

**TOWN OF BARKHAMSTED - INLAND WETLANDS COMMISSION
SPECIAL MEETING – MINUTES
TUESDAY, JANUARY 8, 2013 – 7:00PM
BARKHAMSTED TOWN HALL**

APPROVED: _____ **DATE:** _____

- PRESENT:** Chairman John Greaser, Jesse Edmands, Linda Ganem, Gary Reynolds, Martha Sullivan, Christopher Tooker; Alternate Christopher Labbe; Interim Wetlands Enforcement Officer Debra Brydon; Recording Secretary Stacey Sefcik.
- ABSENT:** Michael Ream.

Chairman John Greaser called the meeting to order at 7:00PM. All regular members present were seated for the meeting. Alternate Christopher Labbe was seated for Michael Ream. The entire proceedings were recorded digitally and are available at the Town Hall.

1. NEW APPLICATIONS:

A. Borghesi Building Co., LLC, applicant; The Lavieri Group, LLC, owner – 390 New Hartford Road. Amendment to Site Plan for Proposed Activities for Construction of Medical Center.

Allan Borghesi addressed the Commission on behalf of the applicant. Mr. Borghesi explained that the applicants wished to modify their existing Inland Wetlands Permit for this project. He stated that the backup generator was moved in order to be closer to the building's electrical panel. Additionally, the applicant found out after the original approval that the oxygen cylinders could not be located inside the building; therefore, they wished to construct an 8-foot by 8-foot pad outside the building for this purpose. Mr. Borghesi then explained that the State Department of Transportation regulated the construction of helipads, one of which was planned at this facility. He informed the Commission that the DOT wanted the light pole proposed by the helipad to be removed from the plans as they felt a light pole in that location was a hazard for incoming and existing helicopters. Lastly, Mr. Borghesi explained that there was an 8-foot wide overhang of the roof along the back of the building; this was originally intended as a covered walkway. However, the applicants had since decided a walkway was not needed in that location and instead wished to fully enclose this area to expand the floor space of the building.

Mr. Borghesi then said that the soil on the site was very soft. He explained that it was fill that had been brought to the site at least 50 years ago; however, it had never been compacted. In order to ensure the soil was compacted sufficiently to build on, the applicant proposed bringing in and storing 5 feet of fill on top of the questionable area. Mr. Borghesi stated that the weight of the fill could potentially compact the fill originally onsite. Five feet of fill would be piled on the area in question for approximately 3 months in order to squeeze out air and water. After this, the fill pile would be removed and used elsewhere on the construction site. If this satisfactorily compacted the ground in the area of concern, they would then be able to begin construction.

Ms. Brydon stated that the Town's planning consultant, Martin Connor, had reviewed the application and requested this updated sedimentation and erosion control plan as well as a stormwater quality plan. Mr. Borghesi also said that the plans had been modified to show the locations of topsoil stockpiles, as well as the installation of silt fencing around all stockpiles. The Commission then reviewed all maps and plans for the project.

First Selectman Don Stein then addressed the Commission to update them on the status of water and sewer connection for this site. Mr. Stein said that the Water Pollution Control Authority for the Town of Winchester had approved the sewer connection for this property, and the sewer line could run to approximately W. West Hill Road. Mallory Brook Plaza and Lombard Ford can hook into the sewer if they so choose, and are willing to pay for the service. Mr. Stein said that the water connection is approved, but details still need to be resolved. Mr. Tooker asked whether a pump station was required, and if so where was it located. Mr. Stein and Mr. Borghesi both stated that a pump station was not required as everyone would hook into the sewer line independently. Mr. Stein explained that the Town of Barkhamsted would be the customer of the Winchester WPCA and would be responsible for paying water and sewer charges; Barkhamsted in turn would bill the medical center and any other businesses that opted to hook into the water and sewer systems. He explained that the Commission, acting in their capacity as

IWC Minutes - 010813

the Town of Barkhamsted Water Pollution Control Authority, would eventually be requested to review and approve this agreement.

Mr. Borghesi then mentioned that the Town's engineering consultant, R.R. Hiltbrand, had noted that the sewer line was proposed very close to the wetlands; it was questioned whether the applicant would be willing to relocate the sewer line further away. Mr. Borghesi stated that he had no problem moving the sewer line further away from the wetlands. Mr. Greaser noted that this change had not been reflected on these revised plans; he questioned whether this meant the applicant would have to come back yet again before the Commission. Ms. Brydon stated that since the sewer line was going to be moved further away from the wetlands, she could handle this modification as an agent determination. Ms. Brydon noted that the Commission also had to act on this matter in order to determine the amount of the erosion and sedimentation control bond.

