

**TOWN OF BARKHAMSTED - INLAND WETLANDS COMMISSION
REGULAR MEETING – MINUTES
TUESDAY, MARCH 5, 2013 – 7:00PM
BARKHAMSTED TOWN HALL**

APPROVED: _____ **DATE:** _____

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

ABSENT: Linda Ganem, 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 arrived to the meeting at 7:01PM and was seated for Linda Ganem. The entire proceedings were recorded digitally and are available at the Town Hall.

1. NEW APPLICATIONS:

No business was discussed.

2. PUBLIC HEARINGS:

No business was discussed.

3. PENDING APPLICATIONS:

A. Metropolitan District Commission, applicant/owner, Saville Dam Outlet Channel and Fountain at Recreation Area. Application to restore Saville Dam outlet channel masonry and remove debris from outlet channel floor and fountain.

Ms. Brydon read into the record a letter dated February 25, 2013 from Chris Levesque of the Metropolitan District Commission, which addressed all the of the Commission's outstanding questions from the February regular meeting, including sequence of events and the location of refueling and spill kits. Ms. Brydon then reviewed with the Commission the revised maps and plans that Mr. Levesque had submitted as well, which showed the presence of hay bales along the wall where small trees and brush were going to be removed. She stated that fueling and storage would be near the tool shed by Route 219, approximately 500 feet south of the work site.

MOTION Mr. Ream, second Mr. Reynolds, to approve the application in the matter of **Metropolitan District Commission, applicant/owner, Saville Dam Outlet Channel and Fountain at Recreation Area. Application to restore Saville Dam outlet channel masonry and remove debris from outlet channel floor and fountain;** the motion carried 6-0-1 with Mr. Labbe abstaining.

4. SHOW CAUSE HEARING – CEASE AND DESIST:

A. Robert Larose, 65 Gavitt Road – Show Cause, Cease and Desist.

No business was discussed.

5. DECLARATORY RULINGS:

A. Michael Schulde, 126 Goose Green Road, Timber Harvest.

Ms. Brydon informed the Commission that there were no wetlands on the property. She stated that David Beers of Connwood Foresters, Inc. would be overseeing the harvest.

B. Metropolitan District Commission, 39 Beach Rock Road, Timber Harvest.

Ms. Brydon explained that this was located just north of Slade Road, and that there were no streams or wetlands in the harvest area.

C. Metropolitan District Commission, Pond Island (East of Barkhamsted Reservoir), Timber Harvest.

Ms. Brydon stated that the timber harvest would be occurring near Pond Island, which was east of the Barkhamsted Reservoir. She explained that no streams or wetlands were located in the harvest area.

MOTION Mr. Edmands, second Mr. Labbe, to determine that the activities described in the matters of **Michael Schulde, 126 Goose Green Road, Timber Harvest; Metropolitan District Commission, 39 Beach Rock Road, Timber Harvest; and Metropolitan District Commission, Pond Island (East of Barkhamsted Reservoir), Timber Harvest** represent permitted uses as of right under Section 4.1A of the Town of Barkhamsted Inland Wetlands Regulations; unanimously approved.

MOTION Ms. Sullivan, second Mr. Reynolds, to amend the agenda to add item 9A - Permit Modification for Matt and Kate Motley, 420 West River Road (Permit issued August 4, 2009); unanimously approved.

9. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:

A. Permit Modification – Matt and Kate Motley, 420 West River Road (Permit originally issued August 4, 2009).

Ms. Brydon reminded the Commission that they had issued a permit to the Motleys for a cantilevered deck, relocation of the septic system, refacing of a stone retaining wall with a stone veneer, and other repairs around the property. She stated that they had started work without notifying her as was required in their permit, and they had done grading and seeding work in their yard. Ms. Brydon explained that she had since visited the site to ensure it was stabilized; the applicants had planted winter rye for stabilization. She subsequently received a copy of their updated plans, which she then reviewed with the Commission.

She noted that the plans showed two stockpile areas; the first was for topsoil and the second stockpile area was for stone and sand and was located within the upland review area. Ms. Brydon explained that she spoke with the Motleys about the location of the second stockpile, and they then sent a revised plan without a second stockpile area. Additionally, the plans submitted showed a second silt fence to be installed on site. Ms. Brydon informed the Commission that she had directed the Motleys to keep the existing, longer silt fence up while doing subsequent work.

Ms. Brydon then explained that the reason for the modification was because the Motleys wished to extend the stone wall they were repairing further around the corner away from the river, for a total of 13 additional feet. She then read into the record a letter submitted by the Motleys which was dated March 4, 2013. Ms. Brydon informed the Commission that the applicants planned to use a mini excavator for part of the work, and they were hoping to get started in March. Members of the Commission discussed whether the snow would be adequately melted and the ground dry enough for this activity in March. In addition, Ms. Brydon explained that as per the original permit, no equipment was permitted on the Still River side of the existing wall. Therefore, the mini excavator could not operate from that side of the wall, and it might not be able to reach the site from the other side due to the location of the septic system. The Commission also discussed that concrete would have to be wheeled over to the wall from a location away from the river. Ms. Brydon explained that if the wall could not be accessed with the mini excavator, then the footing for the new wall would have to be dug by hand. Members of the Commission reiterated their doubts that the ground would be dry enough for this work to be performed in March or even April.

MOTION Ms. Sullivan, second Mr. Ream, to approve the modification to the Inland Wetlands Permit originally issued to Matt and Kate Motley, 420 West River Road, on August 4, 2009 as per revised plans dated February 22, 2013 subject to the following conditions:

1. The applicant must obtain the prior approval of the Inland Wetlands Enforcement Officer for the proposed work start date before commencing any work in order to ensure the ground is sufficiently dry and stable. Work is not to commence until the Inland Wetlands Enforcement Officer's permission has been obtained.
2. No equipment larger than a mini-excavator is to be used. If the approved work cannot be performed with a mini-excavator, the applicant is to immediately contact the Inland Wetlands Enforcement Officer. The mini-excavator must be equipped with a spill kit.
3. The applicant must obtain the approval of the Inland Wetlands Enforcement Officer for the location of any concrete truck brought to the site.
4. The applicant must provide a planting plan to the Inland Wetlands Enforcement Officer.

The motion was unanimously approved.

6. INLAND WETLANDS ENFORCEMENT OFFICER'S REPORT.

Ms. Brydon briefly reviewed her enforcement activities over the previous month. She informed the Commission that the illegal cottage on Case Road that she had discussed with them the previous month had since been removed. She said that she had confirmed this at an inspection the day prior. Ms. Brydon explained that the Commission would likely be receiving an application for this lot within the next few months, as the property owners were attempting to obtain a special exception from the Planning and Zoning Commission for a rear lot.

Additionally, Ms. Brydon informed the Commission that the Town would be appearing before the Commission within the next few months with applications for four culvert repairs on Day Road, Ratlum Road, Legeyt Road, and East West Hill Road.

7. APPROVAL OF MINUTES:

A. February 5, 2013 special meeting.

MOTION Mr. Reynolds, second Mr. Ream, to approve the minutes of the February 5, 2013 regular meeting as written; the motion was unanimously approved.

8. CORRESPONDENCE:

The Commission reviewed the Spring 2012 edition of *The Habitat*.

MOTION Mr. Ream, second Mr. Reynolds, to adjourn the meeting at 7:58PM; unanimously approved.

Respectfully submitted,

Stacey M. Sefcik
Recording Secretary