

**TOWN OF BARKHAMSTED
INLAND WETLANDS COMMISSION - WATER POLLUTION CONTROL AUTHORITY
REGULAR MEETING MINUTES
TUESDAY, OCTOBER 6, 2009
BARKHAMSTED TOWN HALL – 7:00PM**

PRESENT: Chairman John Greaser, Linda Ganem, Chris Tooker; Alternate Christopher Labbe; Inland Wetlands Enforcement Officer Rista Holda, Recording Secretary Stacey Sefcik.
ABSENT: Michael Ream, Caprice Shaw.

Chairman John Greaser called the meeting to order at 7:03PM. All regular members present were seated for the meeting. Alternate Christopher Labbe was seated for Michael Ream. The entire proceedings were recorded on audio tape and are available at the Town Hall.

1. NEW APPLICATIONS:

A. Hallinan Capital Corp., applicant/owner, Lots 3 and 4 Woodland Acres. Application for proposed activities for the construction of a residence.

Ms. Holda explained to the Commission that this was a resubmittal of an application that had previously been submitted and withdrawn. She briefly explained the application and noted that there were minor changes to the maps since the previous application. Mr. Greaser observed that there had been many concerns with the previous application which precipitated the withdrawal of the application. The Commission then reviewed the plans and application materials. Ms. Holda informed the Commission that the applicant had submitted all the additional information that had been requested during the Public Hearing on the original application. Both Ms. Holda and Ms. Ganem expressed concern that the maps did not accurately portray a watercourse they believed to be present on the property.

MOTION Mr. Tooker, second Ms. Ganem, to accept the application and deem significant the matter of **Hallinan Capital Corp., applicant/owner, Lots 3 and 4 Woodland Acres. Application for proposed activities for the construction of a residence**, to therefore set a Public Hearing for this matter at the December 1, 2009 regular meeting, and to require reports from both the Town engineering and environmental consultants; unanimously approved.

2. NEW BUSINESS:

A. Informal Discussion with Allan Borghesi regarding proposed development of 390 New Hartford Road.

Mr. Greaser notified the Commission that Mr. Borghesi had contacted him to cancel this discussion as he believed more time was needed to compile more complete information.

3. PUBLIC HEARINGS:

No business was discussed.

4. PENDING APPLICATIONS:

A. Hallinan Capital Corp., applicant/owner, Lots 3 and 4 Woodland Acres. Application for proposed activities for the construction of a residence.

The Commission tabled this matter to the December 1, 2009 regular meeting.

5. INLAND WETLANDS ENFORCEMENT OFFICER'S REPORT:

A. Proposed Wetlands Permits.

Ms. Holda distributed to the Commission members sample Wetlands Permits that she suggested be used for all future approved applications. She explained that these preprinted forms would already contain the 12 conditions the Commission most commonly requires. Ms. Holda asked for the Commission to review them and provide feedback at the next meeting.

B. Complaint of Clear-Cutting Along Route 20.

Ms. Holda stated that she investigated a complaint received by the Land Use office, but that it was not in fact a violation as the person in question was only trimming shrubs and brush.

C. 82 Eddy Road.

Ms. Rista stated that it appeared the property owner was digging out the stream and that it was causing sedimentation and erosion issues.

D. Taylor Road.

Mr. Tooker asked about the status of the after-the-fact permit matter on Taylor Road. Ms. Holda stated that it had been satisfactorily resolved.

6. APPROVAL OF MINUTES:

A. August 4, 2009 regular meeting minutes.

Mr. Greaser reminded the Commission that they had postponed approving these minutes in order to confirm whether a Certified Soil Scientist had been required as part of the approval in the Motley application. He stated that, because the wetlands area was clearly the Farmington River, it was felt that this was not necessary. Ms. Holda noted that the markers are in place on-site.

MOTION Ms. Ganem, second Mr. Tooker, to approve the minutes of the August 4, 2009 regular meeting as written; unanimously approved.

B. September 1, 2009 regular meeting minutes.

MOTION Mr. Tooker, second Ms. Ganem, to approve the minutes of the September 1, 2009 regular meeting as written; unanimously approved.

7. CORRESPONDENCE:

Mr. Greaser circulated copies of *Connecticut Town and City* and *The College of Agriculture and Natural Resources Journal* for the Commission's perusal. Mr. Greaser also passed around a letter dated September 10, 2009 from the Connecticut Conference of Municipalities regarding an upcoming Municipal Law Update conference.

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

A. Modification of Wetlands Permit for Matt and Kate Motley, 420 West River Road.

Ms. Holda explained to the Commission that the applicant noticed that, on the side of the house adjacent to the road, the foundation under the chimney was crumbling. She said that the Motleys were therefore requesting a modification of their permit in order to re-dig the foundation and reconstruct the chimney. Ms. Holda stated she did not have an objection to this request and that she was conducting regular visits to the site. Ms. Ganem asked whether the foundation would be hand-dug, and Ms. Holda replied affirmatively, explaining that that was part of the original approval. Hearing no further questions from the Commission:

MOTION Ms. Ganem, second Mr. Tooker, to approve the modification, as per all oral and written testimony, to the permit for 420 West River Road, Matt and Kate Motley, approved on August 4, 2009, in order to allow the total reconstruction of the chimney on the side of the house adjacent to the road, and that all original conditions shall apply; unanimously approved.

A member of the audience, Lindsay Keene, addressed the Commission with a question regarding the Woodland Acres application discussed in Agenda item 1A. Mr. Keene asked for information regarding the consultants requested by the Commission, as well as the contact person for the abutting owners.

MOTION Ms. Ganem, second Mr. Tooker, to adjourn the meeting at 7:35PM; unanimously approved.

Respectfully submitted,
Stacey M. Sefcik, Inland Wetlands Commission Recording Secretary