

**CONSERVATION COMMISSION/INLAND WETLANDS AND WATERCOURSES
AGENCY**

REGULAR MEETING June 21, 2022, 7:30 P.M. HELD IN PERSON

I. CALL TO ORDER

Acting Chair Jason Levy called the meeting to order at 7:32 P.M.

II. ROLL CALL

Present: Director of Community Planning and Development, George McGregor; Andrew Bade, Donald Eaton, Charles Haldeman, and Jason Levy

Absent: James Berman, Chair, Margery Winters

Charles Haldeman was appointed as a seated member.

III. NEW BUSINESS

Receipt of New Application and Determination of Significance

Application #22-11 of Adam Girard, Applicant, to remediate prior tree cutting and other activities in the wetlands and upland review area at 132 Terrys Plain Road (Assessor's Map J08 Block 128 Lot 004B) Simsbury, CT 06070. Zone R-80/R-40.

- Mr. Haldeman made a motion based on the staff report and the review of the application stating that application 22-11 is not a significant activity. Mr. Bade seconded. All in favor, no opposed, no abstentions (4-0-0).

Application #22-12 of Rossetti Development LLC, Applicant, Max Kernizan, Owner, to construct a ±5,000sq. ft. single family home with elements built in the upland review area at 24 Cobtail Way (Assessor's Map H16 Block 110 Lot 010) Simsbury, CT 06070. Zone R-80.

- Mr. Haldeman made a motion based on the staff report and the review of the application stating that application 22-11 is not a significant activity. Mr. Bade seconded. All in favor, no opposed, no abstentions (4-0-0).

Application #22-14 of Dave Taylor, Applicant, for the construction of a 12' x 18' barn with a deck in the upland review area at 507 Firetown Road (Assessor's Map C03 Block 203 Lot 023A) Simsbury, CT 06070. Zone R-40.

- Mr. Haldeman made a motion based on the staff report and the review of the application stating that application 22-11 is not a significant activity. Mr. Bade seconded. All in favor, no opposed, no abstentions (4-0-0).

Application #22-15 of John & Elizabeth Marion, Owners/Applicants, to construct a ±816 sq. ft. addition in the upland review area at 10 Victoria Lane (Assessor's Map C07 Block 212 Lot 010) West Simsbury, CT 06092. Zone R-40.

- Mr. Haldeman made a motion based on the staff report and the review of the application stating that application 22-11 is not a significant activity. Mr. Bade seconded. All in favor, no opposed, no abstentions (4-0-0).

IV. PUBLIC HEARING AND/OR ACTION ON APPLICATIONS

Application #22-07 of Brendan McLarty, Applicant, to install a leach field at 72 King Philip Rd. a.k.a. 5 Tower Run (Assessor's Map I15 Block 109 Lot 005B3) Simsbury, CT 06070. Zone R-80.

- Mr. McGregor explained the application would be to install a leach field in a location that was previously approved for a pool on the property.
- The engineer for the project stated the material that would be removed during the excavation would stay on the property in the non-regulated area.
- Mr. Haldeman made a motion approving the application as a regulated activity. Seconded by Mr. Bade. All in favor, no opposed, no abstentions (4-0-0).
- Mr. Haldeman made a motion to approve application 22-07 subject to the regular and special conditions described in the staff report provided by the Town. Mr. Bade seconded. All in favor, no opposed, no abstentions (4-0-0).

Application #22-11 of Adam Girard, Applicant, to remediate prior tree cutting and other activities in the wetlands and upland review area at 132 Terrys Plain Road (Assessor's Map J08 Block 128 Lot 004B) Simsbury, CT 06070. Zone R-80/R-40.

- Mr. Girard stated that he was unaware of the location of the wetlands on his property and requested the Commission's advice on how to proceed. Acting Chairman Levy inquired about the grading for the land near the wetlands and Mr. Girard stated there is around a four-foot drop in elevation going down to the wetlands which is dry most times of year.
- Mr. Haldeman made a motion to approve the activity in application 22-11 as a regulated activity. Mr. Bade seconded. All in favor, no opposed, no abstentions. (4-0-0)

- Mr. Haldeman made a motion to approve application 22-11 subject to the conditions described in the staff report provided by the Town. Acting Chairman Levy seconded. All in favor, no opposed, no abstentions. (4-0-0)

Application #22-12 of Rossetti Development LLC, Applicant, Max Kernizan, Owner, to construct a ±5,000 sq. ft. single family home with elements built in the upland review area at 24 Cobtail Way (Assessor’s Map H16 Block 110 Lot 010) Simsbury, CT 06070. Zone R-80.

- The project engineer provided an overview of the soil types and measures taken to minimize the impact to the wetlands on the site
- Mr. Haldeman made a motion to approve the activity in application 22-12 as a regulated activity. Mr. Bade seconded. All in favor, no opposed, no abstentions. (4-0-0)
- Mr. Haldeman made a motion to approve application 22-12 subject to the conditions described in the staff report provided by the Town. Mr. Bade seconded. All in favor, no opposed, no abstentions. (4-0-0)

V. GENERAL COMMISSION BUSINESS

Minutes: April 19, 2022

May 17, 2022

- Mr. Haldeman stated in line 122 should be corrected to “appreciated” April 19, 2022 Minutes. Acting Chairman Levy made a motion to approve the April 19, 2022 minutes as corrected. Mr. Bade seconded. All in favor, no opposed, no abstentions. (4-0-0)
- Acting Chairman Levy made a motion to approve the minutes from May 17, 2022 as submitted. Mr. Bade seconded. All in favor, no opposed, no abstentions. (4-0-0)

VI. AGENT ACTIONS

Application #22-08 of Michael Regan, Applicant, to construct and replace two existing decks at 15 Hop Brook Rd. (Assessor’s Map E07, Block 303, Lot 001) Simsbury, CT 06070. Zone R-80.

- Mr. McGregor stated the proposed work was around 78 feet from the wetlands

Application #22-09 of Doreen Malangko Kudawoo, Applicant, to fill in an inground pool within the upland review area at 18 Rocklyn Dr. (Assessor’s Map A14, Block 404, Lot 014) West Simsbury, CT 06092. Zone R-40OS.

- Mr. McGregor stated the application had no significant impact on the wetlands

Application #22-10 of Firehouse Fuels, Applicant, to install a 120-gallon propane tank, with short distance trenching to a generator at 27 Woodlot Rd. (Assessor's Map A05, Block 203, Lot 006) Simsbury, CT 06092. Zone R-160.

- Mr. McGregor provided an overview of the tank installation

Application #22-13 of Othman Naciri & Melissa Higginbotham, Applicants, to install an 18' round above ground pool in the upland review area at 64 Riverside Road (Assessor's Map H11 Block 107 Lot 035B) Simsbury, CT 06070. Zone R-15.

- Mr. McGregor reviewed the file with the Commission

VII. CORRESPONDENCE

DEEP Individual Permit Application for Dam Safety

- The Commission reviewed the application for Dam Safety in Simsbury Farms

VIII. CONSERVATION BUSINESS

- Mr. McGregor discussed Commission review of erosion and sediment control plans solely for Commission referral
- The Commission discussed bird feeders in town as related to bear sightings
- Mr. McGregor noted changes to the Town website to bolster public knowledge of conservation issues

IX. ADJOURNMENT

MOTION: Mr. Haldeman made a motion to adjourn. Mr. Bade seconded the motion. All in favor, no opposed, no abstentions. (4-0-0)

The meeting adjourned at 8:33 P.M.

Respectfully Submitted,

Joseph Hollis
Acting Clerk