

Town of Canaan
Inland Wetlands/Conservation Commission
Minutes of Regular Meeting, September 15, 2025

Members Present: Mark Burdick, Brant Burz, Susan Kelsey, Ellery Sinclair, Marlene van Gulick

Meeting called to order at 7:03 p.m. by Chairman Burdick. Minutes of August 18, 2025 were reviewed. Motion made by Burz to approve minutes; seconded by Sinclair; passed unanimously..

1. Public Input: None

2. Old Business:

- a. **Street Tree Management:** Kelsey reported having spoken with Tim Downs of the highway department/Tree Warden regarding Bruce Bennett's offer to assist the town in implementing a street tree management plan. Kelsey expressed to Downs the Commission's desire to include him in the planning and implementation of said plan. Bennett has requested the Commission to pinpoint areas of concern. Members agreed to start inspecting trees along town roads (Burz: Undermountain; Burdick: Johnson; Kelsey: Page and Music Mountain; van Gulick: Cobble), noting potential issues (e.g. safety, health and encroaching invasives).
- b. **Town Roadside Mowing Update:** Kelsey spoke with Selectmen Barger and Kinsella relaying the Commission's concerns regarding an apparent reduction in the area being mowed along town roads. Selectmen were unable to explain this apparent decrease in the width of mowed roadsides. Burz noted that the Town had recently applied herbicides in areas not conducive to mowing. He questioned the rationale behind the use of herbicides along roadsides, especially in areas in proximity to wetlands and watercourses. Sinclair agreed to draft a letter to Selectmen expressing the Commission's concern and to inquire if there are guidelines in place regarding said use.
- c. **Messing/Mallick Application, 15 Belden Street:** The Commission reviewed additional information submitted by the applicants in regards to their proposed driveway repair. Kelsey made a motion to accept application for review; seconded by Burz; passed unanimously. Burz expressed concern about driveway materials migrating into the watercourse over time. Kelsey made a motion to approve the application with the following findings and conditions:

Findings:

1. There is an existing driveway and parking lot as delineated in application.
2. Driveway is within 100 feet of a watercourse.
3. Only the parking lot is to be resurfaced with gravel; no resurfacing to be done on other portion of driveway.
4. There is a significant slope between area of proposed activity and the watercourse.

5. Straw tubing and silt fencing are proposed as erosion control measures.
6. Removed material will be loaded directly into a truck and transported off-site.

Conditions:

1. That the Commission be notified (Mark Burdick: 203.217.2405) when silt control measures are installed to allow for field inspection.
2. That spoils generated from activity be removed from site.
3. That silt control measures remain in place until areas are stabilized.
4. That subsequent to removal of silt control measures, area is regularly monitored to ensure that no driveway material reach the watercourse.

Motion seconded by Burz; passed unanimously. Kelsey will issue a permit.

- d. **Cobble Road Repair Update:** van Gulick reported that large rocks have been delivered to Cobble Road for use in the repair of the road.

3. New Business:

- a. **Cohen/Wilkinson Application**, 85 Undermountain Road: A check, letter of agent authorization, and application was received from Leon Harris, agent for the property owners. Application was considered complete and reviewed. Sinclair made a motion to accept application for review; seconded by Burz; passed unanimously. Proposed activity is for cleanout of an instream pond with a cement bottom. Kelsey made a motion to approve the application with the following findings and conditions:

Findings:

1. Sediment has collected behind dam of a cement-bottomed instream pond, causing overflow and erosion below dam.
2. Harris (owner's agent) has satisfactorily performed several similar pond cleanouts of subject pond.
3. Spoils (approximately 10 - 12 yards) are proposed to be spread 100 yards away from watercourse in area not subject to erosion; area for spreading spoils is the same as used in previous cleanouts.
4. Work is anticipated to take one day.

Conditions:

1. Harris is designated contact person.
2. The activity will take place during dry weather conditions.
3. Spoils will be spread in area used in previous cleanouts.
4. Spoils are to be stabilized and silt fencing/haybales installed as necessary.

5. The Commission will be notified (Mark Burdick: 203.217.2405) after spoils are spread to allow field inspection by Commission.

Seconded by Sinclair; passed unanimously. Kelsey will issue permit.

b. **New State Legislation:** New legislation has been passed requiring members of Inland Wetland Commissions to take training courses beginning in 2026.

4. Routing Sheets:

a. **Martha Keller, 197 Route 7S:** 20' X 12' deck.

b. **Thomas Scott (c/o Garret Scavatto), 27 Kellogg Road:** 14' x 40' storage shed.

5. Communications:

a. **Sinclair Housatonic River Commission Resignation:** Sinclair announced his resignation from the HRC. Dick Heinz will be the Town's appointed member to the HRC, with Mark Gozonsky being the new alternate. Burdick thanked Sinclair for his many years of dedicated service to the Commission.

b. **Chestnut Orchard Heritage Walk:** Burdick and Sinclair reported on the recent Heritage Walk held at the chestnut orchard on Undermountain Road. The president of the Connecticut chapter of the American Chestnut Foundation was in attendance.

c. **Bartlett Tree Bill:** The invoice for the treatment of the elm tree on Brewster Road was received and forwarded to the town treasurer.

d. **Annual Report:** Town clerk's office has requested that annual reports from commissions be submitted by October 1st.

Kelsey made a motion to adjourn at 8:45 p.m.; seconded by Sinclair; passed unanimously.

Respectfully submitted,

Susan Kelsey, secretary