and contractor about stabilization.
2. At Highland View Drive, one remaining lot is currently being developed. This land had been subdivided multiple times, and at one point, they were allowed to fill a very small wetland that was islanded between non-wetlands. A house is being built there now, and the neighbors are experiencing a lot of flooding. Joanna Shapiro met with the builder, and she reported to the Commission that an old farm ditch (stone) runs behind the houses. Many trees were recently cleared, and we have been getting a lot of rain. That could be why it is flooding. They may want to put in a pipe now to help with the drainage.
3. Inquiries regarding 39 Pheasant Road are coming in, and a wetland permit for a small house without a pool is already in place.
4. A landowner on Skyridge Drive wants to put a solar array up. Joanna Shapiro reported an evident pond and stream on site and that the solar installation company has yet to visit the site because they have sent in incorrect plans. The first plan they sent had labeled the pond as a pool with no streams. It was sent back, and then they resent the plans with the pond labeled as a pond but still no stream or wetland. The plans were sent back again and resent with the streams and pond, but the solar panels are within 100’ of the stream. Joanna Shapiro

told them they had to move the solar panels to a location further away from the stream or apply for a wetland permit.

5. There is an undeveloped lot on Old Farm Road, and the landowners live next door. In the past, building permits were denied for this area because they wanted to fill the wetland. The property owner recently received a letter from a Florida real estate agency wanting to buy it, and now the landowners have hired their own real estate agent to see if the land can be built on.
6. On Jamestown Road/Colonial Drive, there is a subdivision. Recently, an application came in for a pool, and Joanna Shapiro looked at past plans from the early 1970s, and wetlands were indicated there. Wetlands were likely filled, but there's no updated mapping.

Lise Wood made a motion to approve the Staff Report, and Dan Fraro seconded. All in favor. Motion carried.

## II. CORRESPONDENCE AND BILLS

1. Journal Inquirer bill for \$47.22 – February public notice.

Lise Wood made a motion to pay the fee of \$47.22 to the Journal Inquirer. Dan Fraro seconded, All in favor.

2. The SHS Somers Stream Teams' poster abstract has been accepted for St Joseph's symposium day in April. Commission members can attend, and Joanna will forward the email to us. She will also send information to everyone about the Bio Blitz at the University of St Joseph's on 4/26 and 4/27.

## III. MINUTES APPROVAL: February 7, 2024

There was no meeting held in March 2024.

One edit was proposed. Lise Wood made a motion to approve the minutes of February 07, 2024, as amended. Dan Fraro seconded. All were in favor, and the motion carried.

## IV. ADJOURNMENT

Lise Wood made a motion to adjourn the April 03, 2024 meeting. Drew seconded. All were in favor, and the motion carried. The meeting was adjourned at 8:42 p.m.

Respectfully Submitted,  
Commissioner Sydney Flowers, Secretary

**MINUTES ARE NOT OFFICIAL UNTIL APPROVED AT A SUBSEQUENT MEETING**