

**CONSERVATION COMMISSION
INLAND WETLANDS AGENCY
EAST GRANBY, CONNECTICUT
April 5, 2023 Minutes**

A meeting of the East Granby Inland Wetlands Agency/Conservation Commission was held on Wednesday, April 5, 2023. Members present when Chairman George Cornelius called the meeting to order at 7:00 PM were Jennifer Frank, Daniel Methot, Michael Malloy, Trisha Rondeau, John Rusnock, and David Tobin as well as Alternate Robert Brown.

MINUTES

A motion was made by Trisha Rondeau and seconded by John Rusnock to approve the minutes of the January 4, 2023 meeting as submitted. Votes in favor were unanimous. Motion carried.

COMMUNICATIONS

The Commission received:

February 2023

- Letter of Resignation from Commission Member Carl Landolina dated 01/17/2023

March 2023

- Planning & Zoning Commission Minutes - 02/14/2023
- Farmington River Watershed Association Newsletter - Spring 2023

April 2023

- Staff Memo from Robin Newton dated 04/04/2023 - General Commission Procedures, Violation Discussion, Application Review

OTHER

A. Discussion of Role and Responsibilities of Commission

Town Attorney Scott Lingenfelter introduced himself to Commission members and discussed the Staff memo prepared by Robin Newton, Director of Planning and Economic Development. Highlights of his review included the discussion of agenda items during meetings, the use of executive session, perceived bias, the reporting of violations, and the jurisdiction of the Commission.

OLD BUSINESS

A. Reports & Other Business

- a. **Wetlands Enforcement Report** – None.
- b. **Administrative Approvals** – None.
- c. **Other Business** – None.

NEW BUSINESS

A. Receipt of Applications

- a. **Vic Borovkoff - 68 South Main Street (CC#23-01)
Insignificant Activity in Upland Review Area for Single Family Home Addition
(rec'd 04/05/2023)**

Property owner Vic Borovkoff presented plans for the addition proposed for his home at 68 South Main Street. The house is located in the upland review area and the addition will be in roughly the same footprint as an existing deck at the rear of the home but will jog two feet closer to the wetlands.

The Commission reviewed the plans for any possible significant impact to the wetlands and requested that erosion controls be included on the site plan for the next meeting.

A motion was made by George Cornelius and seconded by John Rusnock to find that Application CC#23-01 involves no significant impact to wetlands. Votes in favor were unanimous. Motion carried.

b. K SFR East Granby Owner, LLC - Bramble Bush Circle (CC#23-02)
Significant Activity in Upland Review Area for Subdivision Redevelopment
(rec'd 04/05/2023)

Commission members reviewed the submitted plans for Application #CC23-02 for the subdivision redevelopment of Bramble Bush Circle and discussed the possibility for any significant impact to the wetlands. Members had questions regarding the location of water quality basins, silt fencing, and notes mentioning wetland disturbance but the applicant was not present at the meeting.

Michael D'Amato of Tyche Planning & Policy Group reviewed the difference between holding a public hearing for an application due to a determination of significant activity versus due to potential public interest. Mr. D'Amato indicated that if the reason for a public hearing is set is due to a determination of significant activity, the Commission is then statutorily obligated to find that there is no feasible or prudent alternative to the proposed activity. Conversation followed regarding the ability or need to judge public interest, the level of discussion permissible for applications prior to a possible hearing, and the meaning of feasible and prudent alternatives. The Commission then further discussed the benefits and limitations of holding a public hearing based on potential significant impact versus potential public interest. Town Attorney Scott Lingenfelter reiterated that the public interest option does not require the Commission to find no feasible and prudent alternatives for a project. Michael D'Amato noted that the Commission could evaluate an application exactly the same way with either option.

A motion was made by Michael Malloy and seconded by Trisha Rondeau to hold a public hearing based on the potential for public interest for Application #CC23-02. Votes in favor were six (Frank, Malloy, Methot, Rondeau, Rusnock, Tobin) with one vote opposed (Cornelius). Motion carried.

Jennifer Frank asked about submitting comments to Staff regarding the application. Michael D'Amato answered that Staff will relay the comments to the applicant, which will make the applicant better prepared for the hearing. George Cornelius requested a vote on the project's potential for significant impact, but Michael D'Amato clarified that the potential for significant impact is one of the options for holding a public hearing, and not a determination that has to be made to hold each one.

c. MacBuilds, LLC - Lot 4 Rolling Green (CC#23-03)
Insignificant Activity in Upland Review Area for Lot Resubdivision
(rec'd 04/05/2023)

Builder Kirk MacNaughton reviewed his application for the resubdivision of Lot 4 at Rolling Green. Mr. MacNaughton provided the history of the initial four-lot subdivision off the pre-existing private road and reviewed the project's site plan with the Commission. The proposed project will divide the current 22-acre Lot 4 into two lots. Mr. MacNaughton noted that the Commission has already reviewed and approved the wetland area under the original subdivision. In the proposed plan, the driveway and a portion of the lot grading will encroach into the 100-foot upland review area.

Michael Malloy questioned whether the proposed location of the house could be shifted to avoid the upland review area. Mr. MacNaughton indicated that the plans take advantage of a knoll on the lot for optimal siting of the house. Other questions from Commission members pertained to agreements with the Rolling Green Homeowners Association, septic approval and design, and sedimentation control.

A motion was made by Michael Malloy and seconded by Jennifer Frank to find that Application CC#23-03 involves no significant impact to wetlands. Votes in favor were unanimous. Motion carried.

ADJOURNMENT

A motion was made by George Cornelius and seconded by John Rusnock to adjourn the meeting at 8:31 PM. Votes in favor were unanimous. Motion carried.

Respectfully submitted,

Laura Hall
Building & Land Use Administrative Assistant