

**TOWN OF BARKHAMSTED  
INLAND WETLANDS COMMISSION  
WATER POLLUTION CONTROL AUTHORITY  
MINUTES OF REGULAR MEETING  
TUESDAY, JUNE 2, 2009**

Chairman, John Greaser called the meeting to order at approximately 7:10 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.

**Informal presentation by Selectman Donald S. Stein regarding painting the bridge in Riverton.**

Selectman, Don Stein was present to discuss the painting of the bridge in Riverton. Mr. Stein informed the commission that FRCC had acquired a grant in the amount of \$6,500.00 to hire a company to remove the lead paint from the bridge. This is basically the guardrail area, as the rest of the bridge is concrete. Ron Coleman from Hitchcock Self Storage is donating the paint and the Town is looking for volunteers to help paint. The Town has a permit from DOT approving the painting. The work will move forward once the paint removal company sets a date.

Chairman Greaser asked Mr. Stein to also speak on the Pleasant Valley bridge repairs. Mr. Stein informed the commission that the DOT had held a meeting on May 27<sup>th</sup> in the New Hartford Town Hall to inform interested townspeople on when the work would be started and how traffic and safety issues would be handled. This work will not start until April, 2010 and the Pleasant Valley bridge will not be shut down completely. Chairman Greaser asked Mr. Stein to give another informal presentation as the work got closer and keep the Inland/Wetlands Officer informed.

**NEW APPLICATIONS:**

**A. METROPOLITAN DISTRICT COMMISSION, applicant/owner, 39 Beach Rock Road. Application for proposed activity to install a fence along the Bills Brook Discharge Well.**

Chris Levesque, an Engineer from MDC spoke to the commission on the plans for the fence around the Bills Brook Discharge Well. He supplied the commission with maps and detailed drawings of the ornamental fence and described the sequence for installation and selective tree cutting and diversion of brook. The fence will be 48" high with zero excavation. The holes for the fence posts will be hand dug. Rista Holda stated she had been to the site and MDC supplied her with the S & E control sequence, which went above and beyond the standard requirements. Mr. Santoro asked to see the vegetation plan. Mr. Ream asked how long the installation would take? Mr. Santoro also asked how big each granite weir was? Mr. Levesque stated the weirs were 6 to 8 feet in width.

Tooker made a motion to accept and approve the application as a regulated, non-significant activity, seconded by Santoro and unanimously approved.

**B. SEXTON READ, MOLLY AND FRITCH, THOMAS, applicant/owners, 48 Taylor Road. Application for proposed activity to maintain a drain.**

Both applicants presented maps to the commission showing the location of the drain and where the maintenance was required along the driveway. The trench being dug will be 140 feet in length and two feet deep. They will then fill with stone and cover and seed. The activity proposed is within the 100 foot buffer. Ganem had visited the property. Section 4.1 of the Inland/Wetlands regulations defines maintenance. This section was reviewed by the commission. Rista Holda's recommendation was to give her the authority as "agent determination" as this work is clearly maintenance. Sullivan made a motion to give Rista Holda the power to deem this application as an "agent determination application and approve same as a regulated, non-significant activity and a "use as of right". Santoro asked that the motion be amended to state the activity as regulated, non-significant for maintenance of a drain and a "use as of right" and approve this application as an "agent determination application", seconded by Ream and approved by all commission members, except Santoro, who abstained as he was not clear on what is or is not maintenance.

**C. FAZZINA, DAVID AND MARIANNE, applicant/owners, 44 Taylor Road. Application for proposed activities for "use as of right" to maintain pastures.**

Peter Driscoll was present representing the Fazzinas as their contractor. Sullivan had driven by the property. Ganem, Ream and Greaser did individual site walks. Mr. Driscoll presented maps and described how they were draining the pastures, as the past years there has been standing water and the fields could not be used for pastures. There have been ongoing problems since 2003 when the driveway at 46 Taylor Road went in. The construction of the driveway acts like a dam. Section 4 of the Inland/Wetlands Regulations and Section 22a-40 of the State Statutes states "agriculture, farming and grazing" as permitted as "uses as of right". Greaser asked the contractor to make sure the soils were put back in the proper place and did not mix wetlands soils with top soil. Rista Holda recommended approving the application as a "use as of right" with proper S & E controls in place. The Chairman cautioned everyone present at the meeting to be aware that fines could be enforced if work was started without a permit. Whenever in doubt, a call should be made to the Inland/Wetlands Enforcement Officer before any work is started.

Ream made a motion to approve the application as a "use as of right" as spelled forth in the Town of Barkhamsted Inland/Wetland Regulations, Section 4.1a, as per oral and written testimony, with one condition that the Inland/Wetlands Enforcement Officer be called when all the work is completed, seconded by Santoro and unanimously approved.

