

*Town of Killingworth
Inland Wetlands and Watercourses Commission
Killingworth, Connecticut 06419*

**Regular Meeting #24-7
Town Emergency Operations Center**

July 9, 2024

Chairman Glenn Johnson called the Regular Meeting to order at 6:59 p.m.

Members present: G. Johnson, C. Plum, C. Reimers, T. Doyle, E. Pizzuto
. Also present - Enforcement Officer L. Keift-Robitaille

Members absent: D. Cutillo

Visitors: Zoe Rice, Edward Perkins, Michael Berkun, Cathy Iino, Pat Benjamin, Chris McKeon, Jeff Lee, Stephen Albertson

MINUTES

The minutes of the June 11, 2024 Informational Session were unanimously approved by a motion by T. Doyle, with a second by C. Plum.

OLD BUSINESS

William Walker, Jr. permit application (W 24) to clear a pond of cattails, and dredge the pond, 25 Overlook Farms Road

T. Doyle moved, seconded by C. Plum, to approve the submitted application. The motion passed unanimously.

Zoe M. Hawkins Rice permit application (W 25) for addition to existing house, 240 North Parker Hill Road

A site walk was conducted on June 14th. Members did not express any concerns that this proposed activity would negatively affect nearby wetlands. *T. Doyle moved, seconded by C. Plum, to approve the application as submitted. The motion passed unanimously.*

Jack B. Coy LLC (owner), Michael Berkun (applicant) permit application (W 23) for creation of a farm pond on Roast Meat Hill Road, Map 28, Lot 59A

Mr. Berkun attended the meeting to continue discussion of his proposal for a farm pond on his property on Roast Meat Hill Road. Mr. Berkun has submitted two additional documents: "Subdivision Plan, prepared for Jack B. Coy, LLC" dated 1/3/23, sheet 2 of 6, showing the pond location with streams; and "Subdivision Plan, prepared for Jack B. Coy, LLC", dated 1/3/23, sheet 2 of 6, with Revision 2 dated June 10, 2024 Wetlands Submission for Farm Pond.

Also submitted for this meeting was the Farm Pond Narrative, Revision -02. This narrative states "Jack B. Coy Farm is applying for a farm pond to irrigate a portion of existing hay field that will be repurposed into a commercial nursery, specializing in native wetland pollinator species." Under Use - "The primary use of the pond is for irrigation". Under Farm Pond Narrative, Revision -01, submitted at the May 14, 2024 IWWC meeting, under Use - "The primary use of the pond is for livestock". Mr. Berkun stated at this meeting that there will be no livestock on that lot.

Enforcement Officer L. Kieft-Robitaille reminded commission members that the subdivision mylar for the approved subdivision has not yet been submitted to the Town Clerk. Mr. Berkun has until August 7th to file. A letter from Town Attorney Mark K. Branse to Linda Kieft-Robitaille, dated June 25, 2024, was submitted for the record. Mr. Berkun stated he had received a copy of the attorney's letter. Commission members were skeptical about approving an activity on one of the subdivision lots if all conditions of the subdivision approval haven't been met. *Because the IWWC Regulations state that a vote must be taken on an application "no later than 65 days after the receipt" of the application, T. Doyle moved, seconded by C. Plum, to deny the permit application. The motion carried unanimously.*

NEW BUSINESS

Stephen and Sheryl-Lee Albertson permit application (W 26) for clearing brush and small trees to access property, 262 Route 81

Mr. and Mrs. Albertson have submitted an application for clearing to follow the entrance driveway from Route 81 to the proposed culvert area. Commission members have walked the site for a previously approved application for the culvert. They did not think an additional site walk was necessary for this application. A neighboring property owner expressed concern about having a clearly defined property boundary so any activity by the Albertsons will not encroach onto his property. Enforcement Officer L. Kieft-Robitaille said she had found a previous site map showing the location of two iron pipe boundary markers. Members anticipate voting on this application at the August 13th meeting.

