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Town of Stafford
Inland Wetlands Commission
Special Meeting
February 17, 2021
7:00 p.m. – Remote via Zoom Technology

Members Present: John D. Wilson, Acting Chairman
 Barry Locke
 Kurt Mordasky
 Tom Topping
 David Smith
 David Mordasky, alternate

Also Present: David Perkins, ZEO
 Wendell Avery, applicant

AGENDA

1. Call to order.
2. Establish a quorum
3. Review minutes of October 21, 2020
4. Wetlands application by Wendell Avery – pond cleaning – 10 Racker Road
5. Wetlands application by Sun Valley Campground – Maintenance
6. Discussion about Standish Drive area
7. Citations for violations
8. Adjournment

1. Call to order.

John Wilson, Acting Chairman called the meeting to order at 7:00 p.m.

2. Establish a quorum.

John Wilson established a quorum with John Wilson, Acting Chair, Barry Locke, Kurt Mordasky, Tom Topping, Dave Smith, and he seated alternate member Dr. David Mordasky for Hickory Lake.

3. Review minutes of October 21, 2020

Kurt Mordasky made a motion, seconded by David Mordasky to approve the October 21, 2020 meeting minutes. Kurt Mordasky, David Mordasky, Dave Smith, Barry Locke and John Wilson voted in favor. Tom Topping abstained. Motion carried.

4. Wetlands application by Wendell Avery – pond cleaning – 10 Racker Road.

Wendell Avery, the applicant, reviewed his narrative of January 14, 2021 describing his plans. He said he wants to dredge his pond at 10 Racker Road. He did not recall it ever being cleaned out in the past forty years. The pond is about an acre in size and there is a great deal of sediment that needs to be removed. The outlet of the pond also needs cleaning. This is 75 to 100 feet long and will be cleaned by hand. He expects to remove about 300 yards of material which will be disposed of on an upland area of his property.

Dave Smith asked to clarify the timing of the project and what equipment will be used. Wendell Avery said the pond is being drained down and it is presently about one-third the size indicated on the plan. He plans to reduce it about another 12 inches. He has a short window of time in which he wants to accomplish the work—between the winter thaw and the spring rain. Rick Zulick will be bringing up his bulldozer, and he expects the work can be completed in 1-1/2 days. He plans to push out the dredge area, pile it up and haul it to another area on the lot.

John Wilson noted there is a piece of land on the plan that appears to belong to the State of Connecticut, and he asked about it. Wendell Avery said his land abuts the state flood control dam system. The state-owned area is about 100 yards long and 25 yards wide and he owns the land surrounding it.

Barry Locke asked if the area to be dredged out will be pushed toward the state property. Wendell Avery said the plan he submitted has a cottage on it that he is restoring and he will be pushing the dredged material south and east of that cottage. He said there is a dirt wood road that accesses the property and they will truck it west and put it in his field. He said he will add bales of hay and silt fencing there, if necessary and he will add that around the side of the pond. Barry Locke also asked about how the pond is to be drained down. Wendell Avery said there is a pipe at the bottom of the pond with a gate valve.

David Perkins said he felt this is a reasonable maintenance project.

Barry Locke made a motion, seconded by David Mordasky to accept the wetlands application for the pond clearing at 10 Racker Road as presented. All were in favor. Motion carried.

5. Wetlands application by Sun Valley Campground – Maintenance

David Perkins said this application is the result of an enforcement activity. He said he received complaints that Sun Valley was bulldozing land along Old Springfield Road, so he went out to investigate. He said there is water coming off of Old Springfield Road from Chestnut Hill that is causing the land to become wet. The applicant wants to create a

water body next to the road so they can create drier land. They have not been able to maintain their land because it has become too moist. David Perkins said he informed them that they cannot do work like this without a permit.

Barry Locke asked how wet the land is and if it is just seasonal. David Perkins said it is seasonal but not classified as a wetlands. However, this falls under the jurisdiction of Inland Wetlands.

Dave Smith asked if this is adjacent to a stream. David Perkins said he would not call it a stream, but oxbows are forming. He said the federal government had dammed up the area back in the 1950s. Dave Smith said it looks like a stream channel, but David Perkins said Ellis Brook is further to the east; however, the Inland Wetlands Commission does have jurisdiction over it.

John Wilson asked how close they are to the upland review area. David Perkins said they are definitely in the area and probably in the wetlands as well, but they need to determine if this should be allowed. He said no one from Sun Valley is at the meeting this evening, but he has talked to them on a few occasions about it.

