

TOWN OF SOMERS
Conservation Commission
600 Main Street

SPECIAL MEETING
THURSDAY, AUGUST 13, 2026
6:00 PM TOWN HALL
MINUTES

I. CALL TO ORDER

Chairperson Joan Formeister called the meeting to order at 6:01 p.m. The commissioners in attendance were Dan Fraro, Sydney Flowers, Drew Kukucka. Joanna Shapiro, the Town of Somers Wetlands Agent, was also present.

II. OLD BUSINESS

1. **Discussion/Possible Decision Application #831: 969 Main Street.** Grading and septic in the Upland Review Area, associated with construction of new home. Executive Estates Realty LLC.

Joanna Shapiro reminded the Commission that this application involves grading and septic work for a new home on an existing lot, impacting the upland review area but with no direct wetland disturbance. The sanitarian has approved the plan. A minor finding was that the driveway was shown too close to the property line. The zoning officer was consulted, and the applicant's engineer will adjust the driveway placement by approximately 4 feet, which is not expected to impact the limit of disturbance.

There was discussion around making it a standard condition for applicants to contact the Wetlands Agent before starting work to ensure proper installation of erosion controls. The agent suggested straw wattles over silt fence for rocky terrain for this site. Members discussed the practical implementation of this condition, including the need for visual inspection by the Wetlands Agent and the process if issues are found. Wording was considered to ensure clear approval by the Wetlands Agent.

Drew Kukucka moved to approve Application #831: 969 Main Street. Grading and septic in the Upland Review Area, associated with the construction of a new home. Executive Estates Realty LLC. With the condition that Joanna Shapiro be notified upon installation of erosion and sediment control measures for approval prior to proceeding with additional work, and based on the following:

- The Commission finds that the Applicant has submitted all necessary application materials pursuant to Section 211-7 of the Wetlands Regulations, including but not limited to Section 211-7(E)(5), “Alternatives considered and rejected.”
- The Commission did not find the proposed activities “significant.”
- The Commission finds that the criteria set forth in Section 211-10B have been met by the Applicant.

Sydney Flowers seconded. All were in favor, and the motion carried. A motion was made and seconded to approve the application.

III. NEW BUSINESS

1. **SHOW CAUSE HEARING - ORDER TO CEASE AND CORRECT VIOLATION.** **47 Old Hampden Road.** Site Work causing Erosion and Sedimentation of Watercourse. Juliano Family One LLC.

Joanna Shapiro reported that evidence of sedimentation of Thrasher Brook was submitted to the town, leading to an enforcement order from the zoning enforcement officer and a conservation order to cease and correct from the commission. The conservation order specifically addressed sedimentation of Thrasher Brook and referenced past issues, and it requires a hard stop on all site activities except for erosion control and stabilization efforts. A show-cause hearing is legally required within 10 days of issuing such an order.

The Wetlands Agent visited the site twice this month, once on 8/4 and the other earlier today, observing evidence of sedimentation and the need for maintenance of existing erosion control measures. While some measures were overwhelmed recently by a large rain event, active sedimentation was not observed during the second visit. The primary contributors identified were sediment in the drainage ditch along the driveway and potentially along the paths being used by motorized vehicles. Sedimentation from the road itself was also noted as a contributing factor. In the week following the order, significant improvements were made, including filling and lining eroded diversions with stone, re-excavating the detention basin, and implementing erosion controls where trails meet the road.

A formal engineered plan for stormwater and erosion/sediment control is considered crucial for a full resolution. The deadline for submission of this plan was mentioned in the zoning enforcement letter as August 19th.

A call with CT DEEP's stormwater division indicated that the current site usage does not trigger their stormwater general permit. However, if the site transitions to a development disturbing over 5 acres, permitting would be required. DEEP was made aware of the town's order and asked to be kept updated. The town acted upon this two days prior to the land use department call with DEEP.

