



CONSERVATION COMMISSION

225 Center Road - Easton, Connecticut 06612

**MINUTES FOR THE TOWN OF EASTON CONSERVATION COMMISSION  
REGULAR MEETING  
May 10, 2022 7:30 p.m.**

**PRESENT IN PERSON:** Dori Wollen, Chair, Maria Corti, Elliot Leonard, Dave Logie, Steve Montgomery, Karin Niesyn. **PRESENT VIA PHONE:** Cathy Alfandre

**ABSENT:** Sarah Cwikla

**MEMBER OF THE PUBLIC PRESENT:** Carter Broderick, Robert Klem, Rich McLaughlin.

Chair Dori Wollen called the meeting called to order at 7:32 p.m.

**1.) INLAND WETLAND APPLICATIONS**

**# 22-606 34 POND ROAD;** Dana Benson, Regrade property, install drainage system, received 4/12/2022 + 65= 6/16/2022. Mr. Benson submitted an e-mail asking to temporarily withdraw his application as he will be out of town for an extended period of time. **MOTION:** Dave Logie moved to accept the withdrawal of **#22-606** until further notice from Mr. Benson, Elliot Leonard seconded. **VOTE:** The withdrawal of **#22-306** was approved by unanimous voice vote

**# 22-612 45 Adirondack Trail,** Craig Vicidomino, Install 20' x 40' inground pool, received 4/26/2022 + 65 = 6/25/2022. Carter Broderick of LGB pools appeared on behalf of this application. A majority of commissioners completed a site visit and were satisfied with the site and plans presented. **MOTION:** Steve Montgomery moved to approve **#22-612** with standard stipulations. Elliot Leonard seconded. **VOTE: # 22-612 45 Adirondack Trail** with a voice vote of 6 in favor and one abstention (Cathy Alfandre).

**#22-613 105 NORTON ROAD:** Rich McLaughlin, "Develop Bogs", replace 18" pipe with 24-30" drain pipe, install irrigation, set brook boundary, received 5/10/2022 + 65 days=7/14/2022. Rich McLaughlin appeared on behalf of this application. He stated that he had a soil scientist stake the property approximately three weeks ago. Due to the complexity of the project, the commissioners discussed visiting the site together so that Mr. McLaughlin can describe his plans to all of them at one time. All agreed to meet on Saturday May 21<sup>st</sup> at 10 a.m. A special meeting will be scheduled for that time.

**#21-594a 1 Center Road, Easton Volunteer Fire Company.** This application was approved September 14, 2021 to clear and regrade property and construct a storage building. Chief Robert Klem appeared on behalf of this request to amend the original application. Chief Klem stated that once the regrading was completed several members noted that if the storage building was moved to the western side of the lot it would allow more space for the fire company to conduct training exercises. He was asked about the steep decline from the graded area down to the wetlands and how

the wetlands would be protected. Chief Klem stated the sharp decline would be overplanted with grass and gravel, and it would be blocked by the storage shed. **MOTION:** Elliot Leonard moved to approve the amendment to **21-594** to read as **21-594a** moving the storage shed 60 feet from where originally approved as shown on the site plan initialed by Chief Klem 5/10/2022. Dave Logie seconded. **VOTE: 21-594a 1 Center Road** was approved with a voice vote of 6 in favor and one abstention (Cathy Alfandre).

**SITE WALK: 105 Norton Road**

**2.) UNFINISHED BUSINESS:**

A. **V#05-143**, Notice of Violation at 740 Stepney Road--Neunteufel and VonKuthy, issued 7/5/05. The WEO advised staff that Mr. Neunteufel has been in contact with him about resolving this issue. After a discussion it was decided that the WEO should ask Mr. Neunteufel to accompany him on a site visit.

B. Cease and Desist Order for property at 740 Stepney Road--Neunteufel and VonKuthy, issued 7/20/05.

C. **V#11-158**, Notice of Violation at 580 Sport Hill Road--Austin Ganim, issued 5/24/11. The WEO submitted a memo which the Chair read into the record. The WEO, Attorney Taylor and Mr. Ganim visited the site in April of this year. The WEO's report is attached to these minutes. Accordingly, the Commissioners agreed to lift the violation subject to Mr. Ganim's confirmation that no further activity will take place in any part of the regulated areas. A letter to that effect will be sent to Mr. Ganim. **MOTION:** Steve Montgomery moved to LIFT **V#11-158** subject to receipt of such acknowledgement made by Mr. Ganim. Elliot Leonard seconded. **VOTE:** The motion to LIFT #11-158 was approved by unanimous voice vote.

D. **V#21-585** Activities within 200 feet of a 3-acre pond- Lorraine McLaughlin, 105 Norton Road, issued 3/24/2021. Mr. McLaughlin filed application 22-623 at this meeting.

E. **V#21-584** Notice of Violation at 1074 Black Rock Road- Trevor A. Smith, issued 3/9/2021, Cease and Desist order. Staff was directed to send a second violation letter, (sent on April 9, 2021). Chair Wollen noted that this address had been discussed at a recent P&Z meeting. The WEO submitted a memo detailing the history of this violation and the dispute between Mr. Smith and his neighbor. There were several questions as to where the fill was deposited. Staff was directed to find a map of 1074 Black Rock Road. Cathy Alfandre asked if a site walk was warranted. The Chair stated that the WEO should go to the property first. As of this meeting there is no further update.

