

**New Hartford Inland Wetlands Commission  
TOWN OF NEW HARTFORD, CONNECTICUT  
REGULAR MEETING MINUTES  
Wednesday, June 6, 2018 at 7:00 PM  
New Hartford Town Hall  
530 Main Street, New Hartford, Connecticut**

**PRESENT:** Chairman James Hall, Anne Hall, Karl Hermonat, Gerald Tabaka, and Steve Unger;  
Wetlands Officer Ruth Mulcahy.

**ABSENT:** Lou Moscaritolo and Nancy Schroeder Perez.

Chairman James Hall called the meeting to order at 7:00PM. 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 this public hearing had been continued from the last meeting.

Mark Fairchild, accompanied by his wife Linda Fairchild, appeared before the Commission regarding this application. He explained that his engineer had modified the drawings based upon comments received from the town engineer.

Mr. Hall reminded fellow commissioners that the site is a previously approved building lot and that the objective for the Commission is to proceed with development of the site with the least amount of impact to the wetlands. Mr. Fairchild reminded the Commission that since approval of the location as a building lot, the review area has expanded from fifty (50') feet to one-hundred (100') feet as well as additional wetlands developing on the site. Ms. Mulcahy reminded the Commission that they will need to review and consider the total area of disturbance as well as the additional work at the end of the driveway. She noted that the sediment and erosion control narrative was only two sentences whereas it typically contains more information such as timetables for work, anticipated dates of construction, etc. Ms. Mulcahy questioned the stormwater treatment, noting that the stormwater will be going towards the brook, a feeder to the Nepaug water system. She noted that the town engineer suggested some type of treatment, possibly infiltrators, as the site is mostly gravel. The town engineer will review proposals in this regard put forth by the applicant's engineer, according to Ms. Mulcahy. She reported that the wetlands were last flagged in 1989, with only a portion of the site recently updated. Additionally, she reported that the town engineer also did not recommend the applicant's proposal to channel water down the side of the property, onto the neighbor's property. Mr. Fairchild agreed that it was not necessary to do this. Ms. Mulcahy noted that the engineers could likely agree on a real construction sequence and sediment and erosion control narrative.

Mr. Hall questioned whether the resolution through the Probate Court regarding the estate of William Bartlett had been completed. Mrs. Fairchild noted that she had notarized documents from the executor of the estate and the executor's attorney. It was noted that the Commission would need authority from the Probate Court.

Mr. Unger reported having visited the site but shared his preference for an opportunity for questions with the applicant's engineer through a site visit. Mr. Hall explained that a Special Meeting could be scheduled following a site visit like that but that commissioners should refrain from discussing with fellow commissioners the application during the visit. Consensus of the commission was to schedule a site visit and special meeting after having received approval for one from the Probate Court.

**MOTION:** Mr. Unger, Ms. Hall second, to schedule a site walk with the applicant's engineer, with a special meeting to follow, for the purposes of reviewing and acting upon this application; unanimously approved.

Keith Brasley, 36 Lynette Court, noted that the Commission will need to access the applicant's site through his property and accordingly, requested to be contacted at 860-489-7624(h) or 860-982-6550(c) prior to the site visit/Special Meeting so that he may be present. He also clarified that the brook in this location has been there forever.

**MOTION:** Mr. Tabaka, Ms. Hall second, to continue the public hearing; 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.**

As the public hearing was continued, no business was discussed.

## **3. NEW APPLICATIONS:**

### **A. James Gallus/Applicant – James M. & Lauren M. Gallus/Owner – Map 026 – Block 10A – Lot 011 – 11 Buttercup Lane – 30' x 40' Pole Barn on Cement Piers with Cement Floor & Move a 12'x20' Shed on Stone Pad.**

James Gallus appeared before the Commission regarding this application. Ms. Mulcahy reported that she had visited the site and noted a shed and a brook on the side of the property. She noted that Mr. Gallus has agreed to relocate the shed, which will be 69 feet from the wetland. Ms. Mulcahy noted that the barn will be 38 feet from the wetland. She noted that she is comfortable doing an agent determination as the wetland is naturally vegetated and will not be touched as a result of the project. She also noted that there are large stones acting as a border.

