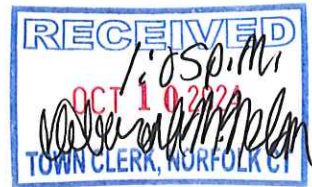


Town of Norfolk
Inland Wetlands Commission
Norfolk Town Hall, 2nd floor
Regular Meeting Draft Minutes
October 7, 2024
7:00PM



Commission Members:

Hartley Mead, Chairman
Myron Kwast
Jill Chase

Phil Lovett, Alternate
Bill Millard
Rich Kessin

Stacey M. Sefcik, WEO
Marinell Crippen, Recording Secretary

1. **CALL TO ORDER**-7 pm
2. **ROLL CALL**-Agency members present were Hartley Mead, Jill Chase, Bill Millard. Stacey Sefcik and Marinell Crippen were present as well.
3. **AGENDA REVIEW**-
A motion was made by Jill Chase to put Application #24-011 Installation of drainage, patio and landscaping in the Upland Review Area at 31 Pettibone Lane. Applicants: Elizabeth Bailey and Sara W. Minad. under New Business 6 C., seconded by Bill Millard and approved unanimously.
4. **APPROVAL OF MINUTES**
A. September 9, 2024, Regular Meeting. Tabled.
5. **OPPORTUNITY FOR PUBLIC COMMENT.** None
6. **NEW BUSINESS**
A. Application #24-009 Construction of Single-Family Dwelling, Septic System, & Driveway in the Upland Review Area at 493 Winchester Road.
Applicant: Daniel Batista
Jason Dismukes, civil engineer representing the applicant. They are uphill of wetlands. They have Torrington Area Health approval. There is a silt fence for erosion control. Construction entrance for trucks entering site. Not sure when they will start construction. The agency then had some questions for Mr. Dismukes.
Bill Millard made a motion to accept Application #24-009 Construction of Single-Family Dwelling, Septic System, & Driveway in the Upland Review Area at 493 Winchester Road, seconded by Jill Chase and approved unanimously.

B. Application #24-010 Expansion of Existing Pond & Installation of New Dry Hydrant at 440 Bald Mountain Road.
Applicant: All the Tired Horses Farm, LLC
Hartley Mead and Bill Millard are employed by All the Tired Horses but do not feel the need to recuse themselves
David Batista, licensed professional engineer with Haley Ward inc., spoke on behalf of the applicant. Work to be done on a 31-acre property surrounded by property owned by same applicant. Mr. Batista showed a map and explained the application. They want to expand pond into areas that are not wetlands. Pond is 1.2 acres with a small concrete dam and it is filled with phragmite which they will dredge and expand the pond in non wetlands area. The applicant wants a small sandy beach and a dry hydrant for fire protection. Mr. Batista showed the construction sequence with a series of phases. There will be dewatering pumps. They will break through the wall between old pond and new pond. Mr. Batista showed an impact table illustration. Total 0.87 acre is the disturbance. He also showed the construction detail of dry hydrant. They will also construct an electrical service and aeration system in the old pond.

Jill Chase wondered if they were using chemicals to get rid of the phragmites or doing it mechanically. Pond will be dewatered first then equipment will go in the pond.

There will be no liner. No other plants are going in the pond and there is no landscaping plan. The depth will be 6' in the middle of the pond. The pond heads due west to the Whiting River or Hollow Brook.

Jill Chase made a motion to accept Application #24-010 Expansion of Existing Pond & Installation of New Dry Hydrant at 440 Bald Mountain Road, seconded by Bill Millard and approved unanimously.

C. Addition to agenda

Application #24-011 Installation of drainage, patio and landscaping in the Upland Review Area at 31 Pettibone Lane. Applicants: Elizabeth Bailey and Sara W. Minad. Elizabeth Bailey spoke concerning installation of drainage to extend a patio in the Upland Review Area. She has two surveys, one by Eric Davison showing where the Wetlands are on her property and one from Leonard engineering. All of Laurel Way drains into Pettibone Lane and thus her property is very wet. She wants to have drainage in place before she does any landscaping. The engineers plan to put straw down during the excavation for the extension of the patio. There will be 2 drains that go into the drainage ditch.

