

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

APPROVED: _____ **DATE:** _____

PRESENT: Chairman John Greaser, Linda Ganem, Gary Reynolds, Michael Ream; Interim Wetlands Enforcement Officer Debra Brydon; Recording Secretary Stacey Sefcik.

ABSENT: Jesse Edmands, Martha Sullivan, Christopher Tooker; Alternate Christopher Labbe.

Chairman John Greaser called the meeting to order at 7:01PM. All regular members present were seated for the meeting. The entire proceedings were recorded digitally and are available at the Town Hall.

1. NEW 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.

Philip Royer, Construction and Maintenance Supervisor for the Metropolitan District Commission (MDC), addressed the Commission regarding this matter. He explained that this project was part of the MDC's ongoing restoration work around Lake McDonough. Mr. Royer explained that the channel and fountain masonry was approximately 75 to 80 years old. He stated they proposed to clean out debris from around the channel and fountain pool as well as regrouting the masonry work. Mr. Royer explained that they also proposed to remove some trees and shrubs that were growing along the channel behind the wall, as their roots were damaging the wall. Referencing the plans, Mr. Royer stated that they also planned to rebuild one of the weirs within the channel; he explained that the weirs, aside from their esthetic purpose, also assisted in measuring and maintaining the water level within Lake McDonough. Mr. Royer said that the last weir in the channel had been removed in the 1970s or 1980s; however, they now wanted to put it back into the channel.

Mr. Greaser questioned whether lights would be installed as well. Mr. Royer said that the original plan had included lighting; however, he was not sure whether that was in the current plan. Mr. Greaser asked how the MDC planned to divert water during the project. Mr. Royer explained that they had the ability to divert water from one of the brooks that fed into the channel. He then reviewed with the Commission the environmental safety notes on the plans, which detailed the locations for refueling and portable toilets. Mr. Greaser asked about erosion and sedimentation controls. Mr. Royer stated that hay bales would be placed at the end of the outlet channel. Ms. Ganem asked when the work would be done, and Mr. Royer stated that it would most likely be during the fall; he stated it would definitely not be done during the spring or mostly likely not during their summer recreation season. Ms. Ganem asked how long the project would take to complete, and Mr. Royer said that it would likely take 1-2 months to finish.

Ms. Ganem requested that the plans show exactly how far away refueling would take place; she also requested a notation requiring spill kits. Mr. Greaser asked for a more detailed construction sequence as well as designation on the plans of silt fencing along the line of trees and shrubs that were to be removed. Mr. Royer expressed agreement with these requests, and he stated that the revised plans would be available for the next meeting.

MOTION Ms. Ganem, second Mr. Reynolds, to accept the application for **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**, determine it to be nonsignificant, and to schedule the matter for discussion at the March 5, 2013 regular meeting; unanimously approved.

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.**

The Commission agreed to table this matter to the March 5, 2013 regular meeting.

4. **SHOW CAUSE HEARING – CEASE AND DESIST:**

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

Ms. Brydon stated that she had sent Mr. Larose a certified letter about this matter and had also filed the Cease and Desist Order on the land records.

5. **INLAND WETLANDS ENFORCEMENT OFFICER’S REPORT.**

Ms. Brydon briefly reviewed her enforcement activities over the previous month. She detailed for the Commission some issues that had arisen with a property on Case Road owned by Jim Hughes. She explained that the previous owner had filed a map in the Town Clerk’s office showing a subdivision with 2 rear lots; this was never approved by the Planning and Zoning Commission or the Inland Wetlands Commission. The bank had then foreclosed on only one of these lots and since then, various buyers have been trying to find out how they could build a home on the lot. Ms. Brydon explained that she has consistently stated that it is not a legal lot of record, and therefore it is not a buildable lot. Ms. Brydon said that Mr. Hughes then purchased this property and had been told the same thing; however, he had gone forward with a house plan for the property. Rich Novak, the Highway Supervisor, had contacted her to let her know that he had seen construction work taking place on the site. Ms. Brydon said that she immediately visited the site and observed contractors working onsite. A small building with a widow’s walk was framed out onsite. Ms. Brydon said that the work appeared to be within 100 feet of the swamp. She stated that she instructed the contractors to immediately cease work and leave the property, which they did. Ms. Brydon stated that she also reported this structure to the Farmington Valley Health District. Ms. Brydon said that Mr. Hughes attorney was coming to meet with her about this matter later that week.

Ms. Brydon then reviewed with the Commission the status of the enforcement action at 315 New Hartford Road. She noted that Ms. Worth had removed the potted plants blocking the watercourse on her property. Ms. Brydon explained that they were currently working to create a stipulated judgment on this matter.

6. **APPROVAL OF MINUTES:**

- A. **January 8, 2013 special meeting.**

MOTION Ms. Ganem, second Mr. Reynolds, to approve the minutes of the January 8, 2013 special meeting as written; unanimously approved.

7. **CORRESPONDENCE:**

Mr. Greaser and Ms. Brydon noted that Stacey Sefcik, the Commission’s Recording Secretary, had submitted her resignation earlier that evening. Ms. Sefcik stated that her last meeting would be the March 5, 2013 regular meeting.

MOTION Ms. Ganem, second Mr. Ream, to adjourn the meeting at 8:00PM; unanimously approved.

Respectfully submitted,

**Stacey M. Sefcik
Recording Secretary**