

**TOWN OF BARKHAMSTED
INLAND WETLANDS COMMISSION
REGULAR MEETING – MINUTES
TUESDAY, OCTOBER 4, 2011 AT 7PM
BARKHAMSTED TOWN HALL**

APPROVED: _____

DATE:

PRESENT: Chairman John Greaser, Jesse Edmands, Linda Ganem, Michael Ream, Gary Reynolds, Martha Sullivan; Alternate Christopher Labbe; Inland Wetlands Enforcement Officer Rista Malanca; Recording Secretary Stacey Sefcik.

ABSENT: Christopher Tooker.

Chairman John Greaser called the meeting to order at 7:00PM. All regular members present were seated for the meeting. Alternate Christopher Labbe was seated for Christopher Tooker. The entire proceedings were recorded digitally and are available at the Town Hall.

1. NEW APPLICATIONS:

A. Timothy Strini, 70 Eddy Road, applicant/owner – Application for repair work along brook at residence.

Mr. Strini explained to the Commission that the beach area by his pond had been washed away by the brook after Hurricane Irene. He stated that he had already spread 4 yards of beach sand in the same location. Mr. Strini stated that he also wanted to repair a stone wall along the pond, as well as plant trees and put down topsoil by the road. He noted that the location of the latter, although away from the pond, was still within 100 feet of a watercourse. Ms. Malanca suggested that the applicant bring pictures and more information regarding the proposed work for the next meeting. Mr. Greaser pointed out to the Commission that a study had been done regarding the trout living in this pond; he then read from pages 4 and 5 of the Town of Barkhamsted Inland Wetlands Regulations regarding what constitutes a significant impact to a wetlands or watercourse. Mr. Greaser asked Mr. Strini if the Commission members had permission to visit the site of the proposed work, and Mr. Strini responded affirmatively.

MOTION Mr. Ream, second Ms. Sullivan, to accept the application in the matter of **Timothy Strini, 70 Eddy Road, applicant/owner – Application for repair work along brook at residence**, determine it to be significant, and to schedule a public hearing for this matter at the November 1, 2011 regular meeting; unanimously approved.

B. Robert Pelletier, applicant; Laurel Acres Property Owners Association and West Hill Pond Association, owners; West Hill Pond Beach – Removal of silt and sand during lake drawdown.

Mr. Pelletier addressed the Commission explaining that he was a trustee of the West Hill Pond Association (WHPA) and treasurer of the Laurel Acres Property Owners Association. He explained that the WHPA had commissioned a study regarding stormwater runoff into West Hill Pond and that the results of that study showed Laurel Acres to be a high priority source of runoff into the pond. Mr. Pelletier explained that the source was a storm drain that had been clogged for several years, and as a result the water overtops the beach on its way into the pond. In order to remedy this problem, he stated that the LAPOA wanted to repair the storm drain and install a sump pump lower than the outflow of the pipe for silt.

Mr. Pelletier then explained that beach sand routinely eroded into the lake, creating a sand bar. He explained that the LAPOA wanted to use a silt fence on the beach in the off-season; however, it now also wanted to reclaim the sand from the lake and replace it on the beach. He stated that an excavator or a backhoe would be used by water's edge in order to scoop the sand out of the pond. Lastly, Mr. Pelletier explained that, due to the high ice last year, a retaining wall along the pond was damaged. He stated that work to repair the wall would be done from the roadway using an excavator to pull the stone in the wall back into place and then backfill. Concrete, bolts and metal straps would be used to secure the stones in the wall.

Ms. Malanca noted that this work would have to be done when the water level was down during the deep drawdown, which would be at its lowest in mid-October. She explained the timeframe required

by Connecticut statute for significant and nonsignificant activities. Mr. Greaser noted that Mr. Pelletier had been before the Commission before and had always been a good steward of the Town's water resources.

MOTION Ms. Sullivan, second Mr. Reynolds, to accept the application in the matter of **Robert Pelletier, applicant; Laurel Acres Property Owners Association and West Hill Pond Association, owners; West Hill Pond Beach – Removal of silt and sand during lake drawdown**, determine the work to be nonsignificant, and to render a decision on this matter at a special meeting to be held Tuesday, October 18, 2011 at 7:00PM in the Town of Barkhamsted Town Hall; unanimously approved.

C. Town of Barkhamsted, applicant; Nils Johnson, owner; 55 Gavitt Road. Application to construct turnaround and snow shelf for maintenance of Case Road.

