

**TOWN OF SOUTH WINDSOR
INLAND WETLANDS AGENCY / CONSERVATION COMMISSION**

RECEIVED APR 18 2024

e 9:07am
K. MacDonald Cert

MINUTES: 3-20-2024

MEMBERS PRESENT: Chairperson Barbara Kelly, Vice Chairperson John Phillips, John Blondin, James MacDonald, Richard Muller, Arthur Jennings

MEMBERS ABSENT: Steven Cordeiro, Dan Katzbek

ALTERNATES PRESENT: Joe Durette

STAFF PRESENT: Nicole Kowalik, Recording Secretary

COUNCIL LIAISON PRESENT: None

Chairperson Kelly called the meeting to order at 7:00PM.

Chairperson Kelly appointed Commissioner Durette for Commissioner Katzbek.

PUBLIC PARTICIPATION:

Chairperson Kelly asked for public comment for items that were not on agenda. No public comment received.

PERMIT EXTENSIONS: None

CORRESPONDENCE AND REPORTS: None

BONDS: None

MINUTES: Minutes from Regular Meeting on 02/21/24:

Page 2: third line; "Value" should be volume.

Were approved by consensus with corrections.

CONSERVATION COMMISSION: None

WETLAND OFFICER: None

PUBLIC HEARING: None

NEW BUSINESS: Heggenhogan Farms, 375 Rye St – Determination that the land clearing and grading activities associated with a farming use is a use of right.

Matthew Gustafson, Wetland Scientist at All Points, on behalf of the applicant. Gustafson discussed that in 2020, the construction of the house was approved under the wetland's permit. There were activities that occurred 2020 through 2022, including altering of some wetlands and about 4 acres were cleared, 2.2 acres occurred to be within the wetland areas. Jeff Folger reached out to the landowner and the landowner contacted Gustafson at All Points to assess the impacts that were made and to establish immediate measures to stabilize and restore the wetland areas that have been cleared. Approximately, 0.42 acres of wetlands are located to the rear of the house. The areas are being used for livestock pens, pasture, and orchards. In the late fall, Jeff Folger reached out and the property owner immediately put down some mitigation measures in the form of seeds and mulch stabilization to the entire cleared area to ensure that dry brook was not impacted. It has been assessed routinely in the winter. Despite the rain, there has been no significant washouts along the slopes. The property owner has voluntarily replanted native shrub materials to restore some of the wetland areas. The plan for the areas that have been recently cleared are to use them as pastureland and expanding the orchards and are proposing a minor grading plan. The general idea is to take the high points and to grade them out into the steeply sloping areas to level them off, which results to easily maintaining pastureland. In total, there is approximately 190 cubic yards of cut that will be moved to upland areas located within the already maintained uplands. The wetland restoration plan will be completed in the spring. The property owner is working with the NRCS to place the areas into a farming easement for the next 10 years. Based on evidence on the interface, he believes that there was no continuous flow in the areas that were altered at any given point.

Chairperson Kelly asked if the area would not be described as a watercourse. Gustafson answered that it would be considered an intermittent watercourse. When the house was built, the area was considered a wetland however it is no longer there, and the area would be considered regulated resource that was impacted but there has been no permanent flow through it.

Jonathan Heggenhougan commented after he had purchased the property, he restored the house that was previously on property. He was not aware of the negative impacts that was done and wants to be able to fix any problems that arise.

Commissioner Jennings asked how it was found out. Heggenhougan answered that he had the property for 5 years. Jeff Folger asked him what his intended use of the property was. Heggenhougan told Jeff that he planned to restore the house and his intention to use the land for farming. In 2022, when the trees were being cleared closer to the brook. Jeff Folger contacted again asking where the barn was going to be placed. Jeff Folger came to the property and saw that the clearing was too close to the river. Jeff Folger suggested to stabilize the area quickly.

Chairperson Kelly asked if there will be fencing to limit the pasture. Gustafson answered they are proposing a temporary fence to protect the plantings. Once things have been established, Heggenhougan has discussed about putting in a permanent fence in the area to keep the animals out of the area.

Chairperson Kelly asked if AD1026 has been applied. Gustafson answered that Mr. Heggenhougan has reached out to the NRCS, however there is not anything formal in place.

Chairperson Kelly commented that since the applicant has been cooperating with the town from the beginning there will be no violation.

Commissioner Muller asked about the history of the farm and mentioned there seems to be young trees in the area. Gustafson answered the previous to the property being purchased, there was mostly mature forest upland and was never farmed.

Chairperson Kelly asked the commissioners if there are any other comments.

Motion to: a finding of the operations as described in the document 375 Heggenhougan Farms, South Windsor, CT prepared by All Points are permitted as of right under section 4.1A of the regulations.

Made by: Vice Chairperson Phillips

Second by: Commissioner Blondin

Commissioner Jennings wanted to clarify if the grading is part of the motion. Gustafson answered that it is and clarified that grading is limited to grading out the high points and grading it to the east adjacent to the wetland areas. The idea is to level the areas off.

Commissioner Blondin commented that the plan is good to restore what had previously has been done to the land.

Motion - carried.

Vote - unanimous.

OLD BUSINESS: None

OTHER BUSINESS: None

APPLICATIONS RECEIVED: None

ADJOURNMENT:

Motion to: adjourn at 7:43PM.

Was made by: Vice Chairperson Phillips

Second by: Commissioner Jennings

Motion - carried.

Vote - unanimous.

Respectfully Submitted,

Nicole Kowalik, Recording Secretary