Brian Juliano presented their perspective, detailing efforts made since the December incident, including installing check dams and a basin. He admitted that maintenance of these check dams was identified as a deficiency. The property is also used as a dirt bike pit, contributing to erosion. New erosion controls have been installed, including double silt fence and berms to divert runoff into town-created retention areas along the road. Challenges include wind erosion and sediment from dirt roads, and the difficulty of preventing off-road vehicle use on the slopes. An engineered plan for a future development is underway. Commitment to cleaning out the drainage ditch and enhancing stone lining was made.

The Commission raised concerns about the ongoing nature of the erosion issues, the adequacy of past controls, the stability of the drainage ditch, and the potential for continued erosion from off-road vehicle activity. Joan Formeister stated that the Commission needs to communicate with the Planning and Zoning Commission about what was decided tonight. She stated that the Planning and Zoning Commission should have put requirements on the property owner to prevent this type of situation from happening in the first place.

The Commission discussed the "stop all site work" clause in the order and whether certain activities related to remediation and other site work should be permitted. It was suggested that remediation efforts should be prioritized and that the commission could potentially modify the order once initial work is completed. The current order allows for the wetland agent to approve further work once stabilization is achieved. The property owner anticipates an interim plan from their engineer within a couple of months, with a formal development plan to follow. The zoning order deadline for August 19th for submission of a plan to resolve current stormwater and erosion issues was reiterated.

The need for a wetlands delineation by a soil scientist was discussed, particularly around the retention basin by the road, and the property owner stated that George Logan, a soil scientist, had been out to the site and can work on this. The property owner committed to cleaning out, stabilizing, and enhancing the drainage ditch along the access driveway by the end of the following week. The Commission expects an interim erosion control and stormwater plan from the engineer for the next meeting on September 2. The Wetlands Agent will monitor progress and potentially review the completed ditch work. The "cease and desist" order is to remain in place temporarily, with potential for modification once initial erosion control work is substantially completed, and the interim plan is reviewed.

IV. STAFF REPORT

- The summer has been very busy with numerous applications for pools, decks, sheds, and new houses.
- An inquiry was received regarding the feasibility of building a pool on the challenging lot at 35 Therese Drive, which has a history of difficult approvals.
- The building permit for the approved Worthington Vineyard Event Space has been signed off
- A milfoil commission from Stafford reached out to surrounding towns regarding aquatic invasive plants, seeking to converse with towns dealing with similar issues.
- Following a fire at Growers Direct of 164 Hamden Road, the property owner plans to install a large water tank. An updated wetland delineation is required due to past activity and development on the property, as prior activities seem to have altered the wetland line. A letter from a soil scientist attesting to no wetlands within 100 feet of the water tank site was provided for immediate permitting, conditional on receiving an updated as-built plan with a new wetland delineation.
- Numerous other sites have had erosion issues not directly related to wetlands, requiring follow-up.

Drew Kukucka made a motion to approve the Staff Report, Sydney Flowers seconded, all approved and the motion carried.

V. CORRESPONDENCE AND BILLS

1. Journal Inquirer July legal notice - \$47.22

- Notification was received regarding upcoming herbicide treatment on Shady Lake.
- The summer monitoring for the Scantic River Water Quality is concluding early due to the lead scientist's recovery from surgery, and losing help due to the end of the school year.

Sydney Flowers made a motion to pay the July Journal Inquirer bill for \$47.22, Drew Kukucka second, all approved and the motion carried.

VI. MINUTES APPROVAL: July 1, 2026 regular meeting

Drew Kukucka made a motion to approve the July 01, 2026 meeting minutes, Sydney Flowers seconded, all approved, and the motion carried.

VII. ADJOURNMENT

Drew Kukucka made a motion to adjourn the meeting, Dan Fraro seconded, and the meeting adjourned at 7:25 p.m.

Respectfully Submitted, Sydney Flowers

MINUTES ARE NOT OFFICIAL UNTIL APPROVED AT A SUBSEQUENT MEETING