

**New Hartford Inland Wetlands Commission
TOWN OF NEW HARTFORD, CONNECTICUT
REGULAR MEETING MINUTES
Wednesday, May 2, 2018 at 7:00 PM
New Hartford Town Hall
530 Main Street, New Hartford, Connecticut**

PRESENT: Chairman James Hall, Karl Hermonat, Lou Moscaritolo, Nancy Schroeder Perez, Gerald Tabaka, and Steve Unger; Wetlands Officer Ruth Mulcahy.

ABSENT: Anne Hall.

Chairman James Hall called the meeting to order at 7:01PM. The meeting was recorded digitally and copies are available through Town Hall.

1. PUBLIC HEARINGS:

A. Mark Fairchild/Applicant – William E. Bartlett/Owner – Map 002 Block 002 Lot 12-10 – 2 Lynette Court – Driveway and One Half of Septic Trench in Upland Review Area.

It was noted that the legal ad noticing this public hearing was advertised the requisite two times, April 20, 2018 and April 27, 2018, in a newspaper with local circulation. Additionally, proof of mailing to the abutting neighbors was also provided for the record.

Mark Fairchild appeared before the Commission regarding this application. Mr. Fairchild explained that he intends to purchase this property and construct a home. He explained that the front yard setbacks were changed to 100' from a requirement of 50' when the subdivision was previously approved. He noted that the proposed map in this application had been changed since last month's meeting as had the flagged wetlands. Mr. Fairchild explained that new wetlands had been created since the original subdivision approval back in 2002. As a result, the proposed driveway had been moved over resulting in very little interference with the wetlands with a planned crossing at a man-made swale.

Ms. Mulcahy reported that the map included in the packet to commissioners include a yellow-shaded area on the site representing the only remaining upland area with the entire remaining portion of the site being either wetlands or review area. She explained that after the wetlands were remapped, the application now includes just about all of the proposed development including the grading the driveway, the septic system, the house and the garage.

After reviewing the new map, Ms. Mulcahy noted she forwarded an email to the applicant with a list noting the steep treed slopes above the wetlands on the site. She noted that there are proposed grade changes and the narrative regarding protecting sedimentation appears to only address the site area for the septic system. She distributed copies of her correspondence, also noting that several cuts and fills were not addressed in the narrative, with no description of the amounts of these cuts and fills nor management of cuts and fills. Ms. Mulcahy noted that the plans also did not include stockpiles, tracking pad, nor a detailed sedimentation erosion control narrative detailing how the site will be maintained during construction. The driveway is proposed to run through a wetland and/or a brook with no detail on the piping or discharge, according to Ms. Mulcahy. She noted that she did not have information regarding how the area would be protected through construction. Additionally, storm water management was not addressed in the narrative. She noted that a new map has been received this evening but indicated that she had not had a chance to review it.

Mr. Hall explained to the Commission that this lot that was created previously under former regulations and advised them that there is some responsibility to ensure that the ownership value of the lot is maintained. He noted that the Commission should seek to protect the wetlands but to also protect the value of the property owners and to find a balance.

Ms. Schroder Perez questioned whether anything with this lot has changed since the original 2002 approval of the subdivision. Ms. Mulcahy confirmed, noting that the amount of wetlands has increased dramatically due to the development of the rest of the subdivision. Mr. Fairchild noted that the road was built up. Ms. Mulcahy noted that there has likely always been a low spot that brooks fed into. Mr. Hall noted that the wetlands are man-made. Ms. Schroeder Perez questioned whether they were man-made by the developer. Ms. Mulcahy and Mr. Hall confirmed.

Mr. Hall quickly read aloud a response letter from the applicant's engineer. It was noted that it was unclear whether the response addressed the questions and that either way, the plans should reflect the answers.

Ms. Mulcahy recommended that the applicant's engineer be on site to oversee the project at each phase.

The hearing was open to the public.

Keith Brasley of 36 Lynette Court, noting that he is a neighbor to the left of the subject site, questioned the size of the piping under the driveway. He noted that he also has a concern with the line of the property and requested that it be staked out. Mr. Brasley also shared his concern with the water, explaining that these wetlands are the headwaters of the Nepaug Reservoir.

Mr. Fairchild noted the size of that pipe as 18". He also reported that the newer plan reflects 50% less disturbance than the previous plan presented last month.

Additionally, Mr. Brasley also reported that the owner of the subject site has recently passed away. It was noted that the applicant will need to obtain a signature from the party with the authorization to sign on behalf of the estate.

The applicant was also requested to furnish a drainage calculation for the 18" pipe under the driveway. Mr. Unger noted that he would appreciate the opportunity for a site visit.

MOTION: Mr. Tabaka, Mr. Moscaritolo second, to continue the public hearing in the matter of Mark Fairchild/Applicant – William E. Bartlett/Owner – Map 002 Block 002 Lot 12-10 – 2 Lynette Court – Driveway and One Half of Septic Trench in Upland Review Area; unanimously approved.

2. PENDING APPLICATIONS:

A. Mark Fairchild/Applicant – William E. Bartlett/Owner – Map 002 Block 002 – Lot 12-10 – 2 Lynette Court – Driveway and One Half of Septic Trench in Upland Review Area.

The public hearing in this matter was continued. Therefore, no business was discussed.

