Town of Canaan

Inland Wetlands/Conservation Commission

Zoom Public Hearing and Regular Meeting

November 16, 2020

**Public Hearing for Proposed Inland Wetlands and Watercourses Regulations**

Members Present: Mark Burdick, Ellery Sinclair, Felicia Jones, Susan Kelsey.

The public hearing was opened at 6:40 p.m. by Chairman Burdick. The recent additions and changes suggested by Darcy Winther of the DEEP were reviewed by members. Consensus of members was to make the suggested additions and changes. There was no public comment. Burdick declared the hearing closed at 7:01 p.m.

**Regular Meeting**

Others Present: Becky and Wade Curtis, Theresa and Joe Graney, Bogdan Pawezka, John Seitz.

The meeting was called to order at 7:04 p.m. by Chairman Burdick. Jones made a motion to approve minutes of October 19, 2020; seconded by Sinclair; approved unanimously.

**Public Input:** none.

**Old Business:**

**1. Bogdan Pawezka, Hemp Farm, 35 Stein Lane:** Burdick asked Pawezka to describe the current activities at 35 Stein Lane. Pawezka said he had hired a contractor to clear approximately one acre of land; the soil was aerated and then 12,500 plants of hemp were planted. Pawezka didn’t remember the name of the contractor. A fence was installed around the area he is now farming. He told members he had received a permit for growing hemp from the CT Department of Agriculture and had received additional documents from the USDA regarding his farming operation. Kelsey asked if he would provide copies of the USDA documents to the Commission; Pawezka said he would leave copies off at the town hall. Kelsey mentioned that there is a map on file with the town clerk of the Stein Lane subdivision that shows significant wetlands occurring on the current Pawezka property. Pawezka said he was not aware of there being wetlands on the property and that he had spoken with Tom Scott, Zoning Enforcement Officer prior to his beginning the activity. Burdick asked Pawezka if representatives of the Commission could visit the site. It was decided that Burdick and Kelsey would meet with the owner at a time to be determined; Kelsey will contact Burdick and Pawezka to work out a time to meet.

**Public Input:** Theresa Graney commented she would be anxious to hear the results of the on-site visitation of the property; Seitz and Curtises said they would wait for the results of the site visit and the disclosure of additional information before commenting.

**2. Sustainable Connecticut:** Jones reported that the Town did not receive bronze certification as it did not earn enough points for activities that had been submitted for consideration (the Town earned 155 points out of the required 200 points necessary to receive certification at the bronze level). She is confident that certification will be obtained in the near future.

**3. Housatonic Railroad Herbicide Spraying:** Sinclair reported having spoken to Selectman Todd regarding the apparent lack of regulations of spraying herbicides in or near wetlands and watercourses. Todd suggested that this concern might require federal involvement as it may involve interstate regulations. Jones said Massachusetts has banned spraying along the railroad and that she would contact HVA to inquire the specifics of their regulations. Sinclair will email Horn to advise her of 1) the possible need for federal involvement and 2) that HVA and Tim Abbott are also being contacted regarding this issue. Jones reviewed the current legislative act regarding the requirement that the Railroad prepare an herbicide management plan; consensus among members is that the act is weak and in need of possible amendment to address the concerns of spraying in or near wetlands and watercourses.

**4. Route 7 Fuels:** Sinclair reported that Selectman Todd had spoken to an engineer and was told that the piled soil at the gas station contains no dangerous chemicals. Todd is advocating that the soil be used at the transfer station to cover the bulky waste. It is the consensus of members that additional assurance (laboratory testing? State permission to use at transfer station?) regarding the safety of the soil is needed prior to allowing it to be spread at the transfer station. Burdick will follow up with Todd to get an update on the dispensation of the soil. Kelsey will contact Gonyea at the State DEEP and will research the lab that tested the water to see if they are able to test the soil.

**New Business:**

**1. Adoption of Revised Inland Wetlands and Watercourses Regulations:**

Jones made a motion that the Inland Wetlands/Conservation Commission adopt the amended regulations as presented and revised at the public hearing; seconded by Sinclair; passed unanimously. Kelsey will send the adopted regulations to the State DEEP.

**2. NW CT Rod and Gun Club:** Burdick reported having seen heavy equipment at the property of the Rod and Gun Club north of the intersection of Route 126 and Johnson Road. Kelsey will contact the Club to ascertain the activity involving the equipment.

**Routing Sheet:**

**1. Garrett Scavotto, 92 Railroad Street:**  12’ X 18’ deck.

**Communications:**

**1. Chestnut Zoom Presentation:** Sinclair will be giving a zoom presentation in early December on the history of the American Chestnut plantation on Undermountain Road. Sinclair will notify the person in charge of the zoom presentation of those individuals interested in participating in the presentation in order to be provided the zoom link.

Jones made a motion to adjourn at 8:15 p.m.; seconded by Kelsey; passed unanimously.

Respectfully submitted,

Susan Kelsey, secretary