

From: Lois Laczko November 25, 2008 10:17:37 AM  
Subject: Conservation Commission Minutes 09/16/2008  
To: SimsburyCT\_ConserveMin

CONSERVATION COMMISSION/INLAND WETLANDS & WATERCOURSES AGENCY  
MINUTES - REGULAR MEETING  
September 16, 2008

I. CALL TO ORDER

Commissioner Winters called the Regular Meeting of the Conservation Commission/Inland Wetlands and Watercourses Agency to order at 7:30 PM in the Main Meeting Room of the Simsbury Town Offices. The following members were present: Commissioners Ryan Mihalic, Donald Rieger, Jr, Margaret Sexton, and Patrick Kottas. Also in attendance was Howard Beach, Conservation Officer.

II. APPOINTMENT OF ALTERNATES

Commissioner Winters appointed Commissioner Kottas to serve in the absence of Commissioner Zackeo.

III. PRESENTATION(S), DISCUSSION AND POSSIBLE VOTE

Commissioner Rieger recused himself from the Commission.

David Knecht, 26 Hampden Circle, stated that he would like to build a 14' pathway on pressure treated lumber runners to replace the old path. The proposed pathway will be on grade. He showed the Commission pictures of the property and of the existing deck. He stated that he will be expanding off of the existing deck. People already walk in this area, which is very slippery when it is wet. Mr. Knecht stated that there was chromate copper arsenate in the wood that was used in the past.

Mr. Beach stated that through experimentation, researchers have not found a single example where these products have leached into the ground. He also suggested that when using cut pressure treated wood, the uncut end be put in the ground and the cut end should be capped.

Commissioner Winters questioned when Mr. Knecht would like to start this project and if any vegetation would need to be cut. He stated that he would like to start in early October. Also, he will be taking out the logs from the old pathway, which he will put back into the woods. Commissioner

Mihalic questioned how long the project would take. Mr. Knecht stated that, depending on the weather, it should take approximately 2 Saturdays. Four to five people will be helping with the project. Commissioner Mihalic questioned how the materials would get to the site. Mr. Knecht stated that they would be carrying the wood by hand.

Regarding the spreadsheet that he made for Commission members, Mr. Knecht stated that there is an error on that sheet. He stated that the steel plates that were listed would be used for the second part of the project.

Mr. Knecht stated that he would like to clear some vegetation out in order to make the pathway clearer. He showed the Commission pictures of the overgrown vegetation. Commissioner Winters stated that pruning the vegetation would be appropriate, although this would make them bushier.

Commissioner Mihalic made a motion that this is a regulation activity because it involves deposition of material in a wetland. Commissioner Sexton seconded the motion, which was unanimously approved.

Commissioner Mihalic made a motion that this is not a significant activity based on the plans discussed and the materials being used. Commissioner Sexton seconded the motion, which was unanimously approved.

Commissioner Mihalic made a motion to approve this permit subject to the conditions set forth in the Staff report. Commissioner Sexton seconded the motion, which was unanimously approved.

Chuck Howard thanked David Knecht and his father on behalf of the Land Trust.

Commissioner Rieger returned to the Commission.

#### IV. APPROVAL OF MINUTES of July 15, 2008 and August 19, 2008

The approval of minutes was tabled until the next meeting.

#### V. RECEIPT OF NEW APPLICATION(S)

Mr. Beach stated that a new access road is being proposed at the Golf course area. He stated that they have been trying to get a second access road in for several years. The restaurant has not been able to have a liquor permit because of egress.

Mr. Beach stated that an application will be coming in for 82 Woodchuck Hill Road for a bathroom addition off of the back of the house, which is located in the regulated area.

## VI. STAFF REPORTS

a. Administrative issuance of an Inland Wetlands Permit on the application of John Smeggil, Owner, to construct an 8-foot x 12 foot addition to an existing deck within the 100-foot upland review area to a wetland on property located at 12 Tollgate Lane.

Mr. Beach stated that Mr. Smeggil is an avid astronomer. He currently has a deck behind his house, but because the way the trees have grown and where he needs to set up his telescope, is just off the edge of the existing deck. Mr. Smeggil would like to build an 8' x 12' addition off of the existing deck. The addition will be on four hand-dug sonotubes and will not be any closer to the wetlands than the existing deck.

## VII. DISCUSSION

Commissioner Mihalic questioned if a wetland permit was needed for a second story addition to a house. Mr. Beach stated that if there is no soil disturbance, a permit is not required.

## VIII. CORRESPONDENCE / ANNOUNCEMENTS

Mr. Beach stated the Town Attorney has advised Commissions not to let public audience speak regarding specific agenda items. Public comment on certain applications can turn discussions into public hearings. The Commission continued a small discussion regarding public audience.

Commissioner Rieger stated that the third session of the DEP training is available for registration. The session will be held in Storrs at UCONN. The topic will be on soils.

Commissioner Winters stated that she would like the Wild and Scenic Lower Farmington River and Salmon Brook Study Group to make a presentation before the Land Use Commissions to keep everyone up to date regarding the study. She stated that they are approximately half way through the process; they believe the study will take 3 years.

Commissioner Winters stated that the Open Space Sub-Committee is moving forward regarding identifying parcels of land that the Town owns and also identifying what protection, or lack of protection, is on each parcel. She stated that the open space in Simsbury is maintained by the Park and Recreation Department. Commissioner Winters stated that the Open Space Sub-Committee is also working on identifying east/west and north/south corridors and identifying land for potential future open space.

Commissioner Rieger stated that maintaining open space is a statutory

responsibility of the Conservation Commission.

Commissioner Winters stated that the Open Space Sub-Committee is also starting a Tree Committee. This committee will be looking at the trees in Town and how to preserve them. The trees in Simsbury have a great value to the Town.

IX. ADJOURNMENT

Commissioner Mihalic motioned to adjourn the meeting at 8:15 PM.  
Commissioner Kottas seconded the motion, which was unanimously approved.

Respectfully Submitted,

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Commissioner Ryan Mihalic, Secretary