



INSTR # M2023000042
DATE FILED 01/18/2023 03:56:38 PM
DEBORAH SZEGEDI
TOWN CLERK
EASTON CT



CONSERVATION COMMISSION

225 Center Road - Easton, Connecticut 06612

**MINUTES FOR THE TOWN OF EASTON CONSERVATION COMMISSION
REGULAR MEETING
HELD IN PERSON
TOWN HALL CONFERENCE ROOM" A
JANUARY 10, 2023 7:30 p.m.**

PRESENT IN PERSON: Dori Wollen, Chair, Cathy Alfandre, Maria Corti, Elliot Leonard, Dave Logie, Karin Niesyn. **ALTERNATES:** Anthony Battaglia, Brandon Harvey
ABSENT: Sarah Cwikla, Steve Montgomery
PUBLIC PRESENT: Robert Letskus, Dean Martin, PE, Attorney Chris Russo, Jamie Malattera. Dana Benson, one other person.

Chair Dori Wollen called the meeting to order at 7:30 p.m. She appointed alternate commissioner Anthony Battaglia to vote for Steve Montgomery.

1.) INLAND WETLAND APPLICATIONS:

#23-627 36 FAR HORIZONS SUBDIVISION; Change subdivision from 2 lots to 3 lots. Received 1/10/2023 +65= 3/26/2023. This subdivision was originally approved as a 5 lot in 2015. Subsequently it was reduced to a 4 lot, then a 2-lot subdivision. The original permit has been extended several times, it is now approved until June 2024.

Robert Letskus, owner of Refined Living LLC., Dean Martin P.E., Attorney Chris Russo appeared on behalf of this application. They explained that they wish to split the property into a 3-lot subdivision, the house at #36 which is under construction is on proposed lot 2.

Chair Wollen asked to have the 4 corners of each house, the septic systems and driveways staked in support of the site walk.

#23-628 34 Pond Road; Benson Dana; After the Fact application. Received 1/10/2023 +65= 3/26/2023. Dana Benson appeared on behalf of this application with his contractor. He explained that he had hired a contractor to regrade his property to reduce flooding, and had not filed a permit application based on advice from that contractor. DPW Director Ed Nagy visited the property and found that Town property had been regraded as well. Mr. Nagy was unaware that there was no permit for this work and told Mr. Benson to return the Town property to its original state. Mr. Benson hired a new contractor who regraded the area and the Towns right-of-way is back to its original state. The contractor also created two rain gardens to alleviate flooding, which was the reason for the work. Weather permitting, the area will be seeded as soon as possible.

SITE WALK: 36 Far Horizons subdivision lots 1,2 & 3., 34 Pond Road.

2. UNFINISHED BUSINESS:

A. **V#21-584** Notice of Violation at 1074 Black Rock Road- Trevor A. Smith, issued 3/9/2021, Cease and Desist order. Attorney Lukas J. Thomas of Owens, Schine and Nicola appeared at an earlier meeting on behalf of Mr. Smith. Although Attorney Thomas agreed to follow up with a site plan there has been no further contact. Messrs. Smith and Thomas appeared at the 1/9/23 P&Z meeting. They had indicated they planned to attend this meeting but they did not show.

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

C. **V#21-592** Activities within 100 feet of wetlands-David Harding, 570 Morehouse Road, Easton CT, issued August 12, 2021. Chair Wollen wrote to Mr. Harding on June 9th, 2022 levying a \$1000 fine without any response. On 10/7 the First Selectman advised staff that Peter Howard has been appointed as Hearing Officer and directed staff to work with his Assistant to initiate legal proceedings due to non-compliance pursuant to Chapter 325 of the Town Code. The hearing was held on December 9, 2023. During this hearing Mr. Harding asserted he had obtained a farm designation for his property. His friend and neighbor, Dan Phillips, who also appeared, said Mr. Harding's property was covered by the Stanczyk's permit for regulated activities. Mr. Harding was expected to appear at this meeting with an As of Right Determination request and also provide information regarding the alleged activities at the rear of his property. Mr. Harding has not submitted any application. Mr. Howard sent Mr. Harding a follow up letter on 1/6/23.

D.) **V#22-618** Spreading contaminated fill within 100 feet of wetlands-Easton Village Center LLC/COV. On 8/23/2022 Chair Wollen and Steve Montgomery gave updates on the contaminated fill at Easton Village Store. Based on available maps it was determined that the violation(s) are valid since the fill was deposited within the 100-foot regulated area. On 9/8/2022 Dr. Huribal was informed in writing that the area in question was indeed within the 100-foot regulated area. Accordingly, he was instructed to file an After the Fact application for the five events and stabilize the area in question either by seeding or planting of bushes acceptable to the Wetlands Enforcement Officer. As of this meeting, (1/10/2023) Dr. Huribal has not responded to any correspondence regarding the violations there was a discussion of initiating the fine process.

7.) WEO COMMUNICATIONS:

8.) **CORRESPONDENCE:** Request from Justin Giorlando asking for a letter of support for his farm grant request from the State department of Agriculture. Cathy Alfandre said his request was in line with the Commission's mission and the members agreed to support the request.

9.) **MISCELLANEOUS:** Chair Wollen advised that Island Pond in Paine Open Space has been attacked by beavers. DPW Director Ed Nagy agreed to follow up and install a beaver deceiver. Dave Logie reported that the wooden planks for the Carriage Road entrance are ready for installation. Anthony Battaglia offered to clear the broken trees and brush at Paine. Elliot Leonard announced his decision leave the Commission. Having served 10 years he felt it was time to say goodbye.

10). APPROVAL OF MINUTES FROM PRIOR MEETING:

MOTION: Karin Niesyn moved to approve the minutes of the meeting of December 6, 2022.

Dave Logie seconded. **VOTE:** The minutes of the December 6, 2022 meeting were approved by a unanimous voice vote.

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

The meeting adjourned at 9:24 p.m.
Submitted by Frances M. Daly
Secretary, Easton Conservation Commission