

**TOWN OF BARKHAMSTED
INLAND WETLANDS COMMISSION
REGULAR MEETING – MINUTES
TUESDAY, JUNE 7, 2011 AT 7PM
BARKHAMSTED TOWN HALL**

APPROVED: _____
DATE: **JULY 5, 2011**

- PRESENT:** Chairman John Greaser, Jesse Edmands, Linda Ganem, Michael Ream, Gary Reynolds, Martha Sullivan, Christopher Tooker; Inland Wetlands Enforcement Officer Rista Malanca; Recording Secretary Stacey Sefcik.
- ABSENT:** Alternate Christopher Labbe.

Chairman John Greaser called the meeting to order at 7:05PM. All regular members were present and seated for the meeting. The entire proceedings were recorded digitally and are available at the Town Hall.

1. NEW APPLICATIONS:

A. Gilman Dube, Jr., applicant/owner, 29 School Street. After-the-fact application for construction of a stone patio on the Farmington River.

Mr. Dube addressed the Commission regarding this matter. He explained that there had previously been a patio area that was covered in woodchips; however, high water had carried the woodchips off. Mr. Dube said that there had also been a stone wall that had been started but never completed. He explained that he had finished the stone wall and put down stone for the patio area. Mr. Greaser noted that the property was also within the Farmington River Overlay District. Ms. Malanca stated that Liz Lacey of the Farmington River Coordinating Committee had been notified of the work done by Mr. Dube's neighbors, and that she would also be reviewing the application.

Mr. Dube stated that, in the future, he would also like to vegetate the portions of his front lawn that were too steep to mow and construct a stone border around a fire pit that was by the road. Both of these activities would also be within the 100-foot regulated area. Ms. Malanca explained that the application currently on file was only for the stone patio; if Mr. Dube wished to do additional work, then sketches and detailed plans would also be required. Mr. Greaser asked if Mr. Dube would give permission to the members of the Commission to visit the site, and Mr. Dube responded affirmatively.

MOTION Mr. Edmands, second Ms. Sullivan, to accept the application in the matter of **Gilman Dube, Jr., applicant/owner, 29 School Street. After-the-fact application for construction of a stone patio on the Farmington River**, determine it to be significant, and to schedule a public hearing for the July 5, 2011 regular meeting; unanimously approved.

The Commission agreed to add the following application to their agenda.

B. Gary Reynolds, applicant/owner, Removal of Down and Damaged Trees from Brook.

Mr. Reynolds explained that the recent tornado had knocked down approximately 15 of his trees into the brook on his property. He distributed pictures for the Commission to review. Mr. Reynolds explained that he planned to use a winch and a tractor to pull the trees out of the brook. He stated that he would not work within the brook and he planned to leave roots and stumps. Members of the Commission asked what type of trees were damaged, and Mr. Reynolds stated birch, maple, and hickory. Ms. Ganem asked what Mr. Reynolds planned to do with the trees he removed, and Mr. Reynolds stated that he would most likely use them for firewood. He stated that he would wait to perform the work until the dry season.

MOTION Ms. Ganem, second Mr. Ream, to accept the application in the matter of **Gary Reynolds, applicant/owner, Removal of Down and Damaged Trees from Brook**, determine it to be nonsignificant, and to act on this matter at the July 5, 2011 regular meeting; unanimously approved.

2. PUBLIC HEARINGS:

No business was discussed.

3. **PENDING APPLICATIONS:**

A. **Mark K. Jones, Trustee, applicant/owner, Lot 6-8 Kelsey Court, 2-Lot Resubdivision.**

Ms. Malanca informed the Commission that she had received a report from the Town's engineering consultant, R.R. Hiltbrand, which contained several questions regarding the proposed septic system for the new lot. She suggested continuing this matter to the July regular meeting.

Edward Ferrigno addressed the Commission on behalf of the applicant. Mr. Ferrigno stated that he had just received this report the previous Thursday and he discovered that the Town's engineer had somehow obtained the incorrect plans. Mr. Ferrigno then submitted new plans to the Commission, which he stated did not have the footing drain located in the wetlands, but rather on the other side of the house; he stated that the location of the footing drain in the wetlands on the first plans submitted was in error.

