

TOWN OF SOMERS
Conservation Commission
600 Main Street

SPECIAL MEETING
WEDNESDAY, JULY 10, 2024
7:00 PM TOWN HALL
MINUTES

I. CALL TO ORDER

The meeting was called to order by Vice Chairperson Drew Kukucka at 7:04 P.M. Commissioners in attendance were Drew Kukucka, Dan Fraro, Lise Wood, Candace Aleks, and Sydney Flowers. Joanna Shapiro, Town of Somers Wetlands Agent, was also present.

Vice Chairperson Kukucka seated Lise Wood for Joan Formeister.

II. OLD BUSINESS

1. **Discussion/Possible Decision Application #804:** 194 Field Road. Construction of patio and gazebo in Upland Review Area. Jeremy and Amie Lawson.

Joanna Shapiro reminded the Commission that we had discussed this last month, including how the patio was installed, and reviewed the updated plans and pictures. At this time, there are no outstanding questions or concerns from the Commissioners.

Sydney Flowers motioned to approve application #804, 194 Field Road. Construction of patio and gazebo in 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.

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

Joanna Shapiro told property owners that she could sign off on the building permit for the gazebo, and that their wetland permit would be coming soon.

2. **Presentation/Discussion Application #806:** 255 Maple Street. Proposed stormwater discharge to watercourse, with direct disturbance to wetland for construction of outfall. Lindy Farms.

In attendance was Tim Coon from JR Russo & Associates, who created the plans, and John Belskie, Farm/Property Manager for Lindy Farms. Joanna Shapiro explained how this application was technically received before the June meeting, but no presentation was done then. Therefore, the Commission can act on the application tonight if they feel comfortable doing so. Tim Coon requested that the Commission act on it tonight if possible because if approved, the ground is currently dry, and

they can begin the work. Tim Coon then explained the plans and pointed out where the stream is currently located. The pasture is wet, and they would like to use it for the horses once it is dry. Currently, the pasture is challenging to manage because a culvert (large corrugated plastic pipe) comes off Maple Street and dumps into the pasture. The water then sheds across the field into the stream. Lindy Farms proposes to put a pipe underground from the current culvert and run it directly to the brook, bypassing the pasture altogether. Tim Coon explained how the shortest route would be through a large part of the wetland, but to mitigate the impact, they have opted to angle the pipe so that it will go through the shortest section of the wetland to the brook and should only disturb 405 square feet. They plan to install a riprap outfall at the end of the underground pipe.

Lise Wood asked if this application would meet the use of right exemption, and Tim Coon and Joanna Shapiro explained that since this directly impacts the wetland, it would not. Joanna Shapiro mentioned that the other alternative would be to install only the underground pipe through the pasture, and discharge before the watercourse, but this would cause a lot of erosion on the bank of the watercourse. Drew Kukucka asked about the town's drainage easement and their responsibility for managing this water. Tim Coon stated that no drainage easement was found at the location of the existing runoff drain. Joanna Shapiro visited the site the day before and showed the Commission pictures of the current pipe, pasture, and stream. Drew Kukucka had asked if this was located near the same area where the Commission recently approved a use as of right exemption for dredging a drainage ditch/intermittent brook. John Belskie stated that it is in the same area; the dirt is currently piled up, but they don't want to spread it until the ground is dryer. Joanna Shapiro stated that the dirt piles are well stabilized with vegetation, and the water flow is shallow, and that this proposed pipe extension would discharge to that same watercourse. Joanna Shapiro shared that she had no significant concerns and that possible tree planting in the pasture would be helpful with drying up the field and enhancing water quality in the stream. She also mentioned that Lindy Farms is looking into possible state/federal programs to help with the farm's natural resources.

Joanna Shapiro asked about the duration of the work. Tim Coon stated he thinks the project should take about one week once the conditions are dry enough. Drew Kukucka asked if the other town departments should have any say in this because they will probably need to get right-of-way permits for the structures. Tim Coon stated he has been speaking with Todd from the Public Works Department, and he believes the town will have the same amount of maintenance as they do now. The Commission also discussed how the road run-off should ideally run through the pasture to be filtered instead of being dumped directly into the stream. The Commission asked about mapping of the stormwater system, and Joanna Shapiro mentioned work that has been done in response to the MS4 permit, and that she would speak with Todd from DPW to find out if they have a documented plan for our stormwater management system.

