

**INLAND WETLANDS COMMISSION**  
**Regular Meeting Minutes**  
**July 9, 2014 – 7:00 p.m.**  
**Town Hall Annex, 80 Doyle Rd. Bantam, CT**

**Call to Order:** Chairman Robert Blazek called the regular meeting to order at 7:00 p.m.

**Members Present:** Chairman Robert Blazek, Jack Hamill, Barbara Brower, Abby Conroy, Anthony Paradise, and Linnea Healy. Also present were Inland Wetlands Agent Dennis Tobin, Ph.D. and Recording Secretary Ann Combs.

**Members Absent:** Carol Williams, Frederick Minck, Dr. Frank Schildgen

**Public Comment:** None

**2. Appointment of Alternates:** Chairman Blazek appointed alternates Barbara Brower and Linnea Healy to serve as regular members.

The follow items were proposed by Chairman Blazek for addition to the agenda:

9a. Marcella & Dan Fasulo – 96 Prospect St. - Remove portion of existing dwelling, covered patio and deck to construct addition; no wetland disturbance.

9b. White Memorial Foundation - in trail by Mallard Marsh – top dress trail by Mallard Marsh; no wetland disturbance.

9c. David Morzella - Dingwell Drive – Construct driveway with small crossing and dwelling in upland review area.

**Motion:** Barbara Brower moved to add Items 9a, 9b and 9c to the agenda as listed above.

**Second:** Anthony Paradise

**Vote:** All voted aye and the motion carried.

**CONSIDERATIONS**

**3. MGRE c/o Mark Greenberg – Village green Drive**

**7/9/14**

*Remediate (excavation and dewatering) of gasoline-impacted soil at Village Green Drive. Backfill and restore to original grade and conditions (pavement, landscaping, sidewalks). Construction area is approximately ½ acre.*

Paul Connelly, CCA, explained the three underground leaking storage tanks taken out in 1989 that have been cleaned up, but standards have become more stringent over the years. This year they tested soil and groundwater and found contamination. They will do an expedited remediation using field testing and field screening methods. They will screen the soil as they remove it and place in clean or dirty piles, planning to live-load contaminated soil into dump trucks if possible. They are working with State of CT DEEP on this project, and a closure report will be submitted. This is a historical review. There is contamination in the ground water, but it should clean itself up with soil work. If not, it will be treated. The water will be

pumped through a frack tank, then through carbon filtration. Revised maps entitled *Property & Topographic Survey - Village Green* were distributed and are being used as a draft work plan.

**Motion:** Anthony Paradise moved to approve the application of MGRE c/o Mark Greenberg, Village Green Drive, to remediate by excavation and dewatering of gasoline-impacted soil at Village Green Drive; and to backfill and restore to original grade and conditions (pavement, landscaping, sidewalks) in construction area of approximately ½ acre, including remediation and modifications as shown on map dated 5/16/12 by CCA, LLC.

**Second:** Abby Conroy

**Vote:** All voted aye and the motion carried.

#### **4. Putnam – 73 Clark Road**

**7/9/14**

*Determination of an as-of-right activity involving installation of solar irrigation pump to remove water from stream*

Barbara Putnam, 73 Clark Road, and Cameron Bove, Spencer Street, were present. Cameron is developing an acre for growing vegetables, and it needs irrigation to keep the plants alive. The well is far away so they would like to pump from the stream. R. Blazek spoke to the State DEEP as well as the Army Corps of Engineers who had no jurisdiction and no interest. The DEEP says this request is a gray zone and they will be interested and will watch over it. It uses a 5'x5' solar panel, the pump, a 2" pipe with two filters and will pull water at a rate of 5 gal/min. If the stream gets too low, they will have to dig another well. DEEP Water Management feels solar paneling is a good idea and may check on it; however she would only need a permit from them if taking more than 50,000 gallons in a 24-hour period. There are fin fish and it flows into the Naugatuck which is a prime trout river. Abby Conroy suggested having the local DEEP do some sampling up and downstream for changes.

The Commission's collective determination was that this is indeed an as-of-right activity.

### **AGENT DETERMINATION**

#### **5. Hardscrabble, LLC – 569 Bantam Road**

**7/9/14**

*Connect to public water supply for domestic water and fire sprinkler system*

This is the new distillery where they needed to hook into the water supply on Bantam Road. Dr. Tobin made the determination.

### **APPLICATION RECEPTIONS**

#### **6. Hardscrabble, LLC – 569 Bantam Road**

**7/9/14**

*Construct 6'x8' cement pad for refrigeration unit, burial of propane tank and removal of invasive plant species in a regulated area*

Jack Baker explained they will keep two 1,000 gal. propane tanks above ground and dig a trench for the pipes. He needs to remove a tree and invasive species. The refrigeration unit will go on the pad. He showed the map entitled *Site Plan, Hardscrabble, LLC, 569 Bantam Road*. The entire property is in a regulated area.

#### **7. Fairchild – 55 Old Smith Road**

**7/9/14**

*Construct 12'x25' garage in regulated area*

Brian Fairchild was present and said the dimension has changed to 14'x25'. There is an existing driveway on the side of the house and he wants to put on a one-car garage. There is a parking area there now.

**8. Litchfield Hills Audubon Society, Inc. – Northfield Road (Boyd Woods)** 7/9/14  
*Clear cut 3.8 acres to create habitat conditions for New England Cottontail Rabbit*

Rich and Debbie Martin were present representing Litchfield Hills Audubon and Boyd Woods. They will have Alan Remeika do the clear cutting and will provide wood piles for cover. Shrubs will also grow to provide cover for the rabbits. Wigwam Brook is on the other side of the property and not near this clear cut area. They will put up some flags to designate the cutting area for the Commissioners.

**9. Northwest Custom Homes, LLC – Case Ave. (167/072, Lots 091 & 092)** 7/9/14  
*Construction of one house on each of the two sites in an upland review area*

Builder Steven Zappone explained the property on Case Avenue that includes a drainage easement for the Town. Certified Soil Scientist James Supperly, hired by owner Michael T. Fabbri, wrote a letter with his findings that he did not foresee any problem with building a single family residence where the drainage is. Mr. Zappone is building both houses to sell them. They are served by city sewer, so there is no need for septic. Sam Bertaccini did the topographical map.

**9a. Marcella & Dan Fasulo – 96 Prospect Street** 7/9/14  
*Remove portion of existing dwelling, covered patio and deck to construct addition; no wetland disturbance*

Dan Distasi brought a *Proposed Site Plan* that needs to be signed and sealed by Sam Bertaccini. They will remove a portion of the existing building and the patio in order to build the addition. The footprint for the addition will be 17'x32'. The engineer needs to stamp the site plan.

**9b. White Memorial Foundation - in trail by Mallard Marsh** 7/9/14  
*Top dress trail by Mallard Marsh; no wetland disturbance*

Dennis McMorro explained that Mallard Marsh is near the trail that heads into White Memorial after crossing White Woods Road upon leaving the ghost trail. They want to put down 1-1/4" process top dress for the Greenway's trail portion that runs through White Memorial property. O&G will donate the processed stone for a total distance of about 1,000 feet. Dr. Tobin asked him to delineate the beginning and end of the trail.

**9c. David Morzella - Dingwell Drive** 7/9/14  
*Construct driveway with small crossing and dwelling in upland review area*

Dennis McMorro explained that this as a meadow, a 9.8- acre parcel, with only two acres in the upland area. There is an existing right of way and an existing swale. It is a vacant lot with well, and the topsoil had been stripped off, causing it to become a wetland area. George Malia flagged the wetlands. They want to bring in a driveway and will have to infringe on the wetlands in order for emergency vehicles to make the corner. Old testing was found and confirmation testing done recently for sign-off at Torrington Area Health District. The proposed house is 70' from the wetlands but downhill of them. The shared driveway will need to be built up. The stream flows into the Bantam River. Chairman Blazek felt there should be a public hearing as this is in the interest of the public and a significant activity.

**Motion:** Barbara Brower moved to hold a public hearing at the next meeting on 8/13/14 since this is a significant activity and in the interest of the public.

**Second:** Abby Conroy

**Vote:** All voted aye and the motion carried. Certified letters will be sent to all adjoining property owners.

#### **10. Approval of Minutes of June 11, 2014**

**Motion:** Barbara Brower moved to adopt the meeting minutes of June 11, 2014.

**Second:** Abby Conroy

**Vote:** All voted aye and the motion carried.

**11. Correspondence:** R. Blazek announced an invasive plant conference Oct 7<sup>th</sup> at the Student Union at the Storrs campus of UCONN.

**12. Possible Executive Session to Discuss Pending Litigation:** None

**13. Annual Meeting – Election of Officers and Review of Bylaws:** Chairman Blazek said they would not hold this as every member must be present. It will be voted on at the next meeting.

#### **14. Adjournment**

**Motion:** Barbara Brower moved to adjourn at 8:55 p.m.

**Second:** Abby Conroy

**Vote:** All voted aye and the motion carried.

Respectfully submitted,

Ann D. Combs, Recording Secretary