

Town of Stafford
Inland Wetlands Commission
February 16, 2022 – 7:00 PM
Veterans Conference Room
Warren Memorial Town Hall

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TOWN CLERK

Members Present: John D. Wilson, Acting Chair
Barry Locke, Chair (attended remotely via Zoom Technology)
Kurt Mordasky
Dave Belcher
Dave Smith
Dr. David Mordasky, Alternate
Ricky Dorman, Alternate

Also Present: David Perkins, ZEO
Devin Cowperthwaite, Public Works Director

AGENDA

1. **Call to order.**
2. **Establish a quorum**
3. **Review and approve minutes of 12/15/21**
4. **Review and take possible action on application for wetland crossing and new structures at 24 Spencer Road East**
5. **Adjournment**

1. **Call to order.**

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

2. **Establish a quorum.**

A quorum was established with Barry Locke, Chair; John Wilson, Acting Chair; Kurt Mordasky, Dave Belcher, and seating alternate members Dr. David Mordasky and Ricky Dorman for Hickory Lake and Tom Topping. The Pledge of Allegiance was recited.

3. **Review and approve minutes of 1/19/22.**

Kurt Mordasky made a motion, seconded by Dr. David Mordasky to approve the minutes of 1/19/22. A vote was taken on the motion. Kurt Mordasky, Dr. David Mordasky, Barry Locke, John Wilson, Dave Belcher and Ricky Dorman voted in favor. Dave Smith abstained. Motion carried.

4. Application of the town of Stafford for tree cutting in wetlands and stream crossing at 113 New City Road for dam maintenance.

Dave Perkins noted the town has to do studies on the dams every couple of years and in the last report it was found that some trees needed trimming as roots were growing under the dam and undermining its stability and integrity. A copy of the February 2019 inspection report prepared by Karl Acimovic, P.E. was included in Commissioners' packets.

The town is under orders from the Department of Energy and Environmental Protection (DEEP) to remove trees from the side of the New City Pond dam. However, although the dam is owned by the town, it is on private property and the town has had difficulty getting permission from the property owner to get on the land and do the necessary work. David Perkins said attorney Ed Muska sent a letter saying the land is an appurtenance to the dam. Now the property owner is selling the property, so he has given his okay for the town to go on the land and do the tree cutting.

Dave Smith asked if this permission is an easement. Public Works Director Devin Cowperthwaite said it is a "right to enter." Dave Smith said he asked because he is having a similar issue in Vernon, where he serves as the Town Engineer, and they are also under orders from DEEP to do work on a dam that is surrounded by private property. He said he was opposed years ago to the Town of Stafford buying the dam in part because of this type of situation.

Dave Smith asked how big an area the town needs to do the work. Devin Cowperthwaite said the engineer has suggested and DEEP has requested 25 feet. They need a small area for a landing and to build a log bridge. They expect to have to take out three to four trees for that. They want to keep the log bridge as close to the dam as possible. He noted the gate structure is no longer usable so they can't draw down the water.

Dr. David Mordasky asked if the pipe exiting down near the mill still works. He said there is a valve there that needs only to be turned a small amount as there is a lot of pressure behind it. Devin Cowperthwaite said he was not aware of it.

John Wilson asked if the town would be doing the work. Devin Cowperthwaite said the work would be farmed out to a contractor; they are doing an RFP. He said the town may do some of the easier trees in the Right of Way and the three or four in the landing area to save a little money, but once they cross the stream, the work will fall to the contractor. John Wilson asked if the town would handle silt control. Devin Cowperthwaite said it would.

Barry Locke said back in the 50's and 60's, his father used to clean out that area. He noted the end of the pipe Dr. David Mordasky was talking about is above the walk across bridge there.

Kurt Mordasky asked if the trees are marked. Devin Cowperthwaite said all the trees are marked across the road and in the clearing area. He said they would like to get the work done as soon as possible. They wanted to do the work while the ground was frozen, but the weather hasn't worked in their favor.

Dave Smith asked about the duration of the project. Devin Cowperthwaite said he assumed about 1-1/2 weeks.

Kurt Mordasky suggested when the trees are cleared to 25 feet that they put in guardrails of some kind for public protection. Devin Cowperthwaite said they could put in posts or rocks.

John Wilson asked if the contractor is aware they can't drop trees and drag them through the wetland. Devin Cowperthwaite said they are aware. He said he and David Perkins did a walk-thru with the contractor and will do another with him. John Wilson said he asked because the landowner next door is very concerned about it and had called him, Barry Locke and the Army Corps of Engineers about it. David Perkins said the Army Corps of Engineers asked for a SVN (Self Verification Notification) form. He said he gave them a copy of the application.

David Perkins said they also had a discussion about chipping and whether they can be left in the upland review area or if they should be removed. Devin Cowperthwaite said if chipping is done there, they need to do one crossing for most of the material. Kurt Mordasky asked if they will be taking out stumps. Devin said they would not. He added that they won't be doing any dredging or filling either. They want to minimize what they will be doing in the wetlands. David Perkins noted they have not delineated any wetlands there.

Dr. David Mordasky asked now that there will be a new owner, where do they go from here? Will the town be able to get onto the property regularly for dam maintenance? Dave Smith said he spoke to the new owner just as a neighbor and it sounded like he was not opposed to the town getting in so long as it does not turn into a big issue. The owner wants to get across also to do a perk test. John Wilson said he did not see why they could not coordinate both their needs for crossings with the temporary log bridge. Dr. David Mordasky said it would benefit the buyer to deed the town the 25 feet around the dam so the town could get in and maintain it.

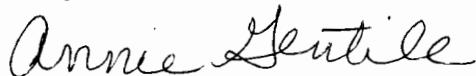
Barry Locke made a motion, seconded by Ricky Dorman to accept the application of the Town of Stafford for tree cutting in the wetlands and a stream crossing at 113 New City Road as presented for dam maintenance. All were in favor. Motion carried.

Ricky Dorman asked who would be inspecting the work after it was completed. Devin Cowperthwaite said the tree work would not need to be inspected, but the engineer would continue to do his normal inspections. He said they should start a conversation sooner rather than later with the new owner about establishing access to the dam. He noted everyone downstream has a vested interest in it being maintained.

5. **Adjournment**

Dave Smith made a motion to adjourn, seconded by Barry Locke. All were in favor. The February 16, 2022 meeting of the Stafford Inland Wetlands Commission was adjourned at 7:30 p.m.

Respectfully submitted,



Annie Gentile
Recording Secretary