Ms. Malanca noted that the Commission was also still awaiting a response from the Farmington Valley Health District regarding Mr. Hiltbrand's concerns. She then read to the Commission portions of Mr. Hiltbrand's report. Mr. Tooker questioned whether the first lot had any engineering issues as a result of the resubdivision, as the Commission had authority to review both of the proposed lots. Ms. Malanca reviewed the report and verified that there were only minor concerns with the plans for the first lot. The Commission then reviewed both the old plans and those submitted by Mr. Ferrigno at this meeting.

MOTION Ms. Sullivan, second Ms. Ganem, to continue the matter of **Mark K. Jones, Trustee, applicant/owner, Lot 6-8 Kelsey Court, 2-Lot Resubdivision** to the July 5, 2011 regular meeting; unanimously approved.

C. **Armand Choquette, 309 New Hartford Road. Drainage improvements (spreading stone) in regulated area.**

Ms. Malanca briefly reviewed the proposed work with the Commission, explaining that Mr. Choquette wished to spread stone on the sides of his driveway as grass did not grow well in these area. One side was 62 x 3 feet and the other was 12 x 25 feet. She stated that Mr. Choquette planned to do the work by hand. Mr. Tooker stated that this would require approximately 6 cubic yards of material. Ms. Malanca stated that in her opinion, this work could ordinarily have been handled as an agent determination; however, given pending litigation with an abutting property owner, she felt it best to have the application reviewed by the Commission.

MOTION Mr. Tooker, second Mr. Reynolds, to approve the application in the matter of **Armand Choquette, 309 New Hartford Road. Drainage improvements (spreading stone) in regulated area** with the following conditions:

1. All of the Commission's standard conditions are to be in effect.
2. No heavy machinery is to be used to perform the proposed work.

The motion was unanimously approved.

4. **INLAND WETLANDS ENFORCEMENT OFFICER'S REPORT:**

Ms. Malanca gave a brief report to the Commission regarding her enforcement activities over the course of the past month. She stated she had visited the Korfel property with Mr. Greaser regarding washout of the driveway onto the road. Ms. Malanca explained that Mr. Korfel had inadvertently plowed snow and rocks into the drainage pipes, but this had since been fixed. She said that he was considering the creation of a snow shelf to prevent this from happening in the future. Ms. Sullivan made the complaint that when the Town had used oil and sand to repair roads, they had used too much sand and had taken too long to remove it. She said that the sand had run off into the gutters and subsequently into the wetlands as a result. Mr. Reynolds explained that the oil can only be used before April 30th. Ms. Sullivan suggested that the Town should not be so quick to put it down if they did not intend to remove it promptly, noting that it was on the roads for almost 2 months.

IWC Minutes - 060711

5. APPROVAL OF MINUTES:

A. April special meeting.

The Commission tabled this matter to the July 5, 2011 regular meeting.

B. May 3, 2011 regular meeting.

Mr. Greaser made the correction to delete the last sentence of the first paragraph on page 2 and replace it with: "Mr. Greaser expressed concern based upon the report to the Town from the Low-Impact Development Committee and the biologic study by Dr. Michael Clements and believed that the Commission should consider the greater totality of the area when determining the significance of this application."

MOTION Mr. Reynolds, second Mr. Ream, to accept the minutes of the May 3, 2011 regular meeting as corrected; unanimously approved.

6. CORRESPONDENCE:

The Commission reviewed the Spring 2011 edition of *The Habitat*. Mr. Edmands also encouraged Commission members to visit the DEP website for information regarding review of site plans. Ms. Malanca stated that the DEP had recently changed their program to allow credit for Segment 1 training completed online instead of only at their once yearly seminar.

7. ANY OTHER BUSINESS LEGAL AND PROPER TO COME BEFORE THE COMMISSION:

Ms. Ganem asked Ms. Malanca about timber harvest work on Bridle Court and questioned whether the Inland Wetlands Commission had done anything improper. Ms. Malanca explained that the Town had been given a right-of-way through one of the properties for a future road. She stated that the Town had subsequently given permission to an abutting neighbor to use the right-of-way as an accessway for a timber harvest. She stated that the Inland Wetlands Commission had made a proper decision based on the facts before them at the time.

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

Respectfully submitted,

**Stacey M. Sefcik
Recording Secretary**