

## 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, December 13, 2018 at the Deep River Town Hall was called to order at 7:40 p.m. Members present: Ron Larsen, Carol Libby, Tanner Steeves, Alternates Michael Tomlinson and John Voitovich. Absent: George Atwood, Susan Board, John Dube, and Alan Mizejeski. Also present: Mark Reyher (Wetlands Enforcement Officer), Kelly Angelini and Marissa Matthews from Deep River Farms, and Fred Jordan. The Chairman seated Alternates Mike Tomlinson and John Voitovich for absent members.*

Approval of Minutes: A motion was made by Mike Tomlinson and seconded by John Voitovich to approve the minutes of the regular meeting of November 8, 2018 as printed. (5-0) Voted Unanimously.

Deep River Farms, 4 Bahr Road: Representatives present were the owners, Marissa Matthews and Kelly Angelini. Ms. Matthews stated to begin that the first application was never officially withdrawn as stated in the minutes. They have submitted multiple plans to show alternatives, but now propose the original to be the most viable and necessary for proper siting of septic. (Application A) Ms. Matthews explained in detail the project proposed for the expansion of the farms production, henceforth the need for a barn in size relevant to storing feed, animals and equipment for their operation. The barn and its design would be sited on the farm to be an attraction to the area. The old falling down barns would be removed. Closeness to the road is necessary for access be it feed trucks, veterinarians, or plowing, or in an event of emergency vehicles. Remedial work on the grounds would result in better management of water runoff. For the record, Ms. Matthews stated that they are now paying a residential tax rate on the hay fields which are mowed for agricultural use three times a year. There had been concern expressed by Richard Leighton about the location of utilities. In the current plan the utilities will be behind and not in front, eliminating large vehicles from passing over utilities for access in front. The plan, as stated by the owners, is current with regulations for flood plain buildings. Ron Larsen questioned if DEEP should be contacted for flood plain use clarification as we have not been presented with this issue before. Ms. Angelini questioned the Commission's jurisdiction over the building itself in regards to flood plain regulations. Commissioners felt clarification from DEEP would help. Tanner Steeves acknowledged Marissa Matthews argument of "as of right" for farming, but as a lay committee, the Commission would need to try in our efforts to also include proper procedures. Tanner Steeves acknowledged the owners unhappiness about the length of time for the process, but reminded them that the Commission had passed the application submitted at the August 9, 2018 meeting. Mike Tomlinson made a motion to accept the application, with a second by Carol Libby. (5-0) Voted Unanimously. Fred Jordan then spoke on behalf of Deep River Farms as a bordering neighbor. He stressed the value of what is being done there and the appropriateness of a working farm in the area. For the record, Ms. Matthews asked for an update on the FOI request she previously requested.

New Business: The 2019 calendar was reviewed with a change of the February meeting from February 14<sup>th</sup> to February 21<sup>st</sup>. A motion was made by Carol Libby, seconded by Mike Tomlinson to accept the calendar with the February change. (5-0) Voted Unanimously.

Election of Officers: Election of Officers was tabled to the next regular meeting due to the light attendance.

Enforcement: Scott Papoosha, 199 Stevenstown Road: WEO Reyher reported that there has been no remediation to Scott Papoosha's wood facility as directed. They have not come back to the Commission with corrections to the site. As they are not in compliance, a cease and desist letter should be sent to the property owners about coming into compliance.

Finances: A motion was made by Ron Larsen and seconded by John Voitovich to pay the bill submitted by recording Secretary Nancy Howard for 65 hours. (5-0) Voted Unanimously.

Correspondence: A letter was received from Ted Batko about removal of the foot bridge. The bridge has been removed from the stream but remains on the bank. Mr. Batko feels it should be removed completely. Removal was not referenced in the November meeting. Mark Reyher will follow up on its removal.

A motion was made by Tanner Steeves, seconded by Mike Tomlinson, to adjourn at 8:30 p.m. (5-0) Voted Unanimously.

Respectfully submitted,  
Carol Libby  
Acting Secretary

## Addendum to December 13, 2018 Minutes for Clarification Purposes regarding Deep River Farms

Meeting of May 10, 2018:

Application received, presented by Gene Robida on behalf of applicant. This application will later be referred to at the meeting of December 13, 2018 as application "A". Site walk proposed for May 14, 2018. Site walk resulted in request for CRAHD approval, proposed use of barn, and possibility of moving barn at least 30 feet from delineated wetlands.

Meeting of June 14, 2018:

CRAHD approval not yet issued. Revised plan submitted. No engineer seal. Revised plan called for new submittance to CRAHD; approval forthcoming for next meeting. Purposes clarified for use of barn. Voted to table until next regular meeting to get septic approval (design) any amendments and stamped drawings. Size of barn to be added to plan.

No July meeting.

Meeting of August 9, 2018:

Notice that application accepted at May meeting was withdrawn by the applicant. New application was received for different location and outside the 100 feet review. Erica Schillawski, manager, was presenter. CRAHD approval received. Demolition of barns in wetlands require permit. The proposed driveway and barn are outside review area. Flood plain is noted at Zone X. Consensus was proposed activity does not require a wetlands permit because there is no activity in the upland review area or within a wetland or watercourse.