

Approved 11/14/12

**INLAND WETLANDS COMMISSION**  
**Regular Meeting Minutes**  
**October 10, 2012 ~ 7:00 p.m.**  
**Town Hall Annex, 80 Doyle Road, Bantam, CT**

**Call to Order:** Chairman Robert Blazek called the regular meeting to order at 7:03 p.m.

**Members Present:** Chairman Robert Blazek, Dr. Frank Schildgen, Jack Hamill, Carol Williams, Barbara Brower, Frederick Minck, and alternate Abby Conroy  
Also present was Inland Wetlands Agent Dennis Tobin, Ph.D. Recording Secretary Ann Combs was absent.

**Members Absent:** None

**1. Public Comment:** None

**2. Appointment of Alternates:** Chairman Blazek appointed Abby Conroy as a regular voting member.

**Motion:** Barbara Brower moved to add “8a) Litchfield Housing Trust” to Application Considerations.

**Second:** Carol Williams

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

**Motion:** Barbara Brower moved to add to the agenda “10a) Approve 2013 Meeting Schedule.”

**Second:** Carol Williams

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

**APPLICATION CONSIDERATIONS**

**4. Mists of Avalon – Old Mt. Tom Rd.**

**10/10/12**

*Construct driveway, culvert and utilities in regulated area*

Ronald Wolff, P.E., represented the owners and applicants, Howard Rosenfeld and Cheryl Leach. He recapped that this is Lot 15 in Section 3 of the Avalon Farms Subdivision, and is 5.018 acres, with 1.21 acres of wetlands. Torrington Area Health has approved this lot for the septic and well. The owners would like to build a farmhouse and detached garage and raise organic vegetables on the property. Regulated activities include driveway, driveway culvert installation and utilities. They will discharge footing and leader drains into the regulated area. He then read several letters that are part of the file, including a 2/28/12 letter from Byrne & Byrne saying that the fact that this lot is not an approved subdivision lot would not be a valid reason for the Commission to deny the application. Attorney Perley Grimes was present on behalf of the applicant. Tom Stansfield, Soil Scientist, explained the soils and vegetation on the property.

**Motion:** Dr. Frank Schildgen moved to approve the application of Mists of Avalon for construction of a driveway, culvert and utilities in a regulated area. This property will be used for organic farming, with no chemical fertilizers used.

**Second:** Jack Hamill

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

**5. Masopust (Hill Holdings) – 815 Bantam Road**

**10/10/12**

*Construct water quality basin and portion of parking in upland review area for proposed greenhouse*

Dennis McMorrow, Berkshire Engineering and Surveying, was present representing Daniel Masopust, who owns Greenbriar Nursery in Morris, and would like to buy this property for retail plant sales. He wants to build a 24'X100' greenhouse on a one-acre parcel that is 100' away from the regulated area. He plans a riprap channel in the rear slope, with runoff going to a riprap pool and filtering out to adjacent property and finally into the Bantam River. The bottom of the water quality basin will be mulch. All plants to be sold will be grown in Morris and transported to Bantam for sale. They will be using public water and will not be operating in the winter months. Sean Hayden reviewed the application in his letter dated 9/29/12. Mr. Hayden felt a sediment-removing measure is needed between the lot and the water quality basin. Mr. McMorrow said the runoff sediments would drop off in the grass before getting to the filter strip. By repaving the lip of the adjacent bituminous apron, it would prevent any highway water from going into the basin. Changes were made to comply with Mr. Hayden's memo.

**Motion:** Carol Williams moved to approve the application of Masopust (Hill Holdings), 815 Bantam Road, for construction of water quality basin and portion of parking in upland review area for proposed greenhouse with zero wetland impact per site plan by Berkshire Engineering dated 9/5/12 and revised 10/10/12, with recommendations of Northwest Conservation District's letter of 9/29/12 included in the revised plan.

**Second:** Dr. Frank Schildgen

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

**6. Litchfield Hills Nursery – 393 Torrington Road**

**10/10/12**

*Remove and replace two greenhouses with one 75'X100' rigid house*

John T. Acerbi was represented by David R. Wilson, P.E., and explained the proposed removal of two hoop houses, replacing them with the rigid house with roof drains. D. Wilson explained that regarding the thermal component of the runoff, they will capture the water under the floor and bleed it back through an 8" PVC pipe to the irrigation pond in the rear. This polycarbonate house is in three 25-ft. sections with four gutter outlets. They are increasing the impervious roof area by 50%, but are also increasing the runoff spread.

**Motion:** Jack Hamill moved to approve the application of Litchfield Hills Nursery, 393 Torrington Road, to remove and replace two greenhouses with one 75' X 100' rigid house, delineated by site plan by David Wilson, P.E., entitled Greenhouse Replacement, dated 8/16/12, Map 126, Block 036, Lot 093.

