

**LITCHFIELD INLAND WETLAND COMMISSION**  
**Regular Meeting Minutes**  
**May 11, 2016 – 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, Linnea Healy (alt.), Jack Healy (alt.), Abby Conroy 7:10 p.m., Barbara Brower, Anthony Paradise. Also present were Ann Combs, Recording Secretary, and Dennis Tobin, Ph.D, Wetlands Agent

**Members Absent:** Jack Hamill, Frederick Minck, Carol Williams

**Public Comment:** None

**Appointment of Alternates:** Chairman Blazek appointed alternates Linnea Healy and Jack Healy to be seated as regular members. Mr. Blazek welcomed Jack Healy back to the Commission.

**Motion:** Barbara Brower moved to add Items 10a, 10b, 10c and 10d as listed in Receptions below.

**Second:** Anthony Paradise

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

**APPLICATION CONSIDERATIONS**

**1. Cowette – 29 Reder Road**

**5/11/16**

*Construct 36'x48' barn in regulated area*

Earl Cowette was present with a full-size map and explained where he wants to site the barn where he will store his RV and box truck. Nothing will go through the wetlands. Silt fencing and hay bales will be used. [Abby Conroy arrived here at 7:10 p.m.] He will dig a trench for the utility line and gravel driveway will go out through Andre Drive.

**Motion:** Jack Healy moved to approve the plot plan prepared for Mr. Cowette of Reder Road and Andre Drive to construct a 36'x48' barn in a regulated area.

**Second:** Barbara Brower

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

**2. Arethusa Farm – 15 Webster Road**

**5/11/16**

*Construct septic for barn in upland review area*

Dennis McMorrow, Berkshire Engineering and Surveying, reviewed plans for the Wester Road milk barn where they want to add a bathroom for employees and will need a septic system. The 100-year flood plain is close, but the septic meets the state health code and had to be sited there for gravity feed.

**Motion:** Linnea Healy moved to approve the construction of a septic system for the Arethusa barn in the upland review area on 15 Webster Road per map entitled "Septic System Design" dated 4/4/16.

**Second:** Abby Conroy

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

**3. Arethusa Farm Dairy, LLC – 822 Bantam Road****5/11/16***Install 2,000 gallon underground propane tank in upland review area*

Dennis McMorrow explained there are two 1000-gal. propane tanks currently feeding both the restaurant and the dairy. The heavy draw is causing freezing problems. They want to install a 2000-gal. tank underground. He's not sure which building it will supply. A. Paradise asked if the pipe would go underground and possibly freeze there. Mr. McMorrow did not know where the line will go into the building. It was requested he get the answers and come back next month. Mr. Paradise asked him to consider a second choice location if there are problems digging. J. Healy mentioned looking into the agreement and associated regulations. Mr. McMorrow will return next month.

**APPLICATION RECEPTIONS****4. Town of Litchfield – Headquarters Road****5/11/16***Replacement of Headquarters Road Bridge over West Branch Shepaug River tributary*

Raz Alexe, Public Works Director, described the project. They will be replacing pipe culverts with precast box culverts. Safety is what is triggering the bridge replacement. A. Paradise requested signed and sealed drawings. Mr. Alexe will add in the flow data to the map. The outlet of the culverts will have riprap extending 4'-5' out. He will drop off a more detailed set of drawings for the file.

**Motion:** Barbara Brower moved to approve the application of Town of Litchfield for the replacement of Headquarters Road Bridge over the west branch of the Shepaug River tributary per map dated 4/1/16, "Construction Plans for Replacement of Bridge No. 73027."

**Second:** Jack Healy

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

**5. Town of Litchfield – 365 E. Litchfield Road****5/11/16***Drainage improvements and relocation of well*

Raz Alexe explained this is necessary because of the flooding at the East Litchfield Firehouse. The well proximity does not meet code and has to be moved. Flooding into the firehouse has to be addressed by adjusting the curtain drain around the building. This work will not impact the stream. They will install a new catch basin to channel water into the right of way. They have other improvements to be accomplished also.

**Motion:** Abby Conroy moved to approve the application by Town of Litchfield, 365 E. Litchfield Road, for drainage improvements and relocation of well per map dated 4/20/16, and considering it a safety issue.

**Second:** Barbara Brower

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

**6. Pogodzienski – 248 Fern Avenue****5/11/16***After the fact application for installation of pipe to cross creek*

Edward Pogodzienski presented an A2 survey and said he has been cleaning the area of tree tops after the loggers finished. They put in two culvert pipes underground with 2-1/2 ft. of cover. This was installed 1-1/2 months ago in a muddy area in order to cross the area with the excavator. A. Paradise asked for a signed and sealed copy of the map. He has silt fencing in place now. J. Healy said they need an erosion and sediment control plan. Commissioners gained permission to go out and take a look at it, but should call

first. They would also like Sean Hayden to take a look at it. A. Paradise was concerned about the time lag from doing work and when he came to the Town. Without erosion control it could erode rapidly when equipment crosses over. It may be the case that the applicant will not be charged for Mr. Hayden's services.