Barry Locke asked what the applicant is trying to do. David Perkins said they are trying to create drier land and alleviate the wetland problem. They want to capture it in a pond area so they will have more dry land to use. Barry Locke asked if they plan to build a pond or if they are just creating a swale. David Perkins said they made a swale off of Old Springfield Road and opened a channel of water so it can sit there. He said they pulled the muck out and planned to spread it in the gray shaded area indicated on the map. That area is not very far above the water table. They want to be able to use that area.

Barry Locke asked if they were about done. David Perkins said he believed so. John Wilson said they created a swale that is collecting water, but they need to find out what the applicant plans to do. Will they leave it or utilize the water and build a pond?

David Mordasky asked if the applicant is trying to change where the water is going. Barry Locke said years ago this whole area was very dry. John Wilson said it is very wet now. There is a lot of water there. John said they need to ascertain if that is as far as they plan to go. David Perkins said from a wetlands enforcement situation, they are not planning to do more.

Dave Smith said the ArcGIS photo from CRCOG indicates brown shadings and asked if they were property lines. David Perkins said the shaded area is where they put the muck. He said Sun Valley owns all that property.

Dave Smith said this is a fairly incomplete application and that the applicant, Bob Minor knows better what is needed to submit an application. David Perkins said this work was started about six weeks ago. Then they got the snow and freeze and the work stopped. He said he has tried encouraging them to hire someone to provide the needed information for

a complete application, but they have not done so. There was general agreement that this plan is too devoid of detail.

David Mordasky made a motion to deny the application due to inadequate information at this time, and inviting the applicant to reapply with the necessary information including a full site plan. The motion was seconded by Kurt Mordasky. The Commission also encouraged ZEO David Perkins to require the applicant do whatever he deems is necessary to stabilize the area. A vote was taken on the motion and all were in favor of the denial. Motion carried.

6. Discussion about Standish Drive area

David Perkins referred back to the Wendell Avery application where you can see an island of land between four streets, including Standish Drive and Racker Road. He said some of the people on the Standish Road side are complaining about their basements getting flooded and they want to go in with a backhoe to make a channel to divert it away. David Perkins said he is not in favor of issuing a permit to remove fill and whoever authorized the subdivision some years ago probably should not have authorized it. He said these homes were built in wetlands and they cannot remove wetlands.

John Wilson said there is nothing in the regulations that allows the Inland Wetlands Commission to drain a wetlands. Barry Locke noted the area has always been wet. John Wilson also noted that one of the parties cut down a lot of big trees on their property, and as they know, trees do a lot to stabilize situations well. He said he did not feel they can do anything about this at all.

Dave Smith asked if they had received an application. David Perkins said they didn't receive one. He said he just had several conversations with the residents involved and that he told them they can't change wetlands and watercourses. Tom Topping noted the catch basin in the area and that the town probably last cleaned out the silt about ten to fifteen years ago. There was agreement to ask Public Works to clean the catch basin, but that they don't have any authority to remove or change a wetlands.

Dave Smith said he felt if someone put together a plan with localized improvements, the Commission could do a fair review of it.

7. Citations for violations

The Commission reviewed the proposed ordinance put forward by the Planning & Zoning Commission, and they discussed whether to include Inland Wetlands violations to the ordinance. David Perkins said he is currently not authorized to issue citations and a situation like what they have discussed this evening regarding Sun Valley Campground is a perfect example of how having the ability to issue a citation could help. He said it would make his job more effective. He also noted that property owners would have recourse as they would have the opportunity to file an appeal.

Dave Smith said he has always preferred to resolve problems in a community-based way but the town needs to have a tool in their toolbox for those who don't want to work with them. David Mordasky agreed. He said at the end of the day, they need to have teeth in their regulations and this would fill that need.

David Mordasky made a motion to adopt and add Inland Wetlands violations to the proposed ordinance and to recommend the Board of Selectmen adopt the ordinance. Barry Locke seconded the motion. All were in favor. Motion carried.

On a separate note, Tom Topping brought it to the Commission's attention that someone dug a channel near the small pond beside the skating rink, draining it into the brook. David Perkins said he had been told this was done by Parks and Recreation and he would find out more details. There was agreement that they need to be informed when someone is working in the wetlands.

8. Adjournment.

Barry Locke made a motion to adjourn the meeting, seconded by John Wilson. All were in favor. The February 17, 2021 Special meeting of the Stafford Inland Wetlands Commission was adjourned at 7:55 p.m.

Respectfully submitted,



Annie Gentile
Recording Secretary