

**INLAND WETLANDS COMMISSION
REGULAR MEETING
JULY 23, 2013
MINUTES**

The Bolton Inland Wetlands Commission held its regular meeting on July 23, 2013 at the Bolton Town Hall. Members present were Chairman James Loersch, Polly Silva, Maryanne Edwards, Ross Lally and alternate Krista Edwards. Jane Darico was absent and Krista Edwards was acting as a voting member. Also present was Inland Wetlands Agent Barbara Kelly. The meeting was called to order by Jim Loersch at 7:00 P.M.

1. APPROVAL OF AGENDA

A motion was made by Polly Silva, seconded by Maryanne Edwards to approve the Agenda as presented.

2. OLD BUSINESS

A. APPLICATION 2013-7 – MICHAEL AND ANNA SPENCER – 77 VERNON ROAD – RESTORATION OF A STREAM CHANNEL

Anna Spencer presented a new drawing and introduced Mr. Nicholas R. Gebbie from TREE CONNECTIONS, INC., 194 Fitchville Road, Bozrah, CT 06351. The new drawing consisted of five items. They explained that their goal is to get the area graded to keep the water away from her home. 5 activities were discussed. There was a lot of confusion about what was involved with each activity i.e. where the soil would be moved. The final discussion involved taking 5 inches off of area 4 and spreading it in the front and side of house. Also building a swale with a turf mat where it enters the stream and installing hay bales as a silt fence.

Ross Lally questioned the size of swale, the large volume of water and the concentrated flow. Mr. Gebbie said that the rye seeds quickly and would prevent erosion. Ross Lally questioned if this was a long term solution. Barbara Kelly will work with the contractor in the field. Chairman Loersch mentioned that it was a difficult application. However we want to correct the existing situation. We are trying to make the best out of a bad situation.

A motion was made by Polly Silva, seconded by Maryanne Edwards to deem the activity a regulated activity of significant impact pursuant to section 3.6, A of the Inland Wetland Regulations.

A second motion was made by Polly Silva, seconded by Maryanne Edwards to grant a permit finding in the affirmative pursuant to Section 5.7.A. parts 1, 2 and 3 of the Inland Wetlands Regulations with the following conditions

- 1. That the work be done in the order given at the meeting, namely 1) installation of silt fence downhill of the work area and parallel to the lakes edge, 2) installation of a permanent turf reinforce mate along the brook where the water runoff from the lawn will enter the brook.**
- 2. That the plan be finalized with the Inland Wetlands Agent before work begins.**
- 3. That soil erosion and sediment control measures be installed, adjusted and maintained in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control.**

It was stated that there is no reasonable alternative to the work is being proposed. Both Motions passed with 4 yes, except Ross Lally opposed.

Mr. Lally still had questions regarding the work not being done by a professional engineer. There is no phasing work done and no matting. Profiles should be done before and after the work is done. He felt that the commission was requiring insufficient level of detail (no detailed plans) and design expertise (a landscaper who had not heard of the erosion control measures we asked him to implement).

3. NEW BUSINESS -

A. PLAN REVIEW – MILTON HATHAWAY – EARTH EXCAVATION AT QUARRY ROAD

Mr. Hathaway presented his latest plans for his continued mining of sand and gravel on his property on Quarry Rd. It was determined that there were no substantial changes, as related to the wetlands, from the plans dated January 19, 2007. The Commission determined that, as in 2007, that an Inland Wetlands permit is not required for this work.

In Gwen E. Marrion's letter of January 25, 2007 there were listed our concerns. These concerns still stand. Ross Lally questioned if there were any changes to the letter that was dated January 25, 2007 addressed to the Bolton Planning and Zoning Commission regarding the Earth Excavation Plan, or if everything remained the same. Since there is no activity in the upland review area or in wetland, therefore no permit is required from the Inland Wetlands Commission.

A motion to authorize Chairman Loersch to write a cover letter reiterating the same information in 2007 made by Polly Silva, seconded by Maryanne Edwards.

Mr. Van Dine, resident of Vernon Road, questioned why the board was not asking Mr. Hathaway to complete and application since many years had passed and changes have occurred in the land and property lines. He requested that the Inlands Wetlands Commission rescind the motion that was made this evening.

B. WILLIAM ANDERSON REQUESTS AN INFORMAL DISCUSSION CONCERNING VARCA SUBDIVISION – FRENCH ROAD – LOT C (BY 61 FRENCH ROAD)

Mr. Anderson showed a map and explained that Nancy and Paula Varca have a piece of land for sale and he is possibly interested in purchasing it and have it as an approved building lot. He was questioning if a driveway would be put in over the wetlands. He gave two proposals one thru the wetlands and one around. There could possibly be two houses sharing one common driveway. He was looking for the best way to do this. Chairman Loersch expressed his opinion that the Commission could not deny him access to his property and we could only advise him about the impact on the wetlands. Barbara mentioned that at the bottom of the driveway there is a safety issue regarding parked cars. The land at the bottom of the driveway would have to be large enough for six vehicles. Polly Silva said that the commission did not have enough information and could not give him a yes or no answer without additional information. Mr. Anderson thanked the commission for their time and for listening to his plans.

4. PUBLIC COMMENT –

Several residents including Leona Crosskey resident of 4 Lynwood Drive and President of Friends of Bolton Lakes spoke regarding their concerns about the work being done at 892 Boston Turnpike which included significant cutting of trees including one that fell into Vernon Road and the soil erosion in lake. All that spoke complained about the shoddy work. Chairman Loersch asked the Inland Wetlands Agent Barbara Kelly to contact owner to discuss corrective work and to stop the activity, no heavy equipment, and getting a permit.

Motion made by Rossa Lally to issue Mrs. Wei a cease and desist order and to have her appear for a show cause hearing. Motion was not seconded.

5. WETLANDS AGENT REPORT

Barbara Kelly reported that she has been in contact with the new owner of the property at 892 Boston Turnpike regarding the cutting of trees. She has concerns about the debris, wood chips in the lake and the seeding and mulch. She will continue to work closely with the owner. Chairman Loersch had concerns about the activity and asked Inland Wetlands Agency Barbara Kelly to continue conversations with the property owner.

6. APPROVAL OF MINUTES

A. JUNE 25, 2013 REGULAR MEETING

Motion to approve the June 25, 2013 regular meeting minutes with the following corrections:

Under 3. NEW BUSINESS A. wording should read ***Birch*** not ***birth***.

Under 3. NEW BUSINESS B. wording should read ***Pipe*** not ***Pope***.

Motion was made by Ross Lally, seconded by Krista Edwards. Motion carried unanimously.

B. JULY 2, 2013 – SITE WALK – At the request of Jonathan Treat, the site walk was cancelled.

7. OTHER - None

8. ADJOURNMENT

A motion was made Polly Silva, seconded by Marianne Edwards to adjourn the meeting. Motion passed unanimously. The meeting was adjourned at 9:45 P.M.

Respectfully submitted,

Janet K. Assard
Board Clerk

PLEASE SEE THE MINUTES OF SUBSEQUENT MEETINGS FOR THE APPROVAL OF THESE MINUTES AND ANY CORRECTIONS HERETO.