**7. Pogodziński – 248 Fern Avenue**

5/11/16

*After the fact application for house (well and septic tank) and shed with proposed septic fields*

Mr. Pogodziński said CT Wells said they would take care of the permits and drilled the well (capped) without a permit. He showed a map dated 8/6/15 for the septic. A hole is dug for the footings for the house and the septic is in. There is a driveway to the house area previously approved. R. Blazek said Torrington Area Health will have to look at the location of the well in relation to the septic and driveway. Commissioners will also look at this area. He constructed the shed in an area other than where it was sited. He changed it to the highest point of the property on ledge where it is stable. There is a portable saw mill next to the stream. Sawdust has been shoveled and dumped in a compost pile away from the creek. J. Healy suggested he stake out where he would relocate the sawmill. It was agreed Sean Hayden would be asked to take a look. Permission was granted to go on the property, but to call first. The Commission needs stamped plans.

**8. Williams – 103 North Shore Road**

5/11/16

*Construct 12'x15' deck at edge of Bantam Lake*

Mr. Williams explained the deck to be free-standing with an existing concrete pad underneath. Techno-posts screwed into the ground will take the place of piers. He may move the deck back 1ft. to be further away from the water's edge. He has submitted a permission letter from White Memorial and has submitted an application to the Town of Litchfield for a permit to do work in the right-of-way.

**Motion:** A. Paradise moved to approve the application of Keith and Donna Williams, 103 North Shore Road, 169/168/079, for construction of a free-standing deck alongside the road with stairs down to the water line to service a dock to be added in the future contingent on zoning, building permit and ROW permit.

**Second:** Barbara Brower

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

**9. Cecchinato – 159 West Street**

5/11/16

*Add fill to raise grade of existing driveway*

No one was present for this application. He will be notified to appear next month.

**10. Rosa – 637 Bantam Road**

5/11/16

*Agent determination for installation of garden terraces with wedding platform*

D. Tobin explained the work done to be ready for upcoming weddings. The platform is where the bridge abutments are. Garden terraces will collect water, filter it down over pavers in the lawn to the concrete platform on the bridge abutment. Commissioners will take a look at this application.

**10a. Mikor, LLC – 214 East Litchfield Road**

5/11/16

*Parcel B – portion of driveway and house within upland review area. No direct wetland impacts*

Michael Mirabilio and Dennis McMorro explained the map. Wetlands were flagged by David Lord. One wetland band runs through the middle of the property. The driveway will be uphill of the wetlands but in

the regulated area. A corner of the house is in the regulated area. The area along the edge of the road has stumps that need to be cleared. He would like to flush cut them and grind. Roots will not be disturbed.

**10b. Mikor, LLC – 214 East Litchfield Road**

**5/11/16**

*Parcel A – portion of proposed septic within upland review area. No inland wetlands on property*

There is a proposed septic and house is in this parcel.

**10c. Hardscrabble LLC, Litchfield Distillery – 569 Bantam Road**

**5/11/16**

*Agent determination for repair and replacement of underground gutter pipe*

Dr. Tobin said the gutters are clogged and they want to replace them.

**10d. David R. Wilson, PE, Agent for Charles Foster – Milton Road, 109/21A/4**

**5/11/16**

*Convert existing farm road into driveway for development of the property as a single building lot with underground utilities. Replace existing driveway culvert and remove existing beaver dam. 0.5 acres disturbed*

D. Wilson explained the land owner is buying a 45-acre area of land for farming and he wants to clean the entrance to the culvert. The existing farm road has been there for years and was reconstructed before 1970. It has since washed out. He wants a 20 ft. wide driveway and wants to replace the culvert pipe and raise the road bed. It will be fabric and crusher rock during construction and then put gravel over it after. He also wants to remove the beaver dam. A. Paradise asked to see how the slope of the driveway will work and Mr. Wilson said he will have a cross section map for next month.

**11. Stop & Shop Construction Update – IW Permit #CC00001073:** Dr. Tobin referred to two letters from Pustola & Associates, Consulting Engineers, in response to our concern for the soil sources. The letter dated 4/28/16 address the protocol for testing soil and identified the three fill sources they were negotiating with. The 5/5/16 letter described how they use the log book for tracking the fill as well as the third party soil inspections. Dr. Tobin reported the silt fence reports are good. A. Paradise went through the list of items to be done, showing the project is on track and on time. He wants to see the report on the source of soils.

**12. Approval of Minutes of April 13, 2016**

**Motion:** Barbara Brower moved to approve the meeting minutes of April 13, 2016.

**Second:** Abby Conroy

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

**13. Correspondence**

DVD's are available to review from the DEEP. B. Brower is reviewing now.

**14. Possible Executive Session to Discuss Pending Litigation**

**Motion:** Anthony Paradise moved to go into executive session at 9:17 p.m. for discussion on pending litigation. Barbara Brower and Abby Conroy left and did not return. A. Combs stepped out, leaving the remaining commissions and Dr. Tobin.

**Second:** Jack Healy

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

The group came out of executive session at 9:25 p.m. with no action taken.

**15. Adjournment**

**Motion:** J. Healy moved to adjourn at 9:26 p.m.

**Second:** Anthony Paradise

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

Respectfully submitted,

A handwritten signature in cursive script, reading "Ann D. Combs". The signature is written in dark ink and is positioned above the printed name.

Ann D. Combs, Recording Secretary