

**TOWN OF BOZRAH
INLAND WETLANDS AND CONSERVATION COMMISSION
BOZRAH TOWN HALL
1 RIVER ROAD
BOZRAH, CT 06334**

February 4, 2021

The meeting of the Bozrah Inland Wetlands and Conservation Commission was called to order by Chairman Scott Taylor at 7:00 P.M. via Zoom teleconference/videoconference.

Members present: Scott Taylor, Chuck Mandel, Jim Sipperly, Evelyn Brown, Steve Brunetti, Charlene Lathrop, Jessica Carson (alt.).

Others present: Glenn Pianka (Board of Selectmen), Sam Alexander (SCCOG/Town Planner), Steve Seder (resident, PZC Chair), Katey DeCarli, P.E. (HA/Land Use Agent), Kevan Jalili (Creative Enclosures), Zachary Hughes (Creative Enclosures), Brandon Hanfield, P.E. (Yantic River Consultants), David Gesiak (Applicant).

Jessica Carson sat as a regular member.

1. Review and approve minutes:
 - a) March 5th regular meeting.
Action deferred

- b) January 7th.

Jim Sipperly made a motion to approve the January 7th meeting minutes as presented. Steve Brunetti seconded the motion.

VOTE – UNANIMOUS – MOTION CARRIED

2. Hear the report of the Wetlands Enforcement Officer:

Katey DeCarli (Land Use Agent) reported on her recent activity. Katey DeCarli visited an agricultural use on Salem Turnpike and advised the property owner on best practices. Charlene Lathrop asked about a pond excavation on Bashon Hill Road. Katey DeCarli will look into the issue.

3. Review correspondence pertaining to agenda items:

Sam Alexander reported that memo dated February 4th was sent the Planning & Zoning Commission, with the IWCC cc'd, regarding agenda item 4.b. Sam Alexander also reported that a map of the proposed activity under agenda item 4.c was sent to the Commission on February 3rd.

4. New Business:

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- a) Hull Forest Products, Inc., 101 Hampton Road, Pomfret, CT: Timber harvest at 387 Bozrah Street. Owner: Steven Sawicki.

Katey DeCarli reviewed the application. The applicant was not present. Katey DeCarli overviewed a map of the proposed timber harvest; the harvest does not propose crossings or tree cuttings within the wetlands. Katey DeCarli did not provide any further comment to the forester. The proposed harvest is a selective cut, not a clear-cut.

Jim Sipperly made a motion to determine that the proposed timber harvest, as it is presented, is an allowed activity “As-of-right”, and requesting that the harvester identify the Wetlands Enforcement Officer prior to the harvest, so that the Land Use Agent may ensure the proper use and management of erosion and sedimentation controls. Chuck Mandel seconded the motion.

There was discussion regarding the proper procedure approving timber harvests. The Commission and staff discussed past practice, which was allowing the Wetlands Enforcement Officer to approve the use and ensure best management practices. It was determined that the proper way moving forward was to allow the Commission to determine As-of-right status.

VOTE – UNANIMOUS – MOTION CARRIED

- b) David Gesiak, LLC, 216 Norwich Ave., Lebanon, CT: 7-Lot residential subdivision, Bozrah Street and South Road (Map 14, Lot 046). Property is zoned RU-1.

Jim Sipperly recused himself from the application; Jim Sipperly was the Soil Scientist responsible for wetlands delineation on this project.

Brandon Handfield, P.E. (Yantic River Consultants) overviewed the project for the Commission. The proposed subdivision is for seven lots on 35.5 acres of land. Homes are shown on each lot in upland areas, near the road frontage where lots are generally flatter. There are three wetland areas: a pit containing wetlands on lot 2, a stream in steep cut on lot 7, and a large wetland area in a low point on lots 1, 4, 5, 6, and 7. The closest any limit of clearing gets to a wetland area is about 50 feet.

Brandon Handfield answered questions from commissioners. Chuck Mandel asked if the wetland on lot 2 was a vernal pool. The wetland appears to be wet at times of the year other than spring. The lot was walked in August, which was a particularly dry month and there was standing water.

Chuck Mandel asked if the proposed septic area could be moved to the north on lot 4, away from a steep slope uphill from the large wetland area. Chuck Mandel asked if footing or roof drains could be shown. Chuck Mandel commented that silt fencing may be preferred to wood chips in certain areas (both are proposed as erosion control barriers, where appropriate).

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Commissioners expressed a need to visit the property. Chuck Mandel asked for the general area of the lot 4 septic system to be staked. Brandon Handfield noted that there are a number of test pits in the field for reference, Brandon Handfield also noted that an ATV track on lots 1, 2, and 3 provides good reference.

Scott Taylor made a motion to table the application until the next meeting, providing opportunity for Commissioners to walk the site. Scott Taylor suggested that comments and questions be forwarded to staff. Chuck Mandel seconded the motion.

VOTE – UNANIMOUS – MOTION CARRIED

- c) Creative Enclosures, 56 Stockhouse Road, Bozrah, CT: Addition to a single-family residence, 17 Gilman Road. Owner: Steve and Elaine Malzone.

Kevan Jalili (Creative Enclosures) introduced the application. The applicant proposes a 16x30' walk-out basement addition on a single-family home. Kevan Jalili noted that rain water from the addition will be infiltrated.

Sam Alexander showed a map of the area and noted that the proposed addition is located on an alluvial/floodplain soil: Pootatuck fine sandy loam. This is a well-drained soil. Within 25 feet of the proposed addition is the boundary of a Rippowam fine sandy loam, which is poorly drained. The site is topographically level with a drainage ditch, within 100' of the proposed addition. The actual soil in and around the house likely differ from the NRCS soil classifications due to past disturbance from home construction.

Chuck Mandel asked about flooding. The structure is within the FEMA AE zone (100-year flood, with base flood elevation). The home predates the flood regulations, so an addition that does not exceed 50% of the structure value is allowed. Jim Sipperly asked about the exact location of the boundary between soil types.

Chuck Mandel made a motion to make a jurisdictional ruling that the proposed activity is "Not Regulated". Steve Brunetti seconded the motion.

VOTE – UNANIMOUS – MOTION CARRIED

5. Open Space Plan next steps:

Sam Alexander stated that a public workshop was just held prior to the meeting, with 7 in attendance. The Commission should continue to think about actions it could undertake to advance the plan, and review recommended actions, as well as think of priority areas for conservation and a vision statement. Sam Alexander also asked if anyone has good photographs, to please forward them.

6. Review general correspondence:

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There was none.

7. Such other business as the Commission may vote to hear:

Sam Alexander overviewed an on-going land use topic: affordable housing in Woodbridge, Connecticut, for which the Commission asked him to provide a brief at the January meeting. There is an on-going application for a multi-family, mixed-income housing development in Woodbridge. If the application is denied, the organization making the application, Open Communities Alliance, plans to challenge the denial in court. It would have the potential to be a landmark case.

9. Public comment period:

There was none. Steve Brunetti made a motion to adjourn. Evelyn Brown seconded the motion.

VOTE – UNANIMOUS – MOTION CARRIED

Meeting adjourned at 8:31 P.M.

Respectfully Submitted,
Samuel Alexander, AICP
Town Planner