

**New Hartford Planning and Zoning Commission  
TOWN OF NEW HARTFORD, CONNECTICUT  
REGULAR MEETING MINUTES  
New Hartford Town Hall, 530 Main Street, 2<sup>nd</sup> Floor – David Sessions Conference Room  
Wednesday, May 11, 2022 at 7:00 PM**

**PRESENT:** Chairman Ted Stoutenberg, Dan LaPlante, Mike Misiorski, and Marty Post  
Alternates John Burdick and Robert Goodskey; Zoning Enforcement Officer Mike Lucas.

**ABSENT:** Jim Steadman and Alternate Jack Casey.

Chairman Ted Stoutenberg called the meeting to order at 7:00PM. Mr. Goodseky was seated for Mr. Steadman.

**1. PUBLIC HEARINGS:**

**A. Kenneth Krohner/Applicant – Barbara J. Krohner/Owner – Special Exception – Map 043 – Block 013 – Lot 021 - 97 Main Street & Daniel K. Bahre/Applicant – New Hartford Market Place LLC/Owner – Map 044 – Block 013 – Lot 20 – 173C Main Street – Joint Application – Sand and Gravel Removal.**

The legal notice for the public hearing was read into the record with it being noted as having run the requisite two times, April 29, 2022 and May 6, 2022, in a newspaper with local circulation. Additionally, it was noted that the Certificate(s) of Mail had been received serving as evidence that the abutting properties had received notice of this hearing.

Dan Bahre of New Hartford Marketplace, LLC appeared before the commission regarding this application. He explained that he was also with Canton Village Construction, the contractor slated to perform the work on both properties. Mr. Bahre noted that he and Mr. Krohner have had a partnership agreement on sand and gravel operations for over thirty years. The reason for the joint application was that it would allow easier access for the site.

Mr. Bahre reviewed a site plan, depicting the planned excavation areas. He noted that .93 acres of land will be excavated on 173C Main Street and 2.3 acres on 97 Main Street. The parcels are large with each being more than 100 acres in size, according to Mr. Bahre. He noted that the gravel permit, last renewed in 2015, exists beyond the paved roadway that will service the new Dollar General. Mr. Bahre noted the area further in, on the 97 Main Street parcel, that serves as a turnaround area. He indicated the areas that have been excavated and then seeded with trees growing. While last year's drought proved tough for the planting of trees, some did take and Mr. Krohner has been mowing that area, according to Mr. Bahre. He reported Mr. Krohner had scheduled a forester to take out a stand of mature pine trees in September. Mr. Bahre explained that it is the area under those trees where his company would be excavating. He referred to the area on his own property that would include the access area in a spot he referred to as a canyon, as a means of avoiding runoff from the site. Mr. Bahre reviewed the cross section of the cut, noting that it is a sloping property. The plan is to not touch the outside rim, according to Mr. Bahre.

Mr. Bahre referred to the existing riprap spillway and the plan to add another that will connect to that so that no runoff occurs. He noted the areas where erosion controls will be installed, on the low side of the work area. Once the trees are cut, the topsoil will be stripped, stockpiled, and temporary seeded, according to Mr. Bahre. That pile will be enclosed with silt fence, too.

Mr. Post questioned whether the grade would be brought down to an elevation of 426'. Mr. Bahre confirmed. Mr. Post questioned whether the area would plateau out. Mr. Bahre confirmed but noted that the berm will always stay intact on the low side.

Mr. Stoutenberg questioned the location of the tracking pad. Mr. Bahre referred to the plans, pointing out the location of the gate on his property, noting the 100' tracking pad begins there. He noted the tracking pad will be cleaned/washed, crushed aggregate.

Mr. Lucas reported the Town's engineer, Lenard Engineering, had reviewed the plans who shared a few comments but that those comments have been added to revised plans. He reminded the commission that the communication exchanges between the applicant and Lenard Engineering had been provided to them through a previous email from his office.

The hearing was open to the public.

Polly Pobuda, of 22 Church Street, spoke in favor of the application, noting that there has been excavation of this sort at this location for many years and indicated that she had never observed a problem.

**MOTION:** Mr. Post, Mr. Misiorski second, to close the public hearing; unanimously approved.

## **2. PENDING APPLICATIONS:**

**A. Kenneth Krohner/Applicant – Barbara J. Krohner/Owner – Special Exception – Map 043 – Block 013 – Lot 021 - 97 Main Street & Daniel K. Bahre/Applicant – New Hartford Market Place LLC/Owner – Map 044 – Block 013 – Lot 20 – 173C Main Street – Joint Application – Sand and Gravel Removal.**

**MOTION:** Mr. Post, Mr. LaPlante second, to approve the application as presented; unanimously approved.

## **3. NEW BUSINESS:**

None.

## **4. OTHER BUSINESS TO COME BEFORE THE COMMISSION:**

None.

## **5. APPROVAL OF MINUTES: March 9, 2022:**

**MOTION:** Mr. Post, Mr. Misiorski second, to approve the March 9, 2022 Minutes; unanimously approved.

## **6. ZONING OFFICERS REPORT:**

Mr. Lucas updated the commission of the enforcement activity at 1170 Litchfield Turnpike, referred to as Fit Farm. He noted that while a bus is located at this property, the mobile home had been removed. Mr. Lucas noted that the bus should be removed soon as should the second camper located behind the building. He noted the tipi and tires have been removed. Mr. Stoutenberg noted that some of the stuff appears to be located behind the bus. Mr. Lucas noted that the individual has been making an effort and accordingly, a "stay" has been issued in terms of the issuance of fines. Mr. LaPlante questioned the number of animals at this location. Mr. Lucas reported that there are only two horses at this property. He reported that the Assistant Animal Control Officer had been to the site to follow up on a complaint regarding dogs being left tied to a tree.

Mr. Lucas reported that a complaint had been received relative to an accumulation of things outside the residence at 419 East Cotton Hill Road. A letter was sent, according to Mr. Lucas. The new property owner contacted his office and there is progress. Mr. Lucas noted that a

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letter had been sent on 198 Ratlum Road, too. Additionally, there was some review of 49 Stedman Road, too.

The Raymond property on Ramstein Road was discussed. Mr. Lucas reported the owner had been working very closely with the Building Official and Fire Marshal on code compliance.

### **7. CORRESPONDENCE:**

None.

**MOTION:** Mr. Post, Mr. Burdick second, to adjourn; unanimously approved. The meeting adjourned at 7:39PM.

**Respectfully submitted,  
Pamela A. Colombie  
Recording Secretary**