

**TOWN OF SOMERS  
CONSERVATION COMMISSION  
P.O. BOX 308  
SOMERS, CT 06071**

**CONSERVATION MINUTES  
SPECIAL MEETING  
Wednesday, August 2, 2006  
Town Hall 7:30 p.m.**

**I. CALL TO ORDER**

Vice Chairman Karl Walton called the Special Meeting to order at 7:03pm. Chairman Joan Formeister arrived at 7:07pm and presided over the meeting. Members Henry Broer, Dan Fraro, Karl Walton, Lise Woods and Alternate Member Daniel Fraro (seated for Candace Aleks) were present and constituted a quorum. Wetlands Agent David Askew was also present.

A motion was made by Lise Wood, seconded by Dan Fraro and unanimously voted to consider New Business prior to Old Business to accommodate the applicant for a Determination of a Permitted Use of Right for 85 Denison Road, Somers Sportsmen's Association.

**III. NEW BUSINESS**

**a. Determination of Permitted Use As Of Right For Logging Activity, 85 Denison Road, Somers Sportsmen's Association**

Karl Walton recused himself from the discussion. David Askew previously inspected the property with Red Oak Logging and presented a site map of the property and showed the location of the proposed landing area and two harvest areas. Fred Meyer from the Sportsmen's Association joined the discussion and further explained the project. One small area of forested wetland at the base of a slope will be traversed with a skid trail. There are no significant wetlands within the proposed harvest areas. A motion was made by Dan Fraro, seconded by Lise Woods and unanimously voted that the proposed activity meets the requirements of and is determined to be a Permitted Use of Right.

Karl Walton rejoined the meeting.

**II. OLD BUSINESS**

**a. Discussion/Possible Decision Wetlands Application #552, Rip Rap in Stream for Stream Stabilization, 163 George Wood Road, Fogarty**

Mr. Askew presented plans for the applicant noting that there is a section of the stream bank that has eroded and needs minor repair which can be done with rip rap. The applicant has not been required to consult with an engineer as required under the 2002 Connecticut Guidelines for Soil Erosion and Sediment

Control. The Agent and Commission have been working with a number of homeowners with in-stream erosion, resulting from last October's flooding. The contractor has been furnished with details from the Guidelines to show proper construction.

A motion was made by Karl Walton, seconded by Henry Broer and unanimously voted to approve Fogarty's Wetland Application #552 for rip rap in a stream for stream stabilization at 163 George Wood Road.

**b. Wetlands Application #553, New House Within Upland Review Area, 70 Scully Road, White**

Real Estate agents Mike Kasper and JoAnn Batchelor presented the plan for construction of a single-family home on the site. The site has been reconfigured from an earlier subdivision. The wetlands have been flagged by a soil scientist. Mr. Askew noted that the site is consistently wet and much of the frontage along Scully Road appears to be wetland. However, soils along the road are not wetland soils based on evaluation by the soil scientist and confirmed by Mr. Askew. Drainage will be a concern for the future homeowners. Curtain drains may be necessary behind the home and permanent delineation of the wetland area is recommended.

A motion was made by Karl Walton, seconded by Dan Fraro and unanimously voted to approve White's Wetland Application #553 for a new house within an upland review area at 70 Scully Road with the conditions that the contractor have a preconstruction meeting with the Wetland Agent prior to construction, and that the wetland behind the proposed house be permanently delineated with pressure treated posts and markers (provided by the town) indicating the boundary of the wetland.

**c. Wetlands Application #554, 3-Lot Subdivision in Upland Review Area, Wells & Mountain View Road, Town of Somers**

Mr. Askew presented plans for the 3-lot subdivision. The former Whitaker property is being subdivided as part of an effort to protect as open space the remainder 265+ acres of the property. Three lots are proposed: two on Mountain View Road and one on Wells Road. There are no direct alterations to wetlands. A drainage outlet is located at the approximate boundary between the two lots on Mountain View Road. Water from the outlet and groundwater support a sloped wetland, most of which is located on the lot to the west. No adverse impacts to wetlands are expected to result from development of the three lots. The Commission discussed permanent delineation of the wetland boundary. The wetland should be marked on both sides in locations that are close to the proposed residence, down to the point where the wetland begins to widen out.

A motion was made by Karl Walton, seconded by Lise Wood, and unanimously voted to approve the Town's Wetland Application #554 for a 3-lot subdivision in an upland review area with the condition that the wetland on Mountain View Road be permanently delineated in the field with pressure treated posts and markers.

**d. Wetlands Application #555, Agricultural Drainage Improvements in Wetland, 327 Ninth**

**District Road, Barrett**

Mr. Askew explained that the applicant is seeking to improve drainage on the site by installing a culvert as part of a USDS Natural Resources Conservation Service (NRCS) environmental enhancement project. Mr. Barrett was in attendance. An existing culvert crosses beneath the town road and discharges stormwater onto an active pasture. The proposed plan will carry the stormwater through a culvert beneath the fields to drain into a swale and then watercourse. Mr. Askew explained that there may be some recession of the wetland, which is currently located in an active pasture area. However, impacts to the wetland are limited because the water is being moved further down-slope. Mr. Askew reminded the Commission that they reduced the fee for a previous application involving an NRCS environmental enhancement project at the Barrett Farm. The Commission unanimously approved a reduction of the fee by ½ or \$90.00.