F. Warning re; activities within 100 feet of wetlands- David Harding 570 Morehouse Road, Easton CT, issued May 17, 2021

G. **V#21-592** Activities within 100 feet of wetlands-David Harding, 570 Morehouse Road, Easton CT, issued August 12, 2021. There has been no further contact from Mr. Harding. Chair Wollen wrote a letter to Mr. Harding which was delivered by a Marshall on December 2<sup>nd</sup>, 2021. The Commission discussed Mr. Harding's lack of response and whether to start the fine process. On April 11, 2022, Chair Wollen wrote to Mr. Harding (fourth notice) in order to remind him of the Ordinance which permits this Commission to start charging a fee for non-compliance. Additional research is being done to comply with the process of levying fines.

H. **V#21-593** Activities within 100 feet of wetlands- John Stanczyk, 582 Morehouse Road, Easton CT, issued August 13, 2021. The homeowner's application **#21-597** was approved but the remediation work has not been completed. Several Commissioners noted that as of May 10, 2022 the silt fence remains in disrepair and no action has been taken to fix it, although there has been activity in the area of the culvert and stockpiles of dirt. The Commissioners are concerned that

the work is not being completed as directed. It is unknown who is doing the work for Mr. Stanczyk and are concerned that their neighbor David Harding (See item G V#21-592 above) is their contractor. Staff was directed to send a cease and desist letter until the Stanczyk's satisfactorily demonstrate who is doing the work and that it is being done as directed in the permit #21-597. Mark Ochman is to be copied.

**J.) V#22-611** Activities within 100 of wetlands- Nagy Enterprises, Inc, 18 Tatetuck Trail. Norman Nagy appeared in response to this notice. A new application was submitted 5/10/2022 too late to be placed on the agenda.

**3.) NEW BUSINESS:**

**4.) REVIEW FOR REPORT TO PLANNING AND ZONING:**

**5.) CONSERVATION PROJECTS:**

**6.) OPEN - SPACE ISSUES:**

**7.) WEO COMMUNICATIONS:**

**8.) CORRESPONDENCE:**

**9.) MISCELLANEOUS:** Chair Wollen reported that she had written a letter nominating Steve Corti for the Aquarion award.

There was a discussion of the fee schedule which was last updated in 2007. Karen Niesyn noted that the Consumer Price index has risen 38% since 2007. Staff was instructed to research Redding's fee schedule.

**10). APPROVAL OF MINUTES FROM PRIOR MEETING:**

**MOTION:** Steve Montgomery moved to approve the minutes of the last meeting. Karin Niesyn seconded. **VOTE:** The minutes of the April 26, 2022 meeting were approved unanimously.

**11). ADJOURNMENT:** A motion to adjourn the meeting was made by Elliot Leonard and seconded by Maria Corti. **VOTE:** Approved by unanimous voice vote.

The meeting adjourned at 8:56 p.m.

Submitted by Frances M. Daly  
Secretary, Easton Conservation Commission

**Town of Easton**  
**Conservation Commission**

**To:** Conservation Commission

**From:** Mark DeLieto

**cc:** File

**Date:** 05/09/2022

**Re:** Long outstanding violation #V11-158

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A little over 6 months ago, I became aware of a many years old outstanding violation, #V11-158, that had been issued by the Conservation Commission on 05/24/2011. The property in question is a small farm/nursery located at 580 Sport Hill Rd. that is owned and operated by Mr. Austin Ganim. On Oct. 21, 2021, a certified letter was sent by the Conservation Commission to Mr. Ganim requesting he attend the next regularly scheduled meeting of the Commission. His Attorney, William Taylor was cc'd on the letter and both did appear at the next meeting.

In an attempt to educate myself on this matter, as I was unfamiliar with what had taken place those many years ago, in April of this year (2022) I spoke to Phil Doremus, the former Wetlands Enforcement Officer and he was able to provide me with some particulars of this matter and I arranged to meet with Mr. Ganim and his Attorney, William Taylor, on the property so that I could see and familiarize myself with the area in question. I was hoping to go to the site with Phil Doremus, but was unable to coordinate the date with Mr. Ganim and his Attorney, primarily because of Attorney Taylor's busy court schedule. Approx. 3 weeks ago, in mid April, 2022, I did meet with Mr. Ganim and Attorney Taylor and Mr. Ganim showed me the area that had been disturbed and explained what he had done many years ago, including laying gravel to stabilize a portion of the driveway that the work trucks would frequently be using, bringing in some clean fill to an area that he used to set up a row of hoop houses, and the installation of some drainage pipes in an area adjacent to the hoop houses. I did not see any signs whatsoever that any permanent damage had been done to the wetlands and the entire area that had been disturbed 10 years ago was stabilized and appeared to be in its natural state.

Mr. Ganim has been operating his nursery business as his livelihood for many years and has built a home on the property that he and his family live in. He assured me there have been no wetland violations occurring on his property and he now understands the ramifications of excavating and disturbing the soil and other similar activities, when in close proximity to wetlands.

I think that the passage of time and the fact that no real damage to the wetlands has occurred in this instance lends itself to the possibility of allowing this matter to be closed. Mr. Ganim appeared genuinely sincere and assured me that his goal was to be a good neighbor in this

town and to abide by all of the required rules and regulations and I feel that removing this violation would be the right thing to do at this juncture for all parties involved.