MOTION Mr. Greaser, second Mr. Tooker, to approve the modifications to the previously issued Inland Wetlands Permit for **Borghesi Building Co., LLC, applicant; The Lavieri Group, LLC, owner – 390 New Hartford Road** as per maps and plans entitled "Sedimentation Erosion and Control Plan – Northwest Regional Health Center, 390 New Hartford Road (US Route 44), Barkhamsted, CT" prepared by Borghesi Building and Engineering Co., Inc. dated January 19, 2010 and revised through January 4, 2013, and to set a bond for erosion and sedimentation controls in accordance with the recommendations of the Town's planning consultant, Martin Connor, AICP, in his report dated January 2, 2013; unanimously approved.

2. **PUBLIC HEARINGS:**

No business was discussed.

3. **PENDING APPLICATIONS:**

No business was discussed.

4. **SHOW CAUSE HEARING – CEASE AND DESIST:**

A. **Robert Larose, 65 Gavitt Road – Show Cause, Cease and Desist.**

Ms. Brydon reminded the Commission that Mr. Larose had asserted that runoff from the Town portion of the road was causing the siltation of his pond. She explained that she had again visited the site with Highway Supervisor Rick Novak, this time during a significant rain event. She stated that they did not observe any siltation from the road onto Mr. Larose's property or into his pond. Ms. Brydon informed the Commission that she had sent a letter to Mr. Larose informing him of her findings, and also noting that he had constructed a fence around the pond and his backyard without the required Inland Wetlands permits. She stated that, to date, she had received no response from Mr. Larose. She also stated that she had filed on the Town's land records her previous Cease and Desist Order regarding the work Mr. Larose had performed within the pond.

5. **INLAND WETLANDS ENFORCEMENT OFFICER'S REPORT.**

Ms. Brydon briefly reviewed her enforcement activities over the previous month. Mr. Tooker questioned whether Ms. Brydon was aware of work taking place on West River Road. Ms. Brydon stated that the property owner had obtained a permit for most of the work; however, he had not submitted a landscaping plan as requested and had not notified her prior to beginning work, which was a condition of the permit. She noted that silt fencing had been properly installed. Ms. Ganem also questioned why paving was being done in the parking area of the dental office that recently received Commission approval; she stated that the application had detailed a gravel parking area. Ms. Brydon stated that the parking area was to be gravel; however, the road apron had to be paved per DOT requirements.

A. **Town of Barkhamsted, Cleanup of Legeyt Road Beaver Dam.**

Ms. Brydon informed the Commission that later in the spring, the Town was planning to remove a beaver dam from a culvert under the road. She estimated that the work would be completed in one

day. Ms. Ganem asked whether the Town planned to trap any beavers, and Ms. Brydon responded negatively. Ms. Ganem then asked when the work would be performed, noting that it should not be

IWC Minutes - 010813

done at least until March. Ms. Brydon said that she believed the Highway Department planned to do the work in March. The Commission discussed the benefits of using a "beaver deceiver" to eliminate future beaver problems in this culvert; Ms. Brydon stated that she believed the Highway Department was planning on constructing something like this to minimize future issues at this location.

6. SET 2013 MEETING DATES.

MOTION Mr. Tooker, second Ms. Ganem, to adopt the 2013 Regular Meeting Schedule as presented; unanimously approved.

7. ELECTION OF OFFICERS.

MOTION Ms. Ganem, second Mr. Labbe, to nominate John Greaser for the position of Chairman of the Inland Wetlands Commission and Christopher Tooker for the position of Vice-Chairman of the Inland Wetlands Commission; unanimously approved.

8. APPROVAL OF MINUTES:

A. November 15, 2012 special meeting.

MOTION Mr. Edmands, second Ms. Sullivan, to approve the minutes of the November 15, 2012 special meeting with the correction of the date in the heading of the document from "Tuesday" to "Thursday"; unanimously approved.

9. CORRESPONDENCE:

The Commission reviewed the Fall 2012 edition of *The Habitat*, the November 2012 edition of the *Connecticut Federation of Lakes News*, the January/February edition of *Stormwater*, and the Fall 2012 edition of *The Connecticut Landscape Architect*.

Ms. Brydon also discussed with Commission members a letter received from the Town of Simsbury regarding the Metropolitan District Commission's decision to bid on a proposal to supply water to the University of Connecticut. She explained that the letter detailed concerns as to how this plan would impact the Farmington River. Ms. Brydon stated that First Selectman Don Stein had also sent a letter in support of Simsbury's position to the MDC and UCONN. Khea Cook of the Town of Barkhamsted Conservation Commission was in attendance in the audience, and she noted that the Conservation Commission also intended to submit a letter to the MDC regarding this issue.

10. ANY OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:

No business was discussed.

MOTION Ms. Ganem, second Mr. Edmands, to adjourn the meeting at 7:47PM; unanimously approved.

Respectfully submitted,

**Stacey M. Sefcik
Recording Secretary**