

**TOWN OF BARKHAMSTED
PLANNING AND ZONING COMMISSION
MINUTES OF REGULAR MEETING
THURSDAY, OCTOBER 8, 2026
BARKHAMSTED TOWN COMMUNITY ROOM**

Chairman, James Hart called the meeting to order at 7:00 p.m. Members present were Tom Andersen, John Polderman, Frank Kaczynski, Christina Lavieri, and alternate Bob Pulford. Also present was Zoning Enforcement Officer, Debbie Brydon.

Motion was made by Andersen, seconded by Lavieri to amend the agenda to add a new application from Nicholas Bottino, 47 W. West Hill Rd for a Special Exception for an accessory structure for a farm. The motion was unanimously approved.

NEW APPLICATIONS:

**A. BOTTINO, NICHOLAS, 47 W. WEST HILL RD,
APPLICANT/OWNER.**

**APPLICATION FOR SPECIAL EXCEPTION FOR ACCESSORY STRUCTURES
FOR FARMING WITHOUT A RESIDENCE**

Staff presented the application as Applicant was not present and explained that the Applicant will be building a residence, but at this time has had an accessory structure for chickens and two containers for goats illegally on the property. The applicant is trying to bring the property into conformity before he can obtain a building permit. Motion was made by Kaczynski to accept the application and set it for Public Hearing for November 12, 2026 at 7:00 pm, seconded by Polderman and unanimously approved.

PUBLIC HEARINGS: None

PENDING APPLICATIONS:

**A. 245 NEW HARTFORD RD, LLC., APPLICATION FOR SPECIAL
EXCEPTION FOR CONTRACTOR STORAGE YARD, INCLUDING
OUTSIDE STORAGE**

Andersen made a motion to approve the Special Exception for Contractor Storage Yard, including outside storage, as per oral and written testimony, with conditions, seconded by Kaczynski. Pulford listed to the tape from the previous meeting and was part of the discussions.

Chairman Hart went through each condition for approving a Special exception for contractor storage. It was determined that the following conditions will apply to this application:

1. That all storm water controls are approved by the Town Engineer, Tom Grimaldi and comply with all the Inland/Wetlands Commission conditions;
2. That the DOT has approved the driveway entrance;
3. That the hours of operation will be Monday through Friday from 7:00 am till 5:00 pm, with no operations during weekends and State holidays; and
4. Owner shall instruct all facility users that there should be no banging of truck tailgates.

The vote on the motion passed (3-1). In favor was Hart, Andersen and Kacyzinski and against was Polderman and abstaining was Lavieri.

B. 245 NEW HARTFORD RD, LLC., APPLICATION FOR EARTH MATERIALS REMOVAL

A Motion was put on the table by Andersen to approve the Application for Earth Materials Removal, as per oral and written testimony, with conditions, seconded by Kacyzinski.

Hart then went through every condition of the Earth Materials Removal regulations. The commission was reminded that the Applicant had asked for a waiver from Article IX, Section 193-64 E (4) regarding no excavation within 200 feet of a road and 100 feet of a property line.

The plans were revised as per recommendations from the Town Engineer, Tom Grimaldi. The plans were reviewed by the board and each condition required by the Engineer will be made a part of this motion. The conditions of this motion are as follows:

1. The hours of operation will be Monday through Friday from 7:00 am till 5:00 pm, with no operations during weekends and State holidays;
2. Staff will keep a calendar and Applicant will notify staff each time Earth Materials Removal is happening to not go over the 60 day limit;
3. Final approved plans shall have live signature and embossed seal of the Engineer of Record. These shall be submitted to the Town of Barkhamsted Land Use Administrator prior to any construction.
4. The Erosion and Sedimentation Control Measures Bond is set at \$54,062.40 per lot. The bond shall be a cash bond payable to the "Town of Barkhamsted". As each phase is stabilized, the Applicant may request, in writing, a reduction of said bond. An inspection by the Consulting Town Engineer and/or the Land Use Administrator shall be required to verify the request to ensure that the phase has been restored permanently stabilized to 70% turf establishment, (see attached estimate).
5. A Pre-Construction Meeting is recommended with the Town staff prior to the start of construction to inspect E&S control measures and to discuss construction sequencing/phasing.