**Second:** Barbara Brower

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

**7. Forman School – 12 Norfolk Road**

**10/10/12**

*After-the-fact application for 10'X10' shed and clear cutting of trees*

Attorney Robert D'Andrea introduced Tom Sheil of Forman School and Matt Sanford, Professional Soil Scientist, who explained the shed was erected within 150 ft. of the regulated area and trees were cut for safety in the existing ropes course. They will restore adjacent areas to the course. Wood chips will be put down to prevent erosion and provide a surface for the ropes course. They will also plant large trees to restore the overstory canopy.

**Motion:** Barbara Brower moved to approve the after-the-fact application of Forman School for a 10' X 10' shed and clear cutting of trees and renovation of the area as per map entitled Permit Drawing Existing Conditions, Forman School, Existing Shed and Ropes Course Area, 12 Norfolk Road, dated 9/5/12.

**Second:** Dr. Frank Schildgen

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

#### **7. Forman School – 12 Norfolk Road**

**10/10/12**

*Construct 8,825 sq. ft. building and rain garden with after-the-fact mitigation of a wetland disturbance*

Attorney Robert D'Andrea of Stedronsky and D'Andrea was present, along with Matt Sanford, Professional Soil Scientist from Millone & MacBroom, and Thomas Sheil of Forman School. Mr. Sheil explained the science center project with wetland pocket. Mr. Sanford talked about the quality of the wetlands and discussed his third party review letter from Milone & MacBroom dated 10/9/12. A \$3,000 bond was requested for consulting fees for Sean Hayden and for his inspection of the construction site. They presented an A-2.0 drawing of the proposed Forman School Science Center. A 2,000 sq. ft. wetland area will be filled in the construction area. In compensation, there will be 6,000 sq. ft. area of mitigation down near the river, for a 3:1 mitigation ratio. A rain garden will be constructed near the science building in three cells via piping with a level spreader. Mr. Sanford walked the property with Sean Hayden, and Mr. Hayden submitted his report dated 10/3/12.

**Motion:** Jack Hamill moved to approve the application of Forman School, Map 126, Block 036, Lots 027 & 028, for addition of a proposed science building shown in map dated 8/23/12, revised 10/9/12, with 10/10/12 reception date, reviewed by Sean Hayden and reported in his letter dated 10/3/12, including the after-the-fact mitigation plan of the downslope wetlands, and requiring a performance bond of \$3,000 for consulting and inspection.

**Second:** Dr. Frank Schildgen

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

### **APPLICATION RECEPTION**

#### **8a. Litchfield Housing Trust**

**10/10/12**

Mr. Blazek recused Barbara Brower from the meeting. Robert Petricone described the work of the Housing Trust, a not for profit 501c-3 organization, as managers of open space for affordable housing. He asked for the waiving of application fees for the project on Torrington Road. The Commission asked for a \$2,000 bond for evaluation by Sean Hayden.

**Motion:** Dr. Frank Schildgen moved to waive the \$380 fee for this application.

**Second:** Carol Williams

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

Ken Hrica described the soils as disturbed hardpan, as the area had previously been excavated. Dr. Michael Klemens discovered a vernal pool and a pale green orchid, a species of special concern. They have drawn an easement area for the pond and orchids. Mr. Hrica has planned drains and swales to take water away from the houses to be built and direct it toward the easement area. Protecting the brook from erosion is the only wetland impact. Regulated activities are the driveway with water quality basins. There are 9 affordable housing units planned. This will be continued to the November 14<sup>th</sup> meeting.

## AGENT DETERMINATION NOTIFICATION

### **9. Forman School – 12 Norfolk Road**

**10/10/12**

*After-the-fact application for 4 sheds*

Dr. Tobin explained that he found 4 sheds in the regulated area, and they needed the wetland permits to get the zoning permits. He did agent determinations and collected the permits for them.

### **10. Approval of Minutes of September 12, 2012**

**Motion:** Fred Minck moved to approve the minutes of 9/12/12.

**Second:** Carol Williams

**Vote:** Upon voting, all voted aye and the motion carried.

### **10a. Approve 2013 Meeting Schedule**

**Motion:** J. Hamill moved to adopt the 2013 meeting schedule.

**Second:** Abby Conroy

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

### **11. Correspondence**

- Dr. Schildgen invited the Commissioners to his home on Sunday, October 21<sup>st</sup> at 4:30 p.m. Chairman Blazek warned members not to talk about Commission work at the gathering. *[Barbara Brower returned to the group.]*

### **12. Adjournment**

**Motion:** Dr. Frank Schildgen moved to adjourn at 10:00 p.m.

**Second:** Jack Hamill

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

Respectfully submitted,

Ann D. Combs, Recording Secretary