

**TOWN OF BARKHAMSTED - INLAND WETLANDS COMMISSION
REGULAR MEETING – MINUTES
TUESDAY, MAY 1, 2012 – 7:00PM
BARKHAMSTED TOWN HALL**

APPROVED: _____

DATE:

PRESENT: Chairman John Greaser, Linda Ganem, Michael Ream, Martha Sullivan; Alternate Christopher Labbe; Interim Wetlands Enforcement Officer Debra Brydon; Recording Secretary Stacey Sefcik.

ABSENT: Jesse Edmands, Gary Reynolds, 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. Jim Hughes, applicant/owner, 11 Case Road. Application for construction of single family residence.

Ms. Brydon informed the Commission that, while a map for this property had been filed on the Land Records by the previous owner, the property was in fact not a legal lot of record.

Todd Parsons, PE, of Lenard Engineering then addressed the Commission on behalf of the applicant. He explained that this was a 3-acre property with a 25-foot access strip and a beaver pond at the back of the property, which was shared with another lot. The lot sloped toward the south, and the location selected for the house had 5% to 10% slopes toward the pond. Mr. Parsons said that the planned house was only one story. The house and most of the septic field would be outside the regulated area; at its closest, the proposed house was 83 feet from the wetlands. Mr. Parsons said that the septic system had already received Farmington Valley Health District approval.

Mr. Parsons noted several low-impact development techniques that had been incorporated into the design for the site. A bioretention area was planned to collect runoff from the house and upper driveway area. The house size was less than 1200 square feet and the driveway would be 10 feet wide with no big loops. He explained that the impervious areas, which would total 4500 square feet, were less than 3% of the total lot area and were all disconnected from each other. It was also planned to plant the area by the driveway with a conservation seed mix and only mow it once or twice a year as this area drained to wetlands located off the property. The driveway was to be gravel with a paved apron as required by Town ordinance.

He then briefly reviewed alternatives to the present proposal. Mr. Parsons explained that they had considered reversing the locations of the septic and house; however in this scenario the project would actually be closer to the wetlands, the septic system would have required a pump, and the driveway would have had to have been longer, which would have increased impervious surface. He stated that they had also considered removing the bioretention area in order to move the project further away from the wetlands; however, the benefits of treating the water from the upper driveway would have been lost. Lastly, they had considered a septic system with only one row; this had been rejected as the grade of the land would have resulted in the system being closer to the wetlands than the current proposal.

Mr. Greaser asked about the capacity of the bioretention area, and Mr. Parsons explained that it had been designed and sized according to the Prince George County, Maryland Bioretention Manual, which is considered within the industry to be the leading authority on bioretention design. He then explained how the bioretention area was size according to the amount of impervious area onsite. Mr. Greaser then asked about earth removal and/or fill. Mr. Parsons explained that they may need some fill for the septic area and in between the septic field and the house; however the rest of the project would not require any.

Mr. Greaser noted the presence of wetlands not only the site, but also on the adjacent property and in the surrounding area. The Commission then discussed the level of significance for this project.

MOTION Mr. Ream, second Ms. Sullivan, to accept the application in the matter of **Jim Hughes, applicant/owner, 11 Case Road. Application for construction of single family residence**, determine it to be a significant activity, and schedule a public hearing for this matter at the July 3, 2012 regular meeting; unanimously approved.

B. Mel A. Harder, applicant; Beth Maydock, owner; 18 Ratlum Mountain Road. Application for timber harvest with stream crossing.

Mel Harder, Licensed Forester, addressed the Commission regarding this application. Mr. Harder explained that a thinning of mature pine trees on approximately 4-5 acres of property. Accessing one section of the property would require a temporary stream crossing. Ms. Ganem asked about the width of the stream to be crossed, and Mr. Harder stated it was approximately the width of the conference table. He said they planned a poled ford and would corduroy the banks as required. Ms. Sullivan noted the presence of a swampy area to the southeast of the property. Mr. Harder stated that no work was planned in that area. Mr. Labbe asked when the work was planned; Mr. Harder stated that the timber had not yet been sold, so he was not exactly sure. He stated that the work would be done in a dry or frozen time of year and he would be present to oversee the work. Mr. Greaser asked how long it would take to complete the work, and Mr. Harder stated that while the operation itself would not take long, they would likely request a year in order to allow time to schedule the project. Ms. Sullivan pointed out a pulloff along Ratlum Mountain Road near a brook; she expressed concern that the area not be used by the crew working on the site.

MOTION Ms. Sullivan, second Mr. Labbe, to determine that the activities described in the matter of **Mel A. Harder, applicant; Beth Maydock, owner; 18 Ratlum Mountain Road. Application for timber harvest with stream crossing** represent a permitted use as of right under Section 4.1 of the regulations with the following conditions:

1. The Inland Wetlands Enforcement Officer is to be notified in writing one week prior to the commencement of any work.
2. Any trucks working on the site must be equipped with a spill containment kit.
3. Use of the pulloff by the brook on Ratlum Mountain Road for any reason is prohibited.