**D. HALLINAN CAPITAL CORP., applicant/owner, Lots 3 and 4 Woodland Acres. Application for proposed activities for the construction of a single family residence.**

Bob Messier, Engineer, was present for the applicant. Mr. Messier explained that in 1968 the subdivision was approved and Lots 3 and 4 were formed. Mr. Messier attached to the application a report from Connecticut Ecosystems, LLC. and an application to FVHD (waiting for approval). S & E controls should be spelled out on the plans and the applicant is willing to provide a Conservation Easement. All of the activity for the construction of a single family residence is in the regulated area. Rista Holda recommended that this application be set for Public Hearing as it is significant activity and all soil scientist reports and S & E control measures to be spelled out on the plans.

Tooker made a motion to accept the application as a regulated, significant activity and set for Public Hearing on July 7, 2009 at 7:00 pm, seconded by Sullivan and unanimously approved.

**PUBLIC HEARINGS:       None**

**PENDING 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.**

Valerie White, architect for the applicant was present and talked to the commission about the improving the screened porch on the front of the house. Ms. White spoke about many other improvements the applicant would like to make, including, possibly moving the septic tank, moving a shed, repair to the back of the house where there is rot and the deck, which are all interconnected. The commission felt they should just look at the first application for the construction of the screened in porch, and the applicant's should apply for a second permit listing the activities in the back of the house closest to the river.

Tooker had visited the site and felt there was no impact to the wetlands from the construction of the screened in porch. Mr. Motley, applicant stated they would be hand digging the piers for the porch.

Sullivan made a motion to approve the application for the screened in porch only as a regulated, non-significant activity, as per oral and written testimony, with two conditions:

1. The piers be hand dug; and
2. The Inland/Wetlands Officer be notified the date of the digging.

The motion was seconded by Tooker and unanimously approved.

**B. METROPOLITAN DISTRICT COMMISSION, applicant/owner, 39 Beach Rock Road. Application for proposed activity to install a fence along the Bills Brook Discharge Well.**

Application approved.

**C. SEXTON READ, MOLLY AND FRITCH, THOMAS, applicant/owners, 48 Taylor Road. Application for proposed activity to maintain a drain.**

“Agent determination application” approved.

**D. FAZZINA, DAVID AND MARIANNE, applicant/owners, 44 Taylor Road. Application for proposed activities for “use as of right” to maintain pastures.**

Application approved as a “use as of right”.

**E. HALLINAN CAPITAL CORP., applicant/owner, Lots 3 and 4 Woodland Acres. Application for proposed activities for the construction of a single family residence.**

Application accepted and set for public hearing on July 7, 2009 at 7:00 pm.

#### **INFORMAL PRESENTATION BY OPTIWIND REGARDING WIND TURBINES AT NORTHWESTERN REGIONAL NO. 7.**

David Hurwitt from Optiwind was present and discussed the plans for a wind turbine to be placed at Northwestern Regional No. 7. The high school is looking into alternative energy sources. This tower would be a mid-size tower, 180-200'. They do not believe there are any wetlands in the area. Soil scientists are putting a plan together to determine whether there are wetlands or not. There is minimal excavation for the foundations. The purpose of this informal discussion was for a report to give to the Planning and Zoning Commission. The commission stated that if there were no wetlands on the property, Optiwind would not need to come back to IWC.

#### **REVIEW OF CHANGES TO KELSEY COURT SUBDIVISION BY ANDREW W. MASON ASSOCIATES, INC.**

Robert Green was present, as well as the applicant, Andrew Mason. Mr. Green discussed the changes to the approved subdivision known as Kelsey Court, off of Gavitt Road. The developer would like to raise the grade near the end of the cul-de-sac. All excavation work was outside the buffer area. The Planning and Zoning Commission has asked that the Town Engineer review the new changes. Rista Holda recommended the IWC wait until the engineer's report is received and continue until the July 7<sup>th</sup> meeting.

Sullivan made a motion to approve the modifications, as presented, by applicant and as per oral and written testimony, seconded by Ream. The vote was passed, four in favor (Ream, Sullivan, Tooker and Greaser) and two against, (Santoro and Ganem)

**DISCUSSION OF REGULATION CHANGES:**

Santoro made a motion to table the discussion on the regulations until the next meeting in July, seconded by Tooker and unanimously approved.

**INLAND/WETLANDS ENFORCEMENT OFFICER'S REPORT:**

Rista Holda reported that the Town Garage berm was complete and woodchips were in place and the site looked good.

**APPROVAL OF MINUTES:**

Approval of the May 5, 2009 and May 12, 2009 minutes was tabled until the next meeting in July.

**CORRESPONDENCE:** Reviewed; no action taken.

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

None

Martha Sullivan moved to adjourn the meeting. Linda Ganem seconded the motion. Motion passed unanimously and the meeting was adjourned at approximately 9:25 p.m.

Respectfully submitted by \_\_\_\_\_ Date \_\_\_\_\_  
Thomas Santoro – acting secretary