

From: Lois Laczko November 19, 2010 4:00:34 PM  
Subject: Conservation Commission Minutes 10/19/2010 ADOPTED  
To: SimsburyCT\_ConserveMin  
Cc:

ADOPTED

CONSERVATION COMMISSION/INLAND WETLANDS & WATERCOURCES AGENCY  
MINUTES – REGULAR MEETING  
October 19, 2010

I. CALL TO ORDER

Commissioner Winters called the Conservation meeting to order at 7:32 p.m. in the Main Meeting Room of the Simsbury Town Offices. Commissioner members present were: Margaret Sexton, Ryan Mihalic, Patrick Kottas, Darren Cunningham, and Donald Rieger, Jr. Also present was Howard Beach, Environmental Compliance Officer.

II. APPOINTMENT OF ALTERNATES

Commissioner Winters appointed Commissioner Rieger to serve in the absence of Chairman Miller and Commissioner Kottas to serve in the absence of Commissioner Bucknam.

III. APPROVAL OF MINUTES – October 5, 2010

Commissioner Kottas made a motion to approve the October 5, 2010 minutes as written. Commissioner Cunningham seconded the motion, which was unanimously approved.

IV. PRESENTATION(s), DISCUSSION AND POSSIBLE VOTE

a. Application of James Rose, Owner, for an Inland Wetlands Permit for activities associated with the construction of a garage within the 100-foot regulated area to a wetland on property located at 276 Bushy Hill Road. (Map D-15, Block 403, Lot 079)

Mr. Rose stated that his house was built ten years ago in a restricted wetlands area; he received approval from this Commission at that time. He stated that he would now like to put a two-car garage at the end of his driveway. The garage will be in an area that is currently grass.

The garage will be aesthetically pleasing; it will not be too big. There is an existing detached garage on the property now.

In response to Commissioner Mihalic's question regarding the construction process, Mr. Rose stated that there is a gradual grade in the area of the proposed garage. The foundation will be constructed in steps; there is not much excavation needed for this. The material that will be dug out will be put into the floor of the garage foundation. The concrete is put down and the garage is built over that. He stated that the grade in that area will not change.

Mr. Beach stated that the backyard is in the wetlands. He stated that approximately ten years ago, the Commission allowed filling of wetlands for the house, although as a condition of approval, they put a conservation easement forty feet behind the house.

Commissioner Winters questioned if the back of the garage would be in the upland review area. Mr. Beach stated that the original plans showed this, although the plans now show a smaller garage, outside of that area.

Commissioner Winters questioned if a variance would be needed for the garage. Mr. Beach stated that the applicant will be requesting a lot line adjustment with his neighbor.

Commissioner Mihalic questioned if there would be any construction vehicles within the upland review area. Mr. Rose stated that he is doing the construction himself. He will not be going into the upland review area. He will be excavating from the front. The excavated material will be placed on the grass away from the upland review area.

Commissioner Winters questioned what would be stored in the garage. Mr. Rose stated that he has a boat and an extra car. The garage will also be used as storage.

Mr. Beach stated that if a lot line adjustment is received by the neighbor, the applicant would not need to go to the Zoning Commission. He would only need to file the paperwork of the adjustment with the Town Clerk.

Commissioner Winters questioned when the applicant would like to begin the project. Mr. Rose stated that he would possibly construct the garage in the fall or summer; he would not build in the spring. The project will take approximately one month or so.

Commissioner Mihalic made a motion that this is a regulated activity because it involves the construction of a garage in an upland

review area to a wetland. Commissioner Cunningham seconded the motion, which was unanimously approved.

Commissioner Mihalic made a motion that this is not a significant activity given the nature of the construction as presented by the applicant including the step feature of the foundation; his solutions for handling any excavated materials; and the nature of the construction overall appears to be minimally invasive into the upland review area. Commissioner Sexton seconded the motion, which was unanimously approved.

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

V. RECEIPT OF NEW APPLICATION(s)

Mr. Beach stated that there is one administrative approval for a shed. This will be on the next agenda.

VI. STAFF REPORTS

There were none.

VII. DISCUSSION

Election of Conservation Commission/Inland Wetlands and Watercourses Agency Officers

There was no discussion.

VIII. CORRESPONDENCE/ANNOUNCEMENTS

There were none.

IX. ADJOURNMENT

Commissioner Cunningham made a motion to adjourn the meeting at 8:00 p.m. Commissioner Mihalic seconded the motion, which was unanimously approved.

Respectfully Submitted,

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Commissioner Ryan Mihalic, Secretary

