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**TOWN OF COLEBROOK
Inland Wetlands Agency
562 Colebrook Rd., P.O. Box #5
Colebrook, CT 06021-0005**

COLEBROOK TOWN CLERK

(860) 379-3359 ext. 209 email: mhalloran@colebrooktownhall.org

Minutes

Regular Meeting- October 16, 2018

The meeting was called to order at 7:00 pm. Members in attendance, Duncan Wilber Chairman, and regular members Todd Hiller, John Odell, Chip Neal, and John Lossin. Absent was alternate Ray Zetye. WEO Michael Halloran sat at the table along with Land Use Attorney Dave Cusick.

The minutes of the September 11, 2018 special meeting were presented and John L. made a motion, seconded by Chip., to accept the minutes. The vote to approve was unanimous.

The Public Hearing #18-002 was opened and Chairman Wilber read the legal notice into the minutes. He then asked if anyone felt they should recuse themselves from the hearing and nobody responded. Attorney Grimes presented six certified mailing receipts which were sent to the adjacent landowners. He then summarized the past several wetland meetings and presented Exhibit (1), eight documents representing the completed applications #18-002 and #18-003. (A list of all exhibits will be attached to these completed minutes.) Attorney Grimes confirmed the amounts paid to date to the Town for engineering fees and consultant fees incurred by the Town. Attorney Grimes presented a copy of a deed from Brian Hawley, a neighboring property owner, deeding property to Fletcher Smith and Peter Hodgkinson. It was noted the deed has not yet been filed in the Town Clerks office.

Robert Green, Engineer representing Smith and Hodgkinson, spoke next giving more information pertaining to the land survey. Green asked that the letter from the Town engineering firm, R. R. Hiltbrand be read into the record (7). He then read into the record his response (8) to Mr. Hiltbrand.

Attorney Grimes presented documents containing stockpile information including pile numbers and volumes (9). John L. asked if there was a monetary value associated with the stockpile legend, the answer being no.

Mr. Green presented a summary of the close out operation for the members of the public in attendance. Mr. Hiltbrand spoke in response to Greens summary and posed the question whether removing stockpiles would be advantageous or not to close-out operations. Mr. Green answered that certain piles are not needed for close-out and should be removed. He also stated that there will be at least 10,000 yds. Of material in excess on the site.

IWO Halloran asked a question pertaining to a report prepared by Jennifer Benno that stated certain species existed adjacent to the property. Halloran asked if they existed within the gravel operation. Benno was not present but Kate Bednaz answered on her behalf and stated it was impossible to tell.

Both Chip and Todd posed questions about how long the process would take to remove materials and if the Agency has to wait for the applicants to sell all of the material before close-out is complete. Green stated it could take a while and asked how long a permit is good for. Halloran stated a wetlands permit is good for five years. Hiltbrand suggested that the beginning close-out serve to protect the wetlands and shrink the site from 6 acres to 4 acres.

Ed Lord from the audience, questioned how long the close-out will take and why will it take so long. Hiltbrand explained the close-out operation is timed, based on the ability of the applicants to work on a large site.

John Anderson from Aton Forest asked several questions of Kate Bednaz including types of wetlands before gravel operation was done on site. Most of his questions were answered in her report.

Linda Raciborski stressed the importance of protecting Sandy Brook and its habitat. She submitted two documents (11,12) discussing Sandy Brook fish and Sandy Brook's designation as a protected area. IWO Halloran read a letter from Dan Strickler (13) expressing the same concerns.

Jim Bickford asked if any materials would continue to be processed on site? Attorney Grimes answered that all operations are for close-out only.

Eric Hodgkinson of New Hartford said that the Town bought material from the applicants and his opinion was that the issue was confusing.

Attorney Grimes said the site is in great shape and does no detriment to the environment.

Chairman Wilber asked the Agency if they would like to continue the hearing to give time for Attorney Grimes to submit the new deed, and for Mr. Green to change his plans to show changes agreed to with Mr. Hiltbrand. Todd made a motion to hold a special meeting on October 30, 2018 at 7pm to continue public hearing 18-002. John L. seconded and the motion was unanimous.

The Public Hearing #18-003 was opened and Chairman Wilber read the legal notice into the minutes. Nobody recused themselves from the hearing.

Attorney Grimes asked that all of the exhibits from 18-002 be included and pertain to 18-003 also. He also asked that all testimony from 18-002 be allowed to pertain to 18-003. The Agency agreed to this.

Robert Green asked the Agency to consider allowing the removal of stockpiles that weren't needed for remediation. Mr. Hiltbrand suggested that erosion controls be put in place before any activity begins.

Kerry Jassen from the audience was concerned that the applicants may need additional materials to close-out completely. Mr. Green stated that no additional materials would be needed except for topsoil.

Chairman Wilber asked the Agency if they would want to continue hearing 18-003 to the same time as 18-002. It was generally agreed that once the totals of materials were on a final plan they could vote on both. Todd made a motion seconded by John O. to continue the hearing until October 30, 2018. The motion to approve was unanimous. Mr. Green then stated he could not have a revised plan in two weeks to coincide with 18-002. After more discussion he said he would,

Old business;

The two hearings regarding cease and desists on 337 Colebrook River Rd. opened on November 30, 2017 and May 17, 2018 will be continued until the next regularly scheduled meeting.

In communications and bills, the Planning and Zoning minutes from September 10 were reviewed as well as a letter from the Selectmans Office giving notice of work on two bridges, one on Sandy Brook and another on Old Creamery Rd.

There being no other business, John L., made a motion, Seconded by Todd, to adjourn the meeting. The motion was unanimous and the meeting adjourned at 9:52 pm.



Michael Halloran

Todd Hiller

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**List of exhibits for
337 Colebrook River Rd.**

1. Two applications 18-002 and 18-003 including six additional reports and forms.
2. Six certified mailing receipts.
3. Discussion of prudent and feasible alternates letter.
4. Letter from Attorney Grimes 9/21/2018
5. Letter from Attorney Grimes 10/15/2018
6. Warranty Deed 10/7/2018
7. Letter from R. R. Hiltbrand 9/10/2018
8. Letter from Robert Green 10/15/2018
9. Processed materials pile identification legend
10. Jennifer Benno qualifications
11. Letter regarding Sandy Brook Natural Area Preserve.
12. Letter of Sandy Brook Designation 12/4/2000
13. Letter from Dan Strickler 9/28/2018
14. Copies of notices sent from applicant 20 pages


Michael Galloran
Land Use Office