Sydney Flowers motioned to approve application #806, 255 Maple Street. Proposed stormwater discharge to watercourse, with direct disturbance to wetland for construction of outfall. Lindy Farms with the condition that the Somers Department of Public Works approves of this plan, 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

None

IV. AUDIENCE PARTICIPATION

n/a, no audience in attendance at this time

V. STAFF REPORT

1. 1046 Main Street had a wetland permit approved quite a while ago, but the legislature keeps extending permits from that time frame, and it is still valid. There is an intermittent watercourse on-site, and they will be snaking a driveway up the hill to the building site. There were conditions with the last approval that they needed to have a pre-construction meeting to discuss E&S and dewatering methods and steps. Joanna Shapiro recently met with the builder and he to know what is required and she signed off on the building permit, house is smaller than initially planned for.
2. 65 Scully is currently on the market. There is a house there now, and the back is mainly a wetland. Someone called to ask what they can and can't do with the property before they buy it. They want goats or chickens, and this site has a history of violations. Currently, there are two small upland areas where the landowner could put chickens or goats if they don't disturb and/or work in the existing wetlands.
3. Many people have called about 75 Brittany Road, off Hall Hill Road. One lot was never developed, and it went back on the market recently. Someone may be purchasing it now. There is currently a conservation easement, and two-thirds of the property can't be developed. Joanna Shapiro sent the subdivision plan to those who called and explained that they would likely need a wetland permit to build, which will most likely be approved as long as they stay within the prior development envelope, and there have been no big changes to the land.
4. Someone called to say that trees are being cut down near the end of Hallie Lane. In the past, this location had some zoning concerns due to blasting that was happening. Joanna Shapiro went to look at the site, and she thought she saw stockpiles of soil from the road. She then met with the owner and found that they were piles of woodchips and they had taken some trees down for maintenance but they were not in the wetland. Joanna Shapiro and the landowners discussed their ideas for the land, and she explained to them what would and would not need permits.
5. Someone on Greentree Lane reported that they were getting a lot of water on their property, and they thought it might have to do with the work being done behind Hallie Lane. Joanna Shapiro didn't think the work was being done in an upland review area, but she said she would contact them to find out what is happening because the work is not near a house. Joanna Shapiro thinks the water may be shedding from Root Road due to the high rainfall, the watercourse that cuts through Green Tree runs quite a ways and seems to have a large watershed. Todd from DPW did talk with the property owners about erosion control and possibly armoring the banks with riprap, and explained that they would need a wetland permit for that work.

Candace Aleks moved to approve the Staff Report, and Dan Fraro seconded. All were in favor, and the motion carried.

VI. CORRESPONDENCE AND BILLS

1. Joanna Shapiro stated that we owe \$47.22 for the June Public Notice in the Journal Inquirer. Lise Wood motioned to pay \$47.22 for Journal Inquirer June Public Notice, and Candace Aleks seconded. All were in favor, and the motion carried.

2. The Commission received a thank you letter from Dr. Kristen Martin of the University of St. Joseph for the \$1150 donation to be used for water quality monitoring in the Scantic River. She also wrote that two high school stream team members are volunteering this summer as research assistants to help with water quality testing and that a senior may do their senior project on the Scantic River. The Commission expressed interest in a future presentation from the students.

VII. MINUTES APPROVAL: June 05, 2024

Lise Wood made a motion to approve the minutes of June 05, 2024 as presented. Candace Aleks seconded. All were in favor, and the motion carried.

VIII. ADJOURNMENT

Lise Wood moved to adjourn the July 10, 2024 meeting, which Dan Fraro seconded. All were in favor, and the motion carried. The meeting was adjourned at 8:00 p.m.

Respectfully Submitted, Commissioner Sydney Flowers, Secretary

MINUTES ARE NOT OFFICIAL UNTIL APPROVED AT A SUBSEQUENT MEETING