A motion was made by Dan Fraro, seconded by Karl Walton and unanimously voted to approve Barrett's Wetland Application #555 for agricultural drainage improvements in a wetland at 327 Ninth District Road.

**e. Wetlands Application #556, New House With Driveway Crossing Wetlands, 276 Billings Road, Clarke**

Mr. Askew noted that a wetlands permit was granted in 1997 or 1998 for this site, but it has now expired. The applicant is now reapplying and seeking to construct a driveway and culvert. 1,700 square feet of wetlands will be disturbed in order to construct the driveway. Mr. Askew explained that the wetland is a relatively low value meadow/shrub that was previously farmed. The larger wetland system, including Abbey Brook to the west will not be affected by the crossing, provided that the culvert is properly installed to maintain a hydrological connection. Mr. Askew recommends that the wetland line be marked in the field prior to construction since there are no longer any flags or other features to define the edge of the wetland. The wetland should also be permanently delineated in areas close to residential activity

A motion was made by Dan Fraro, seconded by Daniel Fraro and unanimously voted to approve Clarke's Wetland Application #556 for a new house within an upland review area and driveway crossing of a wetland at 276 Billings Road with the conditions that the wetland boundary is marked in the field prior to construction and that the wetland be permanently delineated with pressure treated posts and markers.

**f. Wetlands Application # 557, Wetland Filling, 95 Franklin Woods, Socha**

Robert Socha presented plans for work he would like to do on his 2-acre home site containing a single-family home. He has had a soil scientist flag the wetland on his property, which has developed since the home has been built. He would like to remove a portion of vegetation on the slope, add fill within a section of wetlands and increase his lawn, while maintaining wetlands up to an existing alder grove. Mr. Socha explained that he has undertaken a significant amount of drainage work on the property, including installation of drainage around the house perimeter, a drainage swale along the driveway, and a catch basin at the base of the driveway.

Mr. Askew explained that there are two concerns with the proposal. The first is that there is active erosion

within the alders. There are numerous eroded rills within the soil underneath the alders. There is no sign of sedimentation either on Socha's property or on the adjacent property. The other concern is that the existing wetland area has consistently had standing water in it and that loss of the storage area may have impacts to downslope properties if not properly addressed. As an alternative to the proposal, Mr. Askew has suggested construction of a swale at the base of the slope, with a catch basin at the end of the swale that will take water to the road drainage system. Mr. Askew noted that the grade may have to be brought up to facilitate drainage and that there is not enough available information to determine if the alternative is feasible.

Mr. Askew explained that he does not have a concern with wetland habitat, given that this is a small man-made wetland of recent origin. However, the wetland functions to store stormwater and there is a drainage issue which must be considered. Mr. Socha stated that he did not agree with Mr. Askew's assessment and that he expects impacts to be minimal, given the significant drainage already done on the property. Mr. Askew suggested that an engineer could provide additional information, but that Mr. Socha wished to minimize expenses for the project at this time. Chairman Formeister said that the main function of the Commission is to reduce impacts to wetlands and that the applicant has not demonstrated the need for the filling. Discussion followed by the Commission regarding observations made during a recent site inspection (Formeister, Aleks, Broer present) and the desire by other Commissioners to inspect the site. It was the consensus of the Commission that discussion would continue next month after additional site inspections by Commission members.

**b. Discussion: Compliance With Wetlands Application #524 Conditions of Approval, 164 Hampden Road, Grower Direct Farms**

Mr. Askew discussed the results of a site inspection on August 1, 2006. Monuments have been installed along the wetland boundary as required as a condition approval for the modification approved in June. In addition, most of the fill has been removed beyond the limit of the monuments as required. Mr. Askew noted that as part of the approval of the permit issued in December 2005, the applicant was to submit a mitigation plan by July 30, 2006. The plan has not been submitted to date, but Mr. Askew has talked to Mr. Mocko, the applicant's consultant. Mr. Mocko is currently working on the plan. The Commission discussed possible enforcement action and it was the consensus that no additional measures would be taken at this time, and that it was beneficial to have the applicant complete the stormwater pond currently being constructed.

**IX. ADJOURNMENT**

A motion was made by Dan Fraro, seconded by Henry Broer and unanimously voted to adjourn the August 2, 2006 Conservation Commission meeting at 9:14pm.

Respectfully submitted,

Lise Wood, Secretary

David Askew, Wetland Agent

***MINUTES ARE NOT OFFICIAL UNTIL APPROVAL AT A SUBSEQUENT MEETING.***