

Town of North Canaan
Inland Wetland Commission
January 27, 2022

Present: Chairman Matt Freund, Bob Jacquier, Eric Whiting, Brian Allyn Jr, Mike O'Connor, Chris Crane

Excused: Barry Brown

Chairman Freund called to order at 7:05pm

Mr. Jacquier made a motion to approve the minutes from the previous meeting. Mr. Allyn seconded the motion. Motion was approved.

New Business: Canaan Country Club

Chairman Freund spoke that work being done at the country club was brought to the commission's attention because of a beaver issue and there was a complaint to DEEP about piles of dirt getting larger. A site visit was done by Chairman Freund, Mr. O'Connor, and Mr. Brown. At that time, the members were told what was occurring at the site. Chairman Freund requested that they come before the commission tonight with the plan. The minutes tonight will be sent to DEEP as they kicked this back down to the commission stating they do not supersede the commission. There was no permit from DEEP. The club did send photos to DEEP.

Bill Segalla of Segalla Construction presented before the board on the map where the work is taking place as well as presented google earth photos. There are 3 areas that Mr. Segalla referred to as retention areas. They are not considered ponds because during normal seasonal weather the area was dry (i.e., 2 years ago). Over the last few years when it rains and the river rises and then recedes, it takes the ground back into the river. It takes the material from beneath and acts like a suction depositing it in the river. This has caused the fairway around the second hole to drop about 3 feet below the riverbank. They picked 3 low areas to build the retention areas which during normal summer rain the water will into which in theory should dry out the course. The fill material from the retention areas was used in the low areas. Even after the fill the river banks are still 2 feet higher than the fill area and the area will be hydroseeded in the spring so that it doesn't end up in the river. This will all hopefully make the course more playable. Mr. Segalla recognized that he should have come before the commission to explain what they were doing prior to the project beginning.

Chairman Freund questioned the size of the retention areas and where the fill was distributed. He explained that the information the commission would have looked for had he come prior would have been dimensions, is an engineer involved, is the plan the right plan for the area, is it taking place in a permitted area. Mr. Segalla stated no engineer was involved as he did not realize it was going to be an issue and he has years of experience. He estimated that about 10,000 yards of fill have been distributed. The project was done now because the ground is frozen, and trucks/machinery can be on the course without making a lot of damage. They are about a week from finishing. There is nothing being imported or exported from the course.

Mr. O'Connor stated that it is not up to the owner of the property nor the excavator to determine if an area is permitted or not. That is what the commission is there for. It is a flood plain area of the Blackberry River and now it is up to the board to determine if it is detrimental. He stated he understands the material is redistributed on site and they are not increasing or decreasing the comprehensive storage of the flood plain. Had they come prior he would have requested a silt fence be installed. One concern he has is that there was rumor the retention areas would be used for irrigation.

Chairman Freund read into record part of the regulations on permitted uses as of right section B – there are 7 non-regulated uses.

Mr. O'Connor stated that although they are not increasing or decreasing the flood plain it still was not done properly. Chairman Freund stated the reason they need the information before hand is to be able to answer questions such as this when DEEP calls them, they could have had answers, but because they didn't know they had to do the site visit and have them come to meeting. Chairman Freund requested that they put together more information as far as the dimensions/measurements of the areas and fill. Mr. Segalla stated he will do this for the commission.

Mr. Jacquier asked where they were in the project. Mr. Segalla explained they are almost done; they are just cleaning up. Further discussion ensued regarding the riverbanks acting like a berm and the fact that the material is not taken into the river from the top, but from underneath. There is no erosion on the top of the course.

Mr. Jacquier made a motion to accept the finished operations and to request that within 2 weeks from today a site survey as built be sent to the commission to be put on file along with an approximated date of when mitigation of the seeding will happen. Mr. Crane seconded the motion. Motion was approved.

Mr. Segalla assured the commission he will get this to them as requested. Chairman requested that going forward he let them know of projects so they can make the determination if it is in a wetland or flood plain.

Next order of business: Election of Officers

Mr. O'Connor moved that the slate of officers remain the same as last year with Mr. Freund continuing as Chairman, Mr. O'Connor as Vice Chair, and Mr. Brown as secretary. Mr. Jacquier seconded the motion. Hearing no further nominations, the motion was approved.

Mr. O'Connor did a sign off on Old Turnpike Rd in a non-wetland property.

Mail: Annual water reports were received from Specialty Minerals. Mr. O'Connor questioned if they ever did what the commission asked them to do a few years ago when they did the site visit. The commission is in agreement that it needs to be reviewed. Chairman Freund will review the old minutes to find out what happened, how much time they were permitted to do what was requested of them. This item will be tabled to next meeting and Chairman will bring information back to the commission at that time.

A letter from Lodestar Energy sent a notice to the commission regarding the wattage of the solar project on East Main Street – the Bunce property. It is 1.9 megawatts. There is no wetland there.

Mr. Jacquier made a motion to adjourn the meeting. Mr. Allyn seconded the motion. Motion was approved.

Meeting adjourned at 7:45pm

Respectfully submitted

Ayrslea A Odell

Recording Secretary