The motion was unanimously approved

C. Lombard Ford, applicant/owner, 338 New Hartford Road. Application for installation of two piezometers and one groundwater monitoring well.

Susan Strand, consultant for Lombard Ford, addressed the Commission regarding this matter. Ms. Strand explained that underground fuel tanks had been removed at the front of the property several years back. At that time, soil contamination had been detected, and all affected soil had been removed from the site. Groundwater contamination in the immediate vicinity of the fuel tanks had also been detected, so groundwater monitoring wells had been installed and found that there had been no impact to drinking water and the contamination did not appear to extend off the Lombard Ford property. Ms. Strand explained that the next step was to test the water down-gradient from Lombard Ford, which was across Route 44 in Mallory Brook. She stated that they proposed installing 2 piezometers in Mallory Brook, which would require the inserting 2 stainless steel perforated pipes. These were not permanent devices and would be removed once testing was complete. Additionally, a groundwater monitoring well was also to be constructed where the culvert from Lombard Ford connected to Mallory Brook. This would require inserting a perforated PVC pipe, which would also be taken out once completed. Ms. Strand explained that, according to DEEP regulations, they would have to be able to show 4 quarters where the levels of contamination were below recommended standards; however, the DEEP could determine a longer period of time was required.

Ms. Brydon informed the Commission that the permit was both for the installation and the removal of both piezometers and the groundwater monitoring well. She noted that some of the work would require crossing property owned by The Lavieri Group; she explained that they had given permission to access the work area as well as stage equipment on their property. Ms. Strand stated that permission had also been obtained from the State Department of Transportation, as the work was occurring in their right-of-way. She added that the piezometers could be installed by hand; however, the groundwater monitoring well would require drilling that would be performed by Associated Boring. All soil removed would be tamped back into the hole. Ms. Strand said that the work to complete all three parts would take about 1 full day.

Mr. Greaser inquired as to the depth of the monitoring, and Ms. Strand said that they were required to test twenty feet below groundwater. Mr. Labbe stated that he had been working in this industry for approximately 20 years and listed his experience for the record. He then reviewed with the Commission the process for installing piezometers and groundwater monitoring wells. Ms. Strand explained that the plan was to ensure no contamination had reached Mallory Brook; if Mallory Brook was determined to be free of contamination it would be determined likely that the wells for Mallory Brook Plaza and the houses down-gradient of Lombard Ford were also free of contamination. Members of the Commission noted the close proximity of marshes to the former location of the fuel tanks, and questioned whether a permit had ever been issued for the removal of the fuel tanks. Ms. Strand stated that the fire marshall had been notified once the contamination had been found, and he had been present for the fuel tank removal.

MOTION Mr. Labbe, second Ms. Sullivan, to accept the application in the matter of **Lombard Ford, applicant/owner, 338 New Hartford Road. Application for installation of two piezometers and one groundwater monitoring well**, determine it to be nonsignificant, and to schedule the matter for discussion at the June 5, 2012 regular meeting; unanimously approved.

2. PUBLIC HEARINGS:

No business was discussed.

3. PENDING APPLICATIONS:

A. Jim Hughes, applicant/owner, 11 Case Road. Application for construction of single family residence.

The Commission agreed to table this matter to the July 3, 2012 regular meeting.

B. Mel A. Harder, applicant; Beth Maydock, owner; 18 Ratlum Mountain Road. Application for timber harvest with stream crossing.

This matter had been addressed under item 1B.

C. Lombard Ford, applicant/owner, 338 New Hartford Road. Application for installation of two piezometers and one groundwater monitoring well.

The Commission agreed to table this matter to the June 5, 2012 regular meeting.

4. INLAND WETLANDS ENFORCEMENT OFFICER'S REPORT.

Ms. Brydon briefly reviewed her enforcement activities over the previous month. Ms. Brydon informed the Commission that the Town of New Hartford Inland Wetlands Commission was hoping to schedule a joint meeting with them in order to develop a unified approach to the use of beach sand at West Hill Pond. The Commission agreed to have Ms. Brydon review the calendar and select a few dates to offer to their New Hartford colleagues for this joint meeting. Ms. Ganem informed Ms. Brydon that fishermen along East River Road are creating several new foot paths to the riverfront, and that these are becoming sources of erosion during rainstorms. Ms. Brydon stated that she would notify the Farmington River Coordinating Committee so that they could address this.

5. APPROVAL OF MINUTES:
A. April 3, 2012 regular meeting.

MOTION Mr. Ream, second Ms. Sullivan, to approve the minutes of the April 3, 2012 regular meeting with the correction on the second line of item 4: "...for the property at 23 West River Road."; unanimously approved.

6. CORRESPONDENCE:
The Commission reviewed the Spring 2012 edition of *The Habitat*.

7. ANY OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:
No business was discussed.

MOTION Ms. Sullivan, second Ms. Ganem, to adjourn the meeting at 8:10PM; unanimously approved.

Respectfully submitted,

Stacey M. Sefcik
Recording Secretary