

# CONSERVATION AND INLAND WETLANDS COMMISSION

## TOWN OF DEEP RIVER, CONNECTICUT

Town Hall

174 Main Street

Deep River, Connecticut 06417

*A regular meeting of the Deep River Conservation and Inland Wetlands Commission held on Thursday, January 11, 2018 at the Deep River Town Hall was called to order at 8:51 p.m. following a duly called public hearing. Members present: Susan Board, Ron Larsen, Tanner Steeves, Alternate Michael Tomlinson. Absent: George Atwood, John Dube, Carol Libby, and Alan Mizejeski. Also present: WEO Mark Reyher, Nancy Howard (recording secretary), Theodore Batko. Chairman Steeves seated Alternate Tomlinson for an absent member.*

Approval of Minutes: A motion was made by Susan Board and seconded by Mike Tomlinson to approve minutes of public hearing of December 14, 2017 as printed. (4-0) Voted Unanimously. A motion was made by Susan Board and seconded by Ron Larsen to approve minutes of the regular meeting of December 14, 2017 as printed. (4-0) Voted Unanimously.

The agenda was altered to accommodate those present.

Deep River Land Trust: Janet Stone and Laurie Giannotti were present on behalf of the Deep River Land Trust. Ms. Stone stated that the Land Trust is proposing to purchase 7.2 acres on Essex Street consisting of upland forest and frontage on Pratt Cove. The parcel is split by Essex Street. The Horowitz/Haig property is adjacent to property owned by The Nature Conservancy, adjacent to the marsh, is contiguous to the Land Trust's 12.5 Bidwell Sanctuary on Rattling Valley Road, and would add 2/3 of an acre of waterfront property to the Smyth Sanctuary. The Land Trust is making an application to the DEEP Open Space and Watershed Land Acquisition Grant Program and they are looking for support from this Commission to submit with the application. The members were all in agreement to support the Deep River Land Trust in the purchase of the property. A letter of support will be prepared on behalf of the Commission and sent to the Land Trust.

Scott Papoosha, 199 Stevenstown Road: A violation letter was sent to Scott Papoosha for activity on the property at 199 Stevenstown Road. WEO Reyher noted that complaints were received from the public. WEO Reyher noted that the pond needs to have some type of berm for protection. Mr. Papoosha stated that he is working with Doane Engineering, who is working on a water quality report required for DEEP and should be done by the end of the month. Commission members discussed holding a site walk. When asked about the agreement with the Town for bringing material to his property, Mr. Papoosha stated that he had a handshake agreement with First Selectman Richard Smith for grinding material at the dump and bringing the material to his property. He noted that 90% of the material on the property is from the Town. Mr. Papoosha noted that the DEEP representative was at the site and noted concern about the 250 gallon diesel tank with no containment around it and activity around pond. An engineered storm water management report is being prepared by Bob Doane. Mr. Papoosha will come back to the next regular meeting after the reports are completed and a site walk will be scheduled.

### Public Business:

Ted Batko was present for further discussion on the stream maintenance/outflow from the pond on the Laramar Farm property. Mr. Batko submitted the following documents to the Commission for the record: (a) letter dated 10/25/17 from Theodore & Gail Batko to CIWC and WEO and copied to Board

of Selectmen and ZEO with concern regarding the blockage in the Deep River; (b) Supplement to letter of 10/25/17 delivered to WEO office dated 11/6/17 with a copy of the severe weather posting for flash flood watch with wide spread rainfall amounts of 2 to 3 inches localized up to 6 inches; and (c) Weather report dated January 11, 2018 forecasting heavy rains. During that event his rain gauge measured 4 inches. Mr. Batko noted that he may have spent approximately 10 hours per year maintaining the stream. He took over the maintenance when Blakeslee walked away from the property. Mr. Batko noted that the quarry was under water resources permit. Mr. Batko noted that the CIWC may ask DEEP for technical assistance for resolution of having property owner perform maintenance. Chairman Steeves noted that he had spoken with a representative at DEEP and will continue to follow up with him. Mr. Batko noted that the quarry is an important feature for protection of the Town downstream and maintenance by the property owner is critical for maintaining the site and having it function properly.

Stan & Hillary Rheinheimer, 256 Winthrop Road: A motion was made by Susan Board and seconded by Mike Tomlinson to add to the agenda a request by Thomas Metcalf regarding property at 256 Winthrop Road. (4-0) Voted Unanimously. A letter was received from Thomas Metcalf, P.E., L.S. regarding a proposal for property of Stan and Hillary Rheinheimer, Foggy Meadow Farm at 256 Winthrop Road for the establishment of a Commercial Boarding and Riding Stable. The establishment of a boarding and riding stable requires a Special Permit Application with the Planning & Zoning Commission. The procedure requires referral of the application to this Commission for review and comment. Mr. Metcalf indicated that the boarding and riding lessons will be conducted in/on existing buildings and outdoor areas; there will be no construction or site work associated with the proposal; and no activities are proposed in the wetlands. Commission members reviewed the correspondence and plans for the proposal. Members noted that the wetlands are not shown on the plan. The unanimous consensus of members present was that no formal application is needed for the proposal as submitted as long as there are no regulated activities taking place.

BMC Land Development, LLC, 67 Hoopole Hill Road: The public hearing on application by BMC Land Development, LLC for a 12 lot subdivision of land at 67 Hoopole Hill Road was held immediately prior to this meeting and was closed. A discussion was held regarding evidence received at the public hearing. Possible conditions of approval were discussed. Concern was expressed regarding the high impact on Lot 4 and possible elimination of the lot. Action on the application will be considered at the next regular meeting.

Correspondence: A copy of proposed updated regulations were received from the Town of Lyme.

A motion was made by Susan Board and seconded by Ron Larsen to adjourn at 10:23 p.m. (4-0) Voted Unanimously.

Respectfully submitted,  
Nancy Howard  
Recording Secretary