Cease and Desist Notice to Joseph and Kelly Piagentini, Beaver Dam Road

A Cease and Desist Notice was issued to the Piagentinis by Enforcement Officer L. Kieft-Robitaille after a complaint was submitted by a neighbor and a member of the Land Trust who were concerned about runoff and what they thought was clear-cutting on the property. Attorney Chris McKeon spoke for the couple at the meeting, explaining that they had purchased the property to farm the field. They have cleared within 100' of the wetlands, but had no intention to violate any of the wetlands regulations. They were issued a permit by this commission in May of this year for a driveway culvert installation. Chairman G. Johnson walked the property and noted that it had not been clear-cut. Mr. and Mrs. Piagentini have been told by the tree company doing the work that the trees will be chipped on site and nothing will be leaving the property. *C. Plum moved, seconded by C. Reimers, to remove the Cease and Desist Notice. The motion was approved unanimously.*

M & M Realty Holdings, LLC permit application (W 27) for activities related to an affordable housing apartment building housing 18 units, 255 Route 80

Civil Engineer Pat Benjamin presented information about the proposal for an 18 one-bedroom unit apartment complex on the property of the former Pharmedica building. A building was approved in approximately 2004, but never built. The proposed building will be in approximately the same location. Mr. Benjamin stated that the new state regulations for apartment buildings will be followed. Drainage, parking, septic system, solar panel installation and lot line changes were all discussed. Members will inspect the site individually; discussion will continue at the August meeting.

272 Roast Meat Hill Road - discussion of flooding concerns

Chairman G. Johnson received an email from Geoff Picard (homeowner) of this farm property about beavers causing a flooding problem on his property. Chairman Johnson discussed and explored the property with the homeowner. The Town of Killingworth owns a pond just north and adjacent to the Picard farm. The beavers continually dam up this pond's outfall area which floods the Picards' property. A possible solution to the problem could be the installation of a Beaver Deceiver device on the Town property. The installation of a second culvert and the repair of the concrete headwall structure would also help to alleviate the flooding problem. No action can be taken by this commission. Chairman Johnson has sent his site walk notes to the First Selectman.

Pathfinders Inc. (owner), Theodore Langevin (applicant) permit application (W 28) for temporary erection of tents for one-day events at Deer Lake Outdoor Center, 101 Paper Mill Road

Cathy Iino addressed the commission for the Pathfinders group who now own the Deer Lake property. Many events are held on the Deer Lake property throughout the year, but there are a few times when an oversized tent is needed for an event. There are two possible tent sites for these activities and they are within 100' of the wetlands buffer zone. Members did not think a formal site walk was necessary but individual members may visit the site if they would like to see the area where the tents may be located. Discussion and possible vote may be taken at the August IWWC meeting.

COMMUNICATIONS

1. IWWC Budget printout, dated 6/28/24, for July 2023 through May 2024
2. On-Site Walk-Thru report with photos - Picard property, 7/6/24
3. Copy of letter/email from Mark K. Branse, Esq. to Linda Kieft-Robitaille, 6/25/24, re: J.B. Coy property
4. Letter from Michael Berkun to Land Use Dept., 7/1/24, re: revised Narrative & Maps regarding Coy farm pond application
5. Farm Pond Narrative Revision-02, 6/10/24, J.B. Coy property
6. Subdivision Plan prepared for Jack B. Coy LLC, 1/3/23, sheet 2 of 6, Revision 2 June 10, 2024 Wetland Submission for Farm Pond
7. Subdivision Plan prepared for Jack B. Coy, LLC, 1/3/23, sheet 2 of 6, Revised 4/30/24
8. Court case document - Cheryl Sackler, et al vs. Inland Wetlands Agency of the Town of Woodbridge - submitted by Attorney Chris McKeon in Piagentini Cease & Desist notice
9. Copy of email from Geoff Picard to ZEO, Eric Couture, Glenn Johnson, 7/3/24

10. Stephen & Sheryl-Lee Albertson permit application
11. Proposed Grading Plan - Property of Steven Albertson, dated 5/10/24
12. Pathfinders, Inc. (owner), Theodore Langevin (applicant) permit application
13. Site Layout of Deer Lake property
14. M & M Realty Holdings, LLC permit application
15. Multifamily Residential Exterior Elevations, 255 Route 80
16. List of property owners sent certified letters from Bascom & Benjamin for M & M Holdings, LLC application
17. Lot 3 Layout & Landscape Plan, property of M & M Holdings, LLC

ADJOURNMENT

There being no other business to discuss, C. Plum moved, seconded by E. Pizzuto, to adjourn the the meeting at 8:10 p.m. The motion carried unanimously.

Respectfully submitted,

Mary Anne Lisk
Clerk