

**CITY OF TORRINGTON
INLAND WETLANDS COMMISSION
MINUTES
March 21, 2017**

Present: Jay Bate, Jr., Chairman
Jane Bakker, Member and Secretary
Doris Murphy, Member
William Storti, Member
Jonathan Andrews, Member
Tom Telman, Member (arrived 7:08 p.m.)

Also Present: Rista Malanca, Inland Wetlands Enforcement Officer

Not Present: Christine Altman, Vice Chair

1. Call To Order:

Chairman Jay Bate called the meