

**TOWN OF BARKHAMSTED  
INLAND WETLANDS COMMISSION  
REGULAR MEETING – MINUTES  
TUESDAY, AUGUST 2, 2011 AT 7PM  
BARKHAMSTED TOWN HALL**

**APPROVED:** \_\_\_\_\_

**DATE:** September 1, 2011

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

**ABSENT:** None.

Chairman John Greaser called the meeting to order at 7:00PM. 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:**

No business was discussed.

**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.**

Brian Denno of Denno Land Surveying addressed the Commission on behalf of the applicant. Mr. Denno submitted revised plans, and Ms. Malanca stated that all requested information had been received. Mr. Denno briefly reviewed the application, explaining that lot 6-8A was being developed as per previously approved plans with no changes. However, the applicant wished to resubdivide and create Lot 6-8B, which was shown in the submitted plans. Mr. Denno stated that the septic system would be outside the wetlands and had been approved by the Farmington Valley Health District (FVHD). He said that the FVHD had originally wanted the well at the back of the property; however, the applicant kept it at the front in order to keep it out of the regulated area. Mr. Denno said that there would be no grading work within 100 feet of the wetlands; however, there would be some fill spread over the septic system. Mr. Denno then explained the drainage plans for the site, which included a raingarden and a pipe under the driveway to collect runoff from Route 219. The Commission then reviewed the plans.

**MOTION** Mr. Edmands, second Ms. Sullivan, to approve the application in the matter of **Mark K. Jones, Trustee, applicant/owner, Lot 6-8 Kelsey Court, 2-Lot Resubdivision** with all of the Commission's standard conditions and noting that this approval constitutes a favorable report to the Planning and Zoning Commission; unanimously approved.

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

Ms. Malanca updated the Commission regarding her enforcement activities over the past month. She explained that following last month's denial of Gilman Dube's application, per the letter from the Army Corps of Engineers, Mr. Dube was supposed to remove the patio with someone from the Land Use Department present. However, after originally scheduling a time with the Land Use office and later canceling it, Mr. Dube then went ahead and removed the patio without informing Ms. Malanca, so no one watched the removal as required. The Board briefly discussed the possibility of setting fines for situations where applicants do not follow stated remediation instructions.

Ms. Malanca informed the Commission that she had also issued an agent determination for drainage repairs being performed by the Town on Mountain Road behind the Riverton Inn. She explained that the road and the outlet of the pipe under the road had both collapsed, so water was going over the Riverton Inn's driveway and into their septic system. Due to this volume of water, the septic system was not working properly and consequently overflow was going into the Farmington River.

5. **APPROVAL OF MINUTES:**

A. **July 5, 2011 WPCA and Inland Wetlands Commission minutes.**

Ms. Sullivan pointed out that on page 4 in section C just before the motion, the sentence should read "they did not know..." instead of "they did know."

**MOTION** Ms. Sullivan, second Mr. Reynolds, to accept the minutes of both the July 7, 2011 Inland Wetlands regular meeting and the July 7, 2011 Water Pollution Control Authority regular meeting as corrected; unanimously approved.

6. **CORRESPONDENCE:**

The Commission reviewed *The Habitat* Summer 2011 edition, the Connecticut Federation of Lakes July 2011 newsletter, and *Connecticut Wildlife* July/August 2011 edition.

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

Ms. Ganem reiterated the need for fines when applicants do not follow stated remediation plans. Ms. Malanca then briefly explained proper reasons for commissioners to abstain from voting and the potential legal difficulties when abstaining on denial motions. She explained that, if commissioners feel there may be a potential conflict of interest or even the appearance of a conflict of interest, then they should recuse themselves at the start of the public hearing rather than abstaining from the vote. Ms. Malanca also explained that a commissioner must give their reasons, which cite the regulations, for not voting in favor of a motion.

**MOTION** Mr. Ream, second Mr. Reynolds, to adjourn the meeting at 7:35PM; unanimously approved.

Respectfully submitted,

Stacey M. Sefcik  
Recording Secretary