Hartley asked for the plan to depict the location of the drainage pipes and information about how they will be installed as well as information about the sizes of the proposed pipe, Stacey would like information regarding how/where the pipes are going to outlet as well as to know that wherever they are outletting will not cause erosion, etc. All of the drains will go into the drainage ditch.

Jill Chase said she is a neighbor but will not recuse herself. Mrs. Bailey was fine with that.

Jill Chase made a motion to accept Application #24-011 Installation of drainage, patio and landscaping in the Upland Review Area at 31 Pettibone Lane, Bill Millard seconded and it was approved unanimously.

7. **OLD BUSINESS**

A. Application #24-006 Regulated Activities in Connection with Limited Work to Repair & Stabilize Dam Located at the Western Outlet of Spaulding Pond, located off Litchfield Road. Applicant: Spaulding Pond, LLC

Evan Seaman, lawyer from Robinson & Cole in Hartford, on behalf of applicant Spaulding Pond, LLC. Mr. Seaman introduced Adam Undsted, from Sumco, the contractor and Billy Gridley from Aton Forest. The property is owned by Connecticut River Watershed Council Inc, and Aton Forest holds the conservation restriction over the property and Aton supports the application. Spaulding Pond preserve is about 900 acres with a pond and dam. They want to perform limited repair work to the dam. DEEP declassified the dam from BB to AA which removes the dam from DEEP'S jurisdiction to Norfolk's jurisdiction. Mr. Seaman submitted a report from a Dr. Michael Klemens who looked at the site and animals. He recommended limited repairs to the dam rather than eliminating it or completely replacing it so as to ensure protection of the Jefferson salamanders, a wetlands-obligate species of State concern present in the vernal pool.

Mr. Undsted then spoke about the proposed work. They will first put down erosion controls. He said they will lower the pond level to below the cracks then they will seal them. Then there is a down stream phase, refacing with concrete. All the work will be done by hand, no machines. They estimate 3 trees and some brush piles removed. They estimate work will take about a month. Dr Klemens recommended staying 750' away from a vernal pool which is at the cabin on 2 acres that Spaulding Pond LLC owns, which is within the 900 acres. They want to do the work during the dry season which is summer or fall. Downstream phase of spillway has old concrete that is cracked and decayed, and they will work on that. There were some alternatives, but they were too impactful. If they did nothing, then the dam would fail and the pond would go away and no habitat for critters. Spaulding Pond LLC is stepping in and doing work that should already have been done and they are paying for it.

Jill Chase made a motion to approve Application #24-006 Regulated Activities in Connection with Limited Work to Repair & Stabilize Dam Located at the Western Outlet of Spaulding Pond, located off Litchfield Road, Bill Millard seconded, and it was approved unanimously.

8. **WEO REPORT.** Stacey Sefcik had no agent approvals. She went over her report.

1-Are they happy with emailing packets? They are all fine with that.

1-She would like guidance on the fee schedule. They all had questions. They tabled it.

Hartley decided to compare other towns Wetlands fees and asked Bill to get Canaans', Jill to get Cornwall's', Hartley to get Colebrooks' and Stacey will get Goshens'.

9. **COMMUNICATIONS & BILLS.**

A. Approval of payment to Northwest Conservation District, Inc. Annual bill.
Jill Chase made a motion to approve payment to Northwest Conservation District, Inc, seconded by Bill Millard and approved unanimously.

Hartley wanted to know the Agency's budget and make sure that they are within it.

TO DO:

1-Stacey to obtain the Agency's budget

2-Stacey to obtain from Elizabeth Bailey, application #24-011, for the plan to depict the location of the drainage pipes and information about how they will be installed as well as information about the sizes of the proposed pipe, Stacey would also like information regarding how/where the pipes are going to outlet as well as to know that wherever they are outletting will not cause erosion, etc.

3-Stacey will find out if application #24-010 is using any chemicals to kill the phragmites.

4-Each member will get a different town's Wetlands fees for comparison as stated above.

10. **ADJOURNMENT.**

Jill Chase made a motion to adjourn at 8:10pm, seconded by Bill Millard and approved unanimously.

Respectfully submitted,



Marinell Crippen
Recording Secretary