

TOWN OF COLEBROOK
Inland Wetlands Agency
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COLEBROOK TOWN CLERK

Minutes

Special Meeting- October 30, 2018

The meeting was called to order at 7:02 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 October 16, 2018 regular meeting were presented and Chip made a motion, seconded by Todd, to accept the minutes. The vote to approve was unanimous.

A Public Hearing, application #18-002 from Fletcher Smith and Pete Hodgkinson of 337 Colebrook River Rd. which opened at the October 16th meeting, was continued to this meeting. IWO Halloran stated for the record, the property sale from Brian Hawley to Fletcher and Pete had been recorded in the Town Clerks Office. This receipt of deed was entered in the minutes as exhibit #15. A letter dated 10/25/18 from Robert Green in response to Rob Hiltbrand memo dated 9/10/18 was entered as exhibit #16. A new set of plans (6 pages) delivered to the Town Hall on 10/29, reflecting the changes requested, was submitted as exhibit #17. A letter and map presented by Kate Bednaz was entered as exhibit #18.

Attorney Grimes stated Robert Green may or may not have spoken to Rob Hiltbrand about a bond amount. Mr. Hiltbrand made it clear that Mr. Green had not reached out to him regarding a bond. Attorney Grimes presented a bond from Connecticut Diggers in the amount of \$34,500.00. This bond for closure (#18-002) was entered as exhibit #19. Attorney Grimes stated that his clients would like to issue the bond in the form of a lien on the property.

IWO Halloran noted that nobody on the Board had yet reviewed the revised plans, and asked that Rob Hiltbrand and Kate Bednaz be invited to the table to review the plans together. After review, Rob stated that the plans appeared to be in the spirit of what was agreed upon at the last meeting.

Chairman Wilber suggested changing the lines to enlarge some of Phase no. 1 so that most of the wetlands in the southerly side of the property be completed at the same time. He also suggested that because of this additional work, the time frame for completion of no.1 should be one year. Rob, Kate and the wetlands members all agreed to this.

Discussion then turned to the issue of bonding and Rob suggested the bond amount be broken down into cost per acre to simplify the bond amount. Jim Bickford from the audience, asked if the mortgage bond were issued, which parcel would be liened. Duncan was also concerned about a lien/mortgage in that if parcel two was used, this may be a land locked piece and of little value to the town for access.

At this point Attorney Grimes asked that he have time to speak with his clients and they left the room. Upon return, Attorney Grimes stated his clients wished to keep things simple and have issued a cash bond for a total of \$34,500.00.

Rob drew a line on page 4 of 6 of the revised plans showing the change of the location of phase no.1. Kate took a picture and said she would email the photo to Bob Green.

There being no other comments from the Agency, the Applicant or the audience, Todd made a motion, seconded by John L. to close the Public Hearing #18-002. The motion carried.

Public Hearing #18-003, continued from October 16th was next on the agenda. Attorney Grimes presented a \$1,500.00 bond proposal to cover E&S controls for the removal of stockpiled materials, which was entered as exhibit #20. There being no further discussion, Todd made a motion, seconded by Chip to close the Public Hearing. The motion to close was unanimous.

Deliberation began with discussion of both applications. Halloran raised the questions of timeframe of work and the amount of area taken up by any additional materials created during closeout. The Agency members were in unanimous agreement that phase no.1 shall be completed in one year and phase no.2 be completed in three years.

The bond process was discussed and the Agency agreed to hold a cash bond of \$34,500.00 with the ability to release funds to Fletcher and Pete as work is completed. The cost per acre for bonding purposes would be \$6,000.00 and as an acre is remediated funds would be released. The remaining \$4,500.00 will be held for E&S controls and maintenance along the entire eastern border as shown on sheet 5 of 6, revised plans dated 10/23/2018.

The Agency wishes to have a list of conditions be typed and included as part of the plan narrative as well as part of the files. The cash bond will be held by the Town and Michael will discuss the best way to accomplish this with Amy Gardner, Town Treasurer. Attorney Cusick will type a list of conditions which will be reviewed by Rob Hiltbrand and Bob Green. Once satisfied by all, a meeting will be held to review and potentially vote on both decisions.

The bond for application #18-003 (\$1,500.00) will be held in a separate account. When applications are approved, bonding is in place, and Zoning has done a final review, work would be allowed to commence.

Old Business;

Both hearings for ongoing cease and desists at 337 Colebrook River Rd. were continued until the next meeting.

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 9:05 pm.



Michael Halloran

Todd Hiller