

**TOWN OF BARKHAMSTED
INLAND WETLANDS COMMISSION
WATER POLLUTION CONTROL AUTHORITY
MINUTES OF REGULAR MEETING
TUESDAY, MAY 5, 2009**

Chairman, John Greaser called the meeting to order at approximately 7:00 p.m. Members present were John Greaser, Michael Ream, Martha Sullivan, Linda Ganem, Christopher Tooker and alternate member Thomas Santoro was seated for Caprice Shaw. Inland Wetlands Officer Rista Holda attended the meeting.

NEW APPLICATIONS:

**A. MOTLEY, MATT & KATE, applicant/owner 420 West River Road.
Application for proposed activities for construction of deck and screened porch in regulated area.**

Mr. and Mrs. Motley were not present at the meeting. Rista Holda described the proposed activity to the commission. The application is to replace a screened porch within 100 feet of the Farmington River. The proposed activity is on that side of the house away from the river. Ms. Holda noted that applicants would also like a small porch on the back of the house, but they are waiting for Farmington Valley Health District approval before applying to Barkhamsted Inland Wetlands.

The Chairman noted that proposed activity is likely within the Farmington River Overlay district.

Ms. Holda opined that if the proper precautions are used during construction, then there will likely be no significant impact on the wetlands.

The commission discussed the potential activities that will take place, including installation of bigfoots (footings) rather than just sonotubes, and as such there may be more than just hand digging.

Ms. Holda stated that the application is complete.

After discussion, Michael Ream moved to accept the application without a determination as to whether there is a significant impact to the wetlands. Motion seconded by Thomas Santoro. The motion passed by unanimous vote.

PUBLIC HEARINGS: None

PENDING APPLICATIONS:

**A. SEIBERT, TYLER, applicant/owner 19 Morgan Brook Road.
Application for proposed activity for construction of an inground pool in regulated area.**

John Greaser and Christopher Tooker were the members that had visited the subject property. Mr. Tooker stated that it looked to him that the area of the proposed activity is level, and suggested that excavated material be pulled to the parking area near the road; if silt fencing is installed down slope then any negative impact to the brook will likely be prevented. The Chairman noted that the applicant and Rista Holda discussed the various feasible and prudent alternatives, which lead to the proposal in the application. The Chairman stated that if proper controls are used and the activity is monitored carefully, then negative impact to the wetlands will likely be prevented.

The applicant asked if he may spread the stockpiled topsoil in a particular area of the lot. Rista Holda proposed adding this to the current application so the topsoil can be spread while proper erosion and sediment controls are in place, which can be made one of the conditions of granting the application.

Christopher Tooker moved to deem the activity as significant and requiring a public hearing. Thomas Santoro seconded the motion. After discussion Mr. Tooker withdrew his motion. Linda Ganem moved to table the decision on the application until a subsequent special meeting on May 12, 2009 at 7:00 PM at the Barkhamsted Town Hall. Michael Ream seconded the motion. The motion passed by unanimous vote.

DISCUSSION OF REGULATION CHANGES:

Commission members discussed that they received Rista Holda's proposed redlined (amended) regulations earlier in the day. The Chairman suggested postponing the discussion to the next regular meeting and he hopes for a public hearing on the matter scheduled for the July 2009 meeting.

INLAND/WETLANDS ENFORCEMENT OFFICER'S REPORT:

Rista Holda reported the following items:

The sediment and erosion controls are in place at the Andrew B. Mason Assocs. subdivision on Gavitt Road. The applicant is waiting DOT approval before continuing with the activity.

Ms. Holda spoke with Dean Martel's attorney, who will get back to her with a date for inspection of the property.

Mr. David D'Amico complained that the brook running through his lot is increasing in volume; it is either dammed or the flow to it has increased. Ms. Holda stated that there is definite evidence that the water flow has changed. Once Ms. Holda finds the likely cause she will initiate a show-cause hearing.

Ms. Holda has been unable to contact the proper authority to find the current forestry plan in People's State Forrest.

The Chairman raised two issues for consideration by the enforcement officer: (1) The Chairman asked Ms. Holda to visit the Rebeck site (78 Gavitt Road) to confirm that property sediment and erosion controls are in place; (2) The Chairman asked Ms. Holda to look into a barn he has seen on Morgan Brook Road that he does not recall receiving approval.

APPROVAL OF MINUTES:

The following changes were made to the minutes of April 4, 2009:

- Regulation Workshop, Part B, fourth line, eighth word, replace "regulated" with "regulate";
- Inland/Wetlands Enforcement Officer's report, change entire first paragraph to read as follows: "Rista Holda reported that Dean Martel on East Hartland Road had stated that no one could enter his property without permission. She will contact his Attorney as requested";
- Inland/Wetlands Enforcement Officer's report, second paragraph, first line, fourth word, replace "stated" with "started";
- Inland/Wetlands Enforcement Officer's report, second paragraph, third line, thirteenth word, replace "stated" with "stating";
- Inland/Wetlands Enforcement Officer's report, third paragraph, second line, eleventh word, insert "Novak" after "Richard";
- Inland/Wetlands Enforcement Officer's report, third paragraph, third line, second word, replace "burn" with "berm";
- Inland/Wetlands Enforcement Officer's report, third paragraph, third line, fourth word, replace "limited" with "limit";
- Any Other Business Legal and Proper to Come Before Said Meeting, first paragraph, second line, second word, replace "rover" with "river".

Christopher Tooker moved to accept the minutes for the meeting of April 4, 2009 as amended herein. The motion was seconded by Michael Ream. The motion passed by unanimous vote.

CORRESPONDENCE:

The Chairman shared with the commission a letter he received from the First Selectman regarding proposed roadwork from the Colebrook Town Line to Route 20 in Riverton. A question arose regarding what entity has jurisdiction over activity in the wetlands. All other correspondence was reviewed. No action was taken.

ANY OTHER BUSINESS LEGAL AND PROPER TO COME BEFORE SAID MEETING:

The Chairman and Rista Holda explained that the Town of Barkhamsted has received a grant to study low impact development techniques near the Farmington River. The First Selectman is looking for volunteers for a committee that will ensure that the project stays on track.

Martha Sullivan moved to adjourn the meeting. Michael Ream seconded the motion. Motion passed unanimously and the meeting was adjourned at approximately 8:40 p.m.

Respectfully submitted by _____ Date _____
Thomas Santoro – acting secretary