

**TOWN OF BARKHAMSTED - INLAND WETLANDS COMMISSION
REGULAR MEETING – REVISED MINUTES
TUESDAY, OCTOBER 2, 2012 – 7:00PM
BARKHAMSTED TOWN HALL**

APPROVED: _____ **DATE:** _____

- PRESENT:** Chairman John Greaser, Linda Ganem, Michael Ream, Gary Reynolds, Martha Sullivan; Alternate Christopher Labbe; Interim Wetlands Enforcement Officer Debra Brydon; Recording Secretary Stacey Sefcik.
- ABSENT:** Jesse Edmands, 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. Janet E. Fredsall, applicant/owner, 23 Dillon Beach Road – After-the-Fact application for new well and septic repair.

Ms. Brydon explained that the applicant's property was located on West Hill Lake. She said that the applicant had constructed a new septic system and leaching fields outside the upland review area; however, the pump chamber was located in the regulated area. Ms. Brydon explained that the applicant was also planning to install a new well, and the staging area for that work was also located within the regulated area; however, work had not yet started on this portion of the project. Ms. Brydon explained that she had visited the site and spoken with the contractors performing the work; both the well and the septic contractors had been told by the owner that she had obtained all necessary permits. Farmington Valley Health District Approval had been obtained prior to construction. Ms. Brydon stated that the septic work had been completed by the time she had visited the site; however, the well contractor, Link Brucker, had immediately stopped all work until the proper permit had been obtained. Ms. Brydon stated that the site was now stabilized and hay bales had been put in downslope of all disturbed areas. The property owner had been charged the after-the-fact permit fee.

Members of the Commission reviewed the maps and plans as well as pictures of the site. A question arose as to who had done the engineering work for this project and whether they were aware of the wetlands permit requirements. Ms. Brydon explained that Robert Green Associates had done the work, and she noted that he had appeared before the Commission on previous applications. Mr. Greaser noted the presence of a pile of rocks in one of the pictures and asked where the rocks were taken from; Ms. Brydon said that they were likely from the septic work outside the regulated area. He then asked how close the abutting neighbors' properties were to this work. Ms. Brydon stated that the abutting property was owned by Camp Workcoeman with the nearest building 300-400 feet away.

The Commission briefly discussed whether the work proposed and already performed constituted a significant or nonsignificant activity. They ultimately agreed to defer this decision until the November meeting. Members of the Commission requested that Ms. Brydon ask Link Brucker, the well contractor, to attend the November 6, 2012 regular meeting so that he could explain the work proposed.

MOTION Ms. Sullivan, second Mr. Ream, to accept the application in the matter of **Janet E. Fredsall, applicant/owner, 23 Dillon Beach Road – After-the-Fact application for new well and septic repair**; unanimously approved.

B. Estate of Marjorie Hart, applicant/owner, 58 Boettner Road - Application for 2-Lot Resubdivision.

Ms. Brydon read into the record the soil scientist report for this property, which was prepared by Stansfield Environmental Services. The report stated that there were no wetlands soils onsite. Ms. Brydon explained that the applicant wished to divide the parcel into 2 lots; the existing house lot would be 3 acres and the new lot would be 2 acres. Members of the Commission briefly reviewed the maps and plans for this application.

MOTION Mr. Reynolds, second Mr. Labbe, to issue a favorable report to the Planning and Zoning Commission in the matter of **Estate of Marjorie Hart, applicant/owner, 58 Boettner Road - Application for 2-Lot Resubdivision**, finding that there are no wetlands soils present on the site and the application as presented did not appear to have any adverse impact on any nearby regulated or upland review areas; unanimously approved.

C. Dawn Cooley, DMD, applicant; Dean and Charlene Martel, owners; 124 New Hartford Road – Application to construct parking lot for dentist office.

Ms. Brydon explained that the applicants wished to convert the existing house onsite into a dentist office, and they wished to construct a parking area to the left of the building. The parking area would not be paved. Ms. Brydon explained that approximately 60 cubic yards of material would have to be removed from the site. Due to the presence of the Morgan Brook behind the house, Ms. Brydon stated that she had suggested that the applicant construct a berm between the parking area and the brook to act as a barrier. The applicant agreed and also planned to put in grass and other plantings as well. Ms. Brydon informed the Commission that the project had Farmington Valley Health District approval, and there was a new well onsite. The site was 0.6 acres located in the Pleasant Valley Zone, which permitted mixed use. Four regular parking spaces plus one handicap-accessible parking space were required. Ms. Brydon said that the applicants had already obtained State Department of Transportation approval for the curb cut for the parking area. The Commission briefly reviewed the application.

