

**INLAND WETLANDS COMMISSION  
REGULAR MEETING MINUTES  
WEDNESDAY, JULY 1, 2015 – 7:00PM  
NEW HARTFORD TOWN HALL – 530 MAIN STREET**

**PRESENT:** Chairman James Hall, Anne Hall, Troy LaMere, James Chakulski, Wayne Ryznar, First Selectman Dan Jerram, Inland Wetlands Enforcement Officer Steve Sadlowski.

**ABSENT:** Nancy Schroeder Perez, Lou Moscaritolo.

Chairman James Hall called the meeting to order at 7:00PM. All regular members were seated for the meeting. The proceedings were recorded digitally, and copies are available in the Land Use Office in Town Hall.

**1) PUBLIC HEARINGS:**

**A. Town of New Hartford – Carpenter Road – Replace Failing Carpenter Road Bridge with a Concrete Box Culvert and Concrete Wingwalls and Headwalls – Bridge Located Approximately 250 Feet North of Litchfield Tpke. (Route 202) on Carpenter Road.**

After Mr. Hall opened the public hearing in this matter, he advised that the commission should continue the matter to a Special Meeting on July 15, 2015 as there was a glitch with the newspaper advertisement of the public hearing.

**MOTION:** Ms. Anne Hall, Mr. James Chakulski second, **to continue the public hearing in the matter of Town of New Hartford – Carpenter Road – Replace Failing Carpenter Road Bridge with a Concrete Box Culvert and Concrete Wingwalls and Headwalls – Bridge Located Approximately 250 Feet North of Litchfield Tpke. (Route 202) on Carpenter Road; unanimously approved.**

**2) PENDING APPLICATIONS:**

**A. Town of New Hartford – Carpenter Road – Replace Failing Carpenter Road Bridge with a Concrete Box Culvert and Concrete Wingwalls and Headwalls – Bridge Located Approximately 250 Feet North of Litchfield Tpke. (Route 202) on Carpenter Road.**

No business discussed.

**3) New APPLICATIONS:**

**A. Town of New Hartford – Construction of a pavilion with patio and kayak/canoe launch behind Town Hall, 530 Main Street.**

Mr. Todd Parsons, P.E., of Lenard Engineers appeared before the commission on behalf of the applicant. He reviewed the location of the subject property and its proximity to the Farmington River and Town Hall. He noted that there were two components to the application: the pavilion and its patio as well as canoe and kayak launch along the Farmington River. He noted that the pavilion and patio do not impact any wetlands at all, being completely out of the wetlands area and is located in an area that is already developed. However, he noted, the pavilion and patio area do fall within the regulated one hundred foot (100') upland review area. Additionally, he noted that the canoe and kayak launch will be a grass pathway, requiring a little bit of re-grading and is in an area that is generally a flat spot that he characterized as a nice spot to set a canoe or kayak into the water. Mr. Parsons distributed a photograph of the area where this would enter the river. He noted that it is a small amount of wetland activity, about 1,100 feet and about 300 feet in a regulated area. Mr. Parsons also shared a drawing of what the pavilion would look like, taken from a concept plan. Mr. Parsons reported that the building will be outside the flood plain.

**MOTION:** Mr. Troy LaMere, Ms. Hall second, **to accept the application in the matter of Town of New Hartford – Construction of a pavilion with patio and kayak/canoe launch behind Town Hall, 530 Main Street, deeming it significant and in the public interest to schedule a public hearing; unanimously approved.**

**Mr. Joe Toro of 565 Main Street** inquired as to the precise location of the pavilion and the kayak/canoe launch. Mr. Parsons explained that the pavilion will be at the end of Bridge Street and that the launch will be closer to behind the town hall.

#### **4) MEETING MINUTES: June 3, 2015**

Mr. LaMere requested a modification to the June 3, 2015 Minutes as drafted, noting that at this meeting he had inquired whether all the property owners had signed off on the easements in the application of *Town of New Hartford – Carpenter Road – Replace Failing Carpenter Road Bridge with a Concrete Box Culvert and Concrete Wingwalls and Headwalls – Bridge Located Approximately 250 Feet North of Litchfield Tpke. (Route 202) on Carpenter Road*. Commissioners recollected that Mr. Parsons had responded that one had been secured and that one was in negotiation. The June 3, 2015 Minutes should be amended to include this information.

Mr. Ryznar expressed confusion to the June 3, 2015 Minutes as drafted, on page 2, "...the water flows where it's going to flow". He also requested a modification of the word "it's" to "its" on page 1, under item #3, second paragraph. The June 3, 2015 Minutes should be amended to use the word "its" on page 1, under item #3, second paragraph.

**MOTION:** Mr. LaMere, Ms. Hall second, **to accept the June 3, 2015 Minutes, subject to the two adjustments; unanimously approved.**

#### **5) INLAND WETLANDS OFFICER'S ENFORCEMENT REPORT:**

Mr. Sadlowski reminded the commission that he had emailed them regarding an opportunity to become certified in wetlands through a convenient, on-line option. He noted that Land Use Staff Laura White had utilized this option and had a favorable impression of the experience.

#### **6) CORRESPONDENCE:**

None.

#### **7) OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:**

**MOTION:** Mr. LaMere, Ms. Hall second, **to move agenda item 7A to 7B and add an agenda item: 7A. Lepore and Sons Subdivision, Ramstein Road; unanimously approved.**

##### **A. Lepore and Sons Subdivision, Ramstein Road**

Mr. Ken Hrica, P.E. appeared on behalf of Lepore and Sons, and provided drawings to describe the proposed changes. He presented the original site plan for Blue Ridge Development, as well as the plan for the later Evergreen Crossing. Mr. Hrica explained that the Planning and Zoning Commission changed the density factor from .35 to .5, resulting in an increase in the number of lots that could be generated at this location. Mr. Hrica noted that the outer boundaries of the buildable lots have remained unchanged. Using the newer density factor, two more lots, one on either end of the original buildable area, have been added. None of the open space or drainage areas have been changed.

**MOTION:** Mr. LaMere, Mr. Ryznar second, **in the matter of Lepore & Sons Subdivision on Ramstein Road, looked over the plans and find that no new permit is needed and to transfer the permit to Lepore & Sons; unanimously approved.**

##### **B. Allan R. Borghesi/Applicant – New Hartford Market Place, LLC/Owner - Map 044 – Block 013 – Lot 020, Main Street – Determination of permit need for a subdivision and construction of a 20,000 Sq. Ft. Warehouse building.**

Mr. George Malia, Soil Scientist, reviewed a submitted soil report on the parcel of land owned by the applicant. He noted that the property reviewed is a subdivision of five lots off a larger tract of land within a commercial zone. He reviewed a history of uses on the property. Mr. Malia identified on the map and explained a storm water system originally designed for the gravel mining operation from the 1990s. He reported that in March,

2015, deep-hole test pits revealed that the water table is well below the surface. He noted that there are still remnants of a natural wetlands in a dense area of vegetation so one of the lots does have wetlands present.

**MOTION:** Mr. Ryznar, Mr. LaMere second, in the matter of Allan R. Borghesi/Applicant – New Hartford Market Place, LLC/Owner - Map 044 – Block 013 – Lot 020, Main Street – Determination of permit need for a subdivision and construction of a 20,000 Sq. Ft. Warehouse building, a wetlands permit is going to have to be issued upon an application because the subdivision has a part of it that is subject to wetlands regulations and therefore is subject to wetlands approval; Mr. Ryznar, Mr. LaMere, Ms. Hall voted aye, Mr. Chakulski opposed; Motion passed.

**MOTION:** Ms. Hall, Mr. Chakulski second, in the matter of Allan R. Borghesi/Applicant – New Hartford Market Place, LLC/Owner - Map 044 – Block 013 – Lot 020, Main Street – Determination of permit need for a subdivision and construction of a 20,000 Sq. Ft. Warehouse building, to accept this as an application as it stands on this map and deem it significant in the public interest; Ms. Hall, Mr. Chakulski, Mr. Ryznar voted aye, Mr. LaMere opposed; Motion passed.

Mr. Hall noted that a public hearing on the aforementioned application will take place at the August meeting of the Inland Wetlands Commission and suggested that more details be provided at that point, and further suggested that the applicant consult with Mr. Sadlowski regarding the scope of details sought. An example of the information that should be provided, Mr. Hall continued, is making sure that the wetland boundaries are fully delineated on a plan.

The Plan of Conservation and Development was discussed by commissioners. Mr. LaMere noted that the Inland Wetlands Commission was not identified as a consulting agency with regards to West Hill Lake. Mr. Ryznar noted that the POCD had listed in several spots that the Inland Wetland Commission should promote public interest and opined that he did not think this should be a function of the commission. Mr. Hall agreed. Ms. Hall commented on the POCD prescribing the Inland Wetland Commission to form a requirement for native plants and the removal of invasive species. Ms. Hall explained that while she is supportive of encouraging native plants, she is uncomfortable with a requirement of native plants. Mr. LaMere and Mr. Hall concurred. Another point of disagreement, commented by Mr. Ryznar, was the mention of promoting environmentally sustainable public access to the Farmington River. Mr. Hall agreed, noting that promotion of anything by the Inland Wetlands Commission is not something the group should be undertaking but instead should adhere to a very specific mandate: protecting wetlands. He continued noting that encouraging practices are different than promoting initiatives or writing prescriptive regulations of any kind.

Mr. Ryznar commented that he would like a clarification of the blurb, “....a requirement of projects within the F.R.O.P.D. using L.I.D. methods and measures.” Ms. Hall and Mr. LaMere noted that it related to low impact development within the Farmington River Overlay Protected District. Mr. Hall explained that sometimes requirements are prescriptive by nature and do not always equate to accomplishing the desired result. Ms. Hall noted that by including detailed requirements, it could possibly preclude a development from using better, more refined methods.

The commission wholeheartedly endorsed the suggestion that Mr. Hall attend the public hearing on July 22, 2015 and present the views of the commission.

**Mr. Jim Creighton** owner of **682 West Hill Road**, accompanied by his wife, **Ms. Sharon Creighton**, appeared before the commission with a copy of an Improvement Location Map prepared by Dufour Surveying Associates dated 10-23-2012. He explained that his appearance was on an informal basis to discuss proposed modifications to the lower cottage at 682 West Hill Road. He provided a list of proposed modifications, noted that he realized a full application would need to be submitted at some point but was seeking feedback prior to doing so. Based on the details provided by Mr. Creighton, it was noted that the proposed modifications are a new construction and not a rebuild on the same footprint. As such, Mr. Hall further cautioned Mr. Creighton

that as they proceed with plans, that they should be especially mindful of zoning regulations. Ms. Hall explained that what the Inland Wetlands Commissions is continually looking for as far as construction up at West Hill Lake is that the changes made to a property improve the quality of the water that is running into the pond and the water of the pond itself. A better design than what presently exists at any particular location as well as minimal disturbance to the lake itself is what the commission will seek from any given application, Ms. Hall explained.

**MOTION:** Ms. Hall, Mr. LaMere second, **to adjourn at 8:15PM; unanimously approved.**

**Respectfully submitted,**

**Pamela A. Colombie  
Recording Secretary**