

**TOWN OF BARKHAMSTED  
INLAND WETLANDS COMMISSION - WATER POLLUTION CONTROL AUTHORITY  
REGULAR MEETING – MINUTES  
TUESDAY, JANUARY 5, 2010  
BARKHAMSTED TOWN HALL – 7:00PM**

**PRESENT:** Chairman John Greaser, Linda Ganem, Michael Ream, Martha Sullivan, Chris Tooker; Inland Wetlands Enforcement Officer Rista Malanca, Recording Secretary Stacey Sefcik.

**ABSENT:** Caprice Shaw; Alternate Christopher Labbe.

Chairman John Greaser called the meeting to order at 7:00PM. Mr. Tooker arrived while Mr. Greaser took attendance at 7:01PM. All regular members present were seated for the meeting. The entire proceedings were recorded on audio tape and are available at the Town Hall.

**1. NEW APPLICATIONS:**

No business was discussed.

**2. PUBLIC HEARINGS:**

**A. Borghesi Building Co., LLC, applicant, The Lavieri Group, owner, 390 New Hartford Road. Application for proposed activities for the construction of a medical office building.**

The applicant, Allan Borghesi, submitted to Mr. Greaser proof of notice to abutting neighbors. Mr. Borghesi stated that the Town of Winchester did not need to be notified because the activity proposed was more than 500 feet from the border with Winchester. Mr. Borghesi explained that he proposed to build a medical office building on this site for Charlotte Hungerford Hospital. The proposed one-story building would be 18,000 square feet in size. Referencing his map of the site, Mr. Borghesi pointed out two areas where the wetlands would be filled in and a larger wetlands would be created.

Mr. Borghesi then reviewed the letter dated December 29, 2009 from Martin Connor, Town Planning consultant, explaining that he had agreed to hire Michael Klein of Environmental Planning Services to evaluate the wetlands onsite. He stated that Mr. Connor had asked for him to give information regarding reasonable and prudent alternatives; however, Mr. Borghesi asserted that there really was no other cost-effective alternative for this site.

Mr. Borghesi and Mr. Greaser both noted that the report from the Town Engineering consultant had only arrived that day, and as such, both parties would require additional time to review the report. Mr. Borghesi asked for the Public Hearing to be continued to the February regular meeting.

Mr. Greaser then opened the floor to comments from the public. KT Worth, owner of Beautiful Things Boutique at 315 New Hartford Road, addressed the Commission. Ms. Worth inquired about how stormwater drainage would be handled onsite and whether there would be an increase in runoff as a result of this proposal. Mr. Borghesi explained the plans for stormwater drainage and stated that there would actually be a slight decrease in runoff as a result of this proposal.

Hearing no other comments or questions from the Commission or the audience:

**MOTION** Mr. Tooker, second Mr. Ream, to continue the Public Hearing in the matter of **Borghesi Building Co., LLC, applicant, The Lavieri Group, owner, 390 New Hartford Road. Application for proposed activities for the construction of a medical office building** to the February 2, 2010 regular meeting; unanimously approved.

**B. Public Hearing to discuss draft Inland Wetlands Regulations.**

Mr. Greaser reminded the Commission that the draft regulations had been created following a template suggested by the State DEP, and he stated that the regulations had already been discussed by the Commission at that time. Hearing no comments or questions from the Commission, Mr. Greaser opened the floor to comments from the public. No one present expressed a desire to speak.

**MOTION** Ms. Sullivan, second Ms. Ganem, to close the Public Hearing for the matter of **draft Inland Wetlands Regulations**; unanimously approved.

3. **CONTINUED PUBLIC HEARINGS:**

**A. Sugarak, Vallerie, applicant/owner, 82 Eddy Road. Application for activities involving grading and removal of fallen trees from pond.**

The Commission agreed to continue this matter to the February 2, 2010 regular meeting.

**B. Hallinan Capital Corp., applicant/owner, Lots 3 and 4 Woodland Acres. Application for proposed activities for the construction of a residence.**

Mr. Greaser read into the record a letter dated December 29, 2009 from Robert R. Messier of Messier and Associates stating that the applicant was withdrawing this application and would refile at a later time. Mr. Greaser explained that the applicant had needed additional time to get the reports requested by the Commission and that proper notification to abutting neighbors had not occurred. Ms. Malanca explained that the applicant had recently submitted a check for REMA and said that she had informed the applicant that they should wait to refile until the REMA report was completed.

4. **PENDING APPLICATIONS:**

**MOTION** Ms. Sullivan, second Ms. Ganem, to amend the agenda to add the Motley application as agenda item 4A and then continue with the agenda as written; unanimously approved.