Ms. Hall questioned whether there was any plan to have a driveway to the proposed barn. Mr. Gallus indicated that there would not be and that he would merely drive across the grass to access it. Mr. Hall questioned the purpose of the barn. Mr. Gallus explained that he has three cars in the yard, and that they were unsightly to the neighborhood. Noting the floor, Mr. Gallus confirmed that he would be bringing in some fill to raise up the back.

**MOTION:** Mr. Unger, Ms. Hall second, to refer the application in the matter of James Gallus/Applicant – James M. & Lauren M. Gallus/Owner – Map 026 – Block 10A – Lot 011 – 11 Buttercup Lane – 30' x 40' Pole Barn on Cement Piers with Cement Floor & Move a 12'x20' Shed on Stone Pad to Ms. Mulcahy for an agent determination; unanimously approved.

### **B. Metropolitan District Water Bureau – Map 045 – Block 134 – Lot 024 – Reservoir Road – Declaratory Ruling – Notification of Timber Harvest.**

Ms. Mulcahy noted that the proposed activity is an as-of right activity, and that the timber harvest is a result of the gypsy moth problem.

**MOTION:** Mr. Hermonat, Mr. Tabaka second, determine that the activities described in the application of the Metropolitan District Water Bureau – Map 045 – Block 134 – Lot 024 – Reservoir Road – Declaratory Ruling – Notification of Timber Harvest, represent a permitted use as of right under Section 4.1A of the Town of New Hartford Inland Wetlands Regulations; unanimously approved.

### **C. C-Tec Solar LLC/Applicant – George Michael Acker Jr./Owner – Map 002 – Block 900 – Lot 029 – 40 Woodland Road – Installation of 60 Ground Mounted Modules (Solar) East Portion of Property Behind Tree.**

Edwin (no last name provided) from C-Tec Solar LLC, accompanied by the owner George Acker, appeared before the Commission regarding this application. Ms. Mulcahy reported that she had visited

the 37.4-acre parcel, explaining that it is already a mowed site. Edwin reviewed where the trenching will occur at the location. The trenching within the crossing was discussed with no other disturbance to the wetland noted.

**MOTION:** Mr. Unger, Mr. Hermonat second, to refer the matter of C-Tec Solar LLC/Applicant – George Michael Acker Jr./Owner – Map 002 – Block 900 – Lot 029 – 40 Woodland Road – Installation of 60 Ground Mounted Modules (Solar) East Portion of Property Behind Tree to Ms. Mulcahy for an agent determination; unanimously approved.

Identifying as the applicant, Mr. Hall recused himself from the following application. Ms. Hall, as daughter to the applicant, also recused herself. Mr. Unger assumed the chairman role for the discussion and review of the application.

**D. James Hall/Owner – Royal Oak – Pussy Lane & Stub Hollow Road – Declaratory Ruling – Timber Harvest.**

Ms. Hall explained that the timber harvest will be for the salvage of white ash and secondary for selective cutting of black birch and red maple to regenerate oak. She noted that the area has two wetland crossings of intermittent water courses. Ms. Hall noted that they will be dry during mid-July and that work will commence either during dry times or frozen period. She noted that they will be both crossed by skidder bridges, temporary bridges that are dropped over the entire area so that machines are not in wetlands at all. The skid roads are pre-existing from the 1970s, according to Ms. Hall.

**MOTION:** Mr. Hermonat, Mr. Tabaka second, to determine that the activity described in the application of James Hall/Owner – Royal Oak – Pussy Lane & Stub Hollow Road – Declaratory Ruling – Timber Harvest represent a permitted use as of right under Section 4.1A of the Town of New Hartford Inland Wetlands Regulations; Motion passed with Mr. Hermonat, Mr. Tabaka and Mr. Unger voting aye.

Mr. Hall and Ms. Hall resumed their respective roles with the Commission.

**4. MEETING MINUTES - May 2, 2018:**

**MOTION:** Mr. Unger, Mr. Tabaka second, to approve the May 2, 2018 Minutes; unanimously approved.

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

No report.

**6. CORRESPONDENCE:**

The CAIWC newsletter was noted as having been received as was an email from Mr. Unger regarding water quality at West Hill Lake.

**7. OTHER BUSINESS TO COME BEFORE THE COMMISSION:**

None.

**MOTION:** Ms. Hall, Mr. Hermonat second, to adjourn at 8:10PM; unanimously approved.

Respectfully submitted,

**Pamela A. Colombie**  
Recording Clerk