B. Klaus J. & Carol J. Gorski – Map 023 – Block 034 – Lot 007 – 98 Bruning Road – 20 x 32 Foot Accessory Structure. – Modification Application.

Klaus Gorski appeared before the Commission regarding this application. He explained that he is seeking to modify a previous approval to allow the repositioning of a storage shed. It was noted that this proposed storage shed would be about fifty (50') feet from a brook. It was noted that the proposal is to move the proposed structure thirty feet from where it had been previously approved. Mr. Hall noted that it is already a disturbed site.

Mr. Gorski noted that the shed would have a dirt floor. Discussion followed about whether that posed any concern with storage of vehicles and fuels with a dirt floor. Ms. Mulcahy reminded the Commission that this application stemmed from a violation.

MOTION: Mr. Unger, Mr. Tabaka second, to approve the Modification of the application in the matter of Klaus J. & Carol J. Gorski – Map 023 – Block 034 – Lot 007 – 98 Bruning Road – 20 x 32 Foot Accessory Structure; unanimously approved.

C. James Steadman/Applicant – James E. Jr. & Kathleen B. Steadman/Owners – Map 022 – Block 016 – Lot 5-3 – 65 Carpenter Road – Barn Garage & Shop for Agricultural Purposes Only.

Neither the applicant nor a representative appeared before the Commission regarding this application. Copies of a GIS map reflecting where wetlands are relative to his property were noted as having been provided to the Commission. Ms. Mulcahy noted that there is already currently a shed there which will be replaced by a larger shed to accommodate his Christmas shop. It was noted that the shop is used for two to three weeks during harvest time.

MOTION: Ms. Schroeder Perez, Mr. Moscaritolo second, to approve the application in the matter of James Steadman/Applicant – James E. Jr. & Kathleen B. Steadman/Owners – Map 022 – Block 016 – Lot 5-3 – 65 Carpenter Road – Barn Garage & Shop for Agricultural Purposes Only including a major farm stand subject to the standard conditions; unanimously approved.

D. Sarah Appletree – Map 045 – Block 136 – Lot 005 – 68 Ratlum Road – Declaratory Ruling – Timber Harvest.

Carl Clavette appeared before the Commission regarding this application. He noted that this is a very small project and that he had taken on the work because of a much larger project very nearby to the site. Mr. Hermonat questioned whether the brook was near the existing driveway. Mr. Clavette indicated that it was not.

MOTION: Ms. Schroeder Perez, Mr. Tabaka second, to determine that the activities described in the matter of Sarah Appletree – Map 045 – Block 136 – Lot 005 – 68 Ratlum Road – Declaratory Ruling – Timber Harvest represent a permitted use of right under Section 4.1a of the regulations; unanimously approved.

E. James Minor/Applicant – James M. & Laura T. Minor/Owners – Map 06A - Block 112 Lot 062 - 126 Camp Workcoeman Road – Install Trex Decking on Top of Existing Stone Dock.

James Minor appeared before the Commission regarding this application. He confirmed that the work would include installation of Trex® decking on top of an existing stone dock with work being carried in by hand. He noted that he would be widening the decking a small amount.

MOTION: Ms. Schroeder Perez, Mr. Unger second, to approve the application in the matter of James Minor/Applicant – James M. & Laura T. Minor/Owners – Map 06A - Block 112 Lot 062 - 126 Camp Workcoeman Road – Install Trex Decking on Top of Existing Stone Dock subject to the standard conditions; unanimously approved.

F. Andrew Bosse/Applicant – Thomas E. & Susan Krohner – Map 009 – Block 039 - 011 – 452 Cedar Lane – Declaratory Ruling – Timber Harvest.

Andrew Bosse appeared before the Commission regarding this application. He explained that the contractor will be using a log folder and a mechanical harvester. Erosion control includes a crushed stone tracking pad at the access point, according to Mr. Bosse. He noted that several stream crossings will be necessary and that timber mats will be used for those practices.

MOTION: Ms. Schroeder Perez, Mr. Unger second, to determine that the activities described in the matter of Andrew Bosse/Applicant – Thomas E. & Susan Krohner – Map 009 – Block 039 -011 – 452 Cedar Lane – Declaratory Ruling – Timber Harvest represent a permitted use as of right under Section 4.1a of the regulations; unanimously approved.

3. NEW APPLICATIONS:

None.

4. MEETING MINUTES – April 4, 2018:

The April 4, 2018 Minutes should be amended as follows:

Under Agenda item 2. *Pending Applications: 2. Jeff B. Steadman – Map 022 Block 019 Lot 019 – 210 Maple Hollow Road – River Bank Erosion Control* to 2. *Pending Applications: B. Jeff B. Steadman – Map 022 Block 019 Lot 019 – 210 Maple Hollow Road – River Bank Erosion Control*; and

The typographic error, a misspelling, in the motion contained in the fifth paragraph on the fifth page should be corrected from Scroder to Schroder.

MOTION: Ms. Schroeder Perez, Mr. Moscaritolo second, to approve the April 4, 2018 Minutes as amended; unanimously approved.

5. INLAND WETLANDS OFFICER’S ENFORCEMENT REPORT

None.

6. CORRESPONDENCE

None.

MOTION: Ms. Schroeder Perez, Mr. Unger second, to adjourn at 8:00PM; unanimously approved.

Respectfully submitted,

Pamela A. Colombie
Recording Clerk