**A. Motley, Matt and Kate, applicant/owner, 420 West River Road. Application for proposed activities for the placement of an underground propane tank.**

Ms. Malanca reminded the Commission that this application had been deemed a regulated, nonsignificant activity at the December meeting. Mr. Tooker asked how big the trench in front of the house would be, and the applicant's contractor stated it would be approximately 10 feet by 5 feet and 4 feet deep. Ms. Ganem asked what the tank would be made of and Ms. Malanca stated that the tank was an approved tank from Hocon.

**MOTION** Mr. Ream, second Mr. Tooker, to approve the application in the matter of **Motley, Matt and Kate, applicant/owner, 420 West River Road. Application for proposed activities for the placement of an underground propane tank**; unanimously approved.

**B. Borghesi Building Co., LLC, applicant, The Lavieri Group, owner, 390 New Hartford Road. Application for proposed activities for the construction of a medical office building.**

The Commission agreed to continue this matter to the February 2, 2010 regular meeting.

**C. Public Hearing to discuss draft Inland Wetlands Regulations.**

**MOTION** Ms. Sullivan, second Mr. Tooker, to adopt the draft Inland Wetlands Regulations, with the effective date to be the day after the date of publication; unanimously approved.

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

No business was discussed.

6. **SHOW CAUSE CEASE AND DESIST:**

**A. Korfel, Doug and Debra, 81 Bsullak Road, Show cause, cease and desist.**

Mr. Korfel addressed the Commission, submitting a letter dated December 16, 2009 from Soil Science and Environmental Services, Inc. which stated that the wetlands were not being impacted by the pipe Mr. Korfel installed. Mr. Greaser explained that the Commission needed an as-built plan in order to verify that the driveway had been installed as per the original approved plans. Ms. Malanca reiterated the need for an as-built plan in spite of the fact that the foundation had not been poured, stating that both she and the Highway Superintendent had been onsite and observed that the driveway does not enter the road at the slope stated on the plans and that other parts of the driveway do not appear graded as per the plans. Ms. Malanca said that Mr. Korfel should plan on stabilizing the stockpiles in the spring, and Mr. Korfel stated that he had put a second row of silt fencing around the stockpiles.

**IWC Minutes - 010510**

**MOTION** Ms. Sullivan, second Ms. Ganem, to release the cease and desist order in the matter of **Korfel, Doug and Debra, 81 Bsullak Road, Show cause, cease and desist** with the following conditions:

- 1) Level spreader installed as per the soil scientist's report dated December 16, 2009.
- 2) All stockpiles must be appropriately stabilized.
- 3) All sedimentation and erosion control measures required by the Inland Wetlands Enforcement Officer remain in effect.
- 4) The site will be periodically checked by the Inland Wetlands Enforcement Officer and the Highway Superintendent.
- 5) An as-built plan for the driveway is required by October 31, 2010.

The motion was unanimously approved.

**7. APPROVAL OF MINUTES:**

**A. November 3, 2009 regular meeting minutes.**

**MOTION** Ms. Sullivan, second Mr. Tooker, to approve the minutes of the November 3, 2009 regular meeting as written; unanimously approved.

**B. December 1, 2009 regular meeting minutes.**

**MOTION** Mr. Tooker, second Mr. Ream, to approve the minutes of the December 1, 2009 regular meeting with the correction in agenda item 3A that Mr. Greaser voted in opposition to the motion to approve the Donahue application; unanimously approved.

**8. CORRESPONDENCE:**

Mr. Greaser passed around *Connecticut Wildlife* and a letter from First Selectman Don Stein regarding the Town budget.

**9. ANY OTHER BUSINESS LEGAL AND PROPER TO COME BEFORE THE COMMISSION:**

**A. Crew Motorcars, LLC., applicant, Stanley Slater, et al, owner, 127 New Hartford Road. Agent Determination for construction of used car dealership.**

Ms. Malanca explained that this application was before the Planning and Zoning Commission (P&Z) for a Special Exception, which required a report from the Inland Wetlands Commission. Ms. Malanca explained that there was no need for her to make an agent determination since there are no wetlands on the property; however, the Planning and Zoning Commission, by state statute, requires a report from the Inland wetlands Commission prior to making a decision so a vote is needed to give a favorable report to the P&Z.

**MOTION** Ms. Ganem, second Ms. Sullivan, to grant a favorable report to the Planning and Zoning Commission regarding the matter of **Crew Motorcars, LLC., applicant, Stanley Slater, et al, owner, 127 New Hartford Road. Agent Determination for construction of used car dealership**; unanimously approved.

**MOTION** Mr. Tooker, second Ms. Ganem, to adjourn the meeting at 8:20PM; unanimously approved.

**Respectfully submitted,  
Stacey M. Sefcik,  
Inland Wetlands Commission Recording Secretary**