MOTION Ms. Sullivan, second Mr. Labbe, to approve the application in the matter of **Dawn Cooley, DMD, applicant; Dean and Charlene Martel, owners; 124 New Hartford Road – Application to construct parking lot for dentist office**; unanimously approved.

2. PUBLIC HEARINGS:

No business was discussed.

3. PENDING APPLICATIONS:

A. Janet E. Fredsall, applicant/owner, 23 Dillon Beach Road – After-the-Fact application for new well and septic repair.

The Commission agreed to table this matter to the November 6, 2012 regular meeting.

B. Estate of Marjorie Hart, applicant/owner, 58 Boettner Road - Application for 2-Lot Resubdivision.

No wetlands found. Report to be given to Planning and Zoning Commission.

4. SHOW CAUSE HEARING – CEASE AND DESIST:

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

Robert Larose addressed the Commission regarding this matter and explained why he had decided not to continue with the application he had previously filed with the Commission. He explained that his application was to clean out a pond on his property that had accumulated a lot of sediment, largely because his dogs swam in the pond and became very dirty. He explained that he had since fenced in his back yard, which meant his dogs no longer went into the pond and got dirty. He therefore chose to go no further with his application for a permit to clean the pond.

Mr. Larose then brought up another issue, which was the overflow of this pond into another pond on his property. He said that Case Road was not well maintained by the Town and with all the recent rain storms, water travelled down from the road onto his property into the first pond and ultimately to the next. The Commission explained that the Town did not own the road entirely up to Mr. Larose's house. After a brief discussion, they agreed to contact the Highway Supervisor in order to verify exactly how far up the road the Town owned. Mr. Larose stated that Case Road used to go through his property up to his house; he had since planted grass over the portion of the road on his property. At this point, Ms. Brydon reminded the Commission of the reason for the cease and desist order and questioned whether Mr. Larose had installed silt fence and stabilized the area under consideration as required.

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Mr. Larose stated that he had seeded and stabilized the slope by the pond and showed pictures to the Commission.

The Commission agreed that visiting the site would be beneficial. Mr. Greaser asked Mr. Larose if he would give them permission to visit the site. Mr. Larose said that it would be acceptable for members of the Commission, Ms. Brydon, and the Highway Supervisor to visit the site individually. The Commission agreed to visit the site once Ms. Brydon spoke with the Highway Supervisor; they would then discuss this matter further at their November meeting.

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

Ms. Brydon briefly reviewed her enforcement activities over the previous month. She said that work had begun on the pipeline for the Town Garage well, and that she had been onsite to observe. Ms. Brydon said that the portion of the pipe through the wetlands had already been completed, and silt fencing was up and well maintained.

6. **APPROVAL OF MINUTES:**

A. **August 7, 2012 regular meeting.**

MOTION Mr. Reynolds, second Ms. Sullivan, to approve the minutes of the August 7, 2012 regular meeting as written; unanimously approved.

7. **CORRESPONDENCE:**

The Commission reviewed the Summer 2012 edition of *The Habitat* as well as information from the Department of Energy and Environmental Protection (DEEP) regarding Public Act 12-151. The Commission also reviewed a copy of a letter from the DEEP to Roger Hurlbut of Lenard Engineering dated August 27, 2012 regarding work on the West Hill Pond Dam in New Hartford. Lastly, the Commission reviewed a letter from DEEP regarding the Water Diversion Permit issued to the Town of Barkhamsted for work along Mountain Road.

8. **ANY OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:**

A. **November Regular Meeting.**

Ms. Brydon advised the Commission that they would have to cancel the November 6, 2012 regular meeting as it was election day. The Commission would have to schedule a special meeting to address all business from the November 6th meeting.

MOTION Mr. Ream, second Ms. Ganem, to adjourn the meeting at 8:20PM; unanimously approved.

Respectfully submitted,

Stacey M. Sefcik
Recording Secretary