6. During the construction process, the Owner/Contractor shall add erosion and sedimentation control measures as deemed necessary by the Town of Barkhamsted staff and/or the Consulting Town Engineer.
7. A Third-Party Independent Consultant shall complete inspections of the erosion and sedimentation control measures prior to after every rain storm event of 0.5 inches of rainfall or greater. The required repairs and/or maintenance of all erosion and sedimentation control measures shall be completed by the Applicant immediately after the completion of each inspection and until a permanent vegetated cover is established (70% turf establishment shall be required).
8. Inspection requirements, by the Consulting Town Engineer, shall be determined by the Commission.
9. Review and approval by the Farmington Valley Health District is required, prior to the transfer of land from N/F Nancy Galpin & Frank E. Galpin is completed, to ensure a 100% Code Complying Septic Area is available for the #279 New Hartford Road Property.
10. Prior to the issuance of the zoning permit, the following shall be met:
 - a. Posting of the erosion and sedimentation control bond as set by the Consulting Town Engineer.
11. An As-Built Site Improvement and Grading Plan in accordance with Town "Existing Conditions and As-Built Survey Requirements," shall include topography/locations of all altered areas within the limit of disturbance, to include but not limited to the drainage improvements. Said map shall be submitted to the Consulting Town Engineer and the Land Use Administrator for review/approval, after all the site work is completed, and prior to requesting the release of the E & S Bond. Said map shall prepared by a State of Connecticut Registered Land Surveyor.
12. A final site inspection shall be completed by the Land Use Administrator and/or the Consulting Town Engineer prior to the release of the Erosion & Sedimentation Control Bond. Please note: This inspection shall only take place after receipt of the As-Built Site Improvement and Grading Plan, as required in item #11 above.
13. Any revisions to the approved plans, as required by other reviewing entities, whether private, local, state, and/or federal, shall be submitted to the Town of Barkhamsted for review/approval.
14. The grading as completed for final restoration, at the termination of the gravel pit operation, shall be no greater than 3:1 slopes as indicated in Article IX Section 193-65,
15. The Applicant shall apply for State of Connecticut DEEP General Permit for the Discharge of Stormwater from Construction Activities. It is required for all sites with a total soil disturbance area of five or more acres. Please provide a copy of your approved permit to the Land Use Administrator. DEEP requirements indicate that this permit shall be filed at least sixty (60) days prior to the commencement of any construction activity.
16. All berms should be completed and stabilized.

The commission tabled the vote until the next meeting on October 22, 2026 to allow staff time to visit the site and determine any consistent noises coming from the site.

APPROVAL OF MINUTES FROM September 24, 2026:

Andersen made a motion to approve the minutes of September 24, 2026, seconded by Kaczynski and unanimously approved.

CORRESPONDENCE: None

REPORT FROM ZEO:

Debbie Brydon gave the Chairman the letter to go out to all the commissions inviting them on November 12, 2026 at 7 pm to start discussing the Plan of Conservation and Development. The Public Hearing for the Bottino application will be on the agenda after meeting with the Boards.

Staff also advised the Board that she had two calls regarding construction of new accessory structures that would be over the square footage of the residence as the Assessor does not count under Living Space any areas in basements, ie. accessory apartments or recreation rooms. Even a raised ranch counts the area at ground level as “living area”, not “living space”. Article V under definition for Accessory Building specifically refers to “Living space” on the Assessor’s card. Staff asked the commission to consider amending the regulations to include the “living area”. The commission agreed and staff will craft the amendment to be discussed at the December meeting.

PUBLIC COMMENT:

Brandon Small was present. He lives on Center Hill Rd and is one of the people who would like to build a garage, but does not meet the regulations with Living space, yet he has an accessory apartment in his basement, which is listed as “Living area”. He asked how quickly could this amendment be voted on, and if there were any other options.

ANY OTHER BUSINESS LEGAL AND PROPER TO COME BEFORE SAID MEETING: None

Meeting was adjourned at 9:30 pm.

John Polderman
Secretary