First Selectman Don Stein addressed the Commission regarding this application. He explained that until recently the Town had been allowed to push snow off Case Road onto the property at the end of the road. However, the owner of that property had sold it and the new owner was building a home very close to the location the Town normally used to store snow. The new owner did not wish to continue this agreement. Mr. Stein explained that the Town had obtained an easement from an adjoining land owner in order to build a turnaround and snow shelf. The Town proposed creating a 40 x 40 foot area for the turnaround, and he stated that any material removed would go to the playground project at the elementary school. He also explained that while the site chosen was somewhat wet, the same general area across the street was wetter still and was also not as optimal for use as a turnaround since it would be on the driver's blindside. Mr. Stein explained that other areas on the property chosen were well-maintained gardens, which the owner did not want disturbed.

Ms. Malanca noted that if the crew was out snowplowing, it likely would mean that the ground was frozen, which would minimize disturbance. She expressed the belief that this was the most feasible location possible and detailed the work undertaken by the Town in order to ensure they had the best spot possible for this use. Ms. Malanca explained that the site chosen was comprised of wetlands soils, not swamp or water. Mr. Greaser concurred, stating that the Town did a thorough investigation of reasonable and prudent alternatives. Ms. Ganem expressed concern for contamination of the wetlands from leakage from the plow truck. Ms. Malanca stated that she believed this location presented no more risk than many other areas, and that this was a general concern for the Town, not a concern specific to this one site. The Commission then briefly discussed possibly having containment materials onboard all Town trucks in the event of a leak.

Ms. Malanca again explained the timeframe required by Connecticut general statutes and explained the need for this work, if approved, to be completely before the winter.

MOTION Mr. Reynolds, second Ms. Sullivan, to accept the application in the matter of **Town of Barkhamsted, applicant; Nils Johnson, owner; 55 Gavitt Road. Application to construct turnaround and snow shelf for maintenance of Case Road**, determine the work to be nonsignificant, and to render a decision on this matter at a special meeting to be held Tuesday, October 18, 2011 at 7:00PM in the Town of Barkhamsted Town Hall; unanimously approved.

2. PUBLIC HEARINGS:

No business was discussed.

3. PENDING APPLICATIONS:

No business was discussed.

4. DISCUSSION OF PROPOSED CHANGES TO THE REGULATIONS:

Ms. Malanca explained that the proposed changes were as a result of PA11-5 and PA11-184 passed by the Connecticut General Assembly during the past year. She stated that the one extended the length of time a permit was valid, similar to an amendment made the previous year. Ms. Malanca then explained that the other act dealt with fire ponds and dry hydrants. Drawing water from a fire pond for emergency use in putting out a fire would no longer require a wetlands permit, and firefighting personnel would now under certain circumstances be allowed to install a dry hydrant without a wetlands permit.

MOTION Ms. Sullivan, second Ms. Ganem, to schedule a public hearing for December 6, 2011 regarding adoption of amendments to the Town of Barkhamsted Inland Wetlands Regulations pursuant to PA11-5 and PA11-184; unanimously approved.

5. INLAND WETLANDS ENFORCEMENT OFFICER'S REPORT:

Ms. Malanca informed the Commission that she had submitted her resignation to the Town of Barkhamsted which would be effective at the end of the month. She then reviewed issues she had been working on over the past month. Ms. Malanca stated that most charges filed by KT Worth against the Town had been dismissed; however, Ms. Worth had since filed a FOI complaint which was now being addressed. Ms. Malanca stated that she had issued an agent determination for the new Town garage as the work was in the regulated area outside of and downhill from any wetlands. The Commission discussed work being done by AT&T along Route 44 which had been ongoing for about a month without any silt fence or erosion control measures.

6. APPROVAL OF MINUTES:

A. August 2, 2011 regular meeting minutes.

MOTION Ms. Sullivan, second Ms. Ganem, to approve the minutes of the August 2, 2011 regular meeting as written; unanimously approved.

7. CORRESPONDENCE:

No business was discussed.

8. ANY OTHER BUSINESS LEGAL AND PROPER TO COME BEFORE THE COMMISSION:

A. Transfer of wetlands permit for 49 Ratlum Mountain Road from Sawmill Associates to Galina Kholod.

Ms. Malanca explained that a wetlands permit for a subdivision which included this property had been granted previously; while there were no wetlands on this property, the applicant nonetheless requested an official transfer of the permit in order to ensure any needed permits were in place. The Commission briefly reviewed the application.

MOTION Ms. Sullivan, second Mr. Ream, to transfer the wetlands permit for 49 Ratlum Mountain Road from Sawmill Associations to Galina Kholod with all previous conditions to remain in effect; unanimously approved.

MOTION Ms. Sullivan, second Mr. Edmands, to adjourn the meeting at 8:15PM; unanimously approved.

Respectfully submitted,

Stacey M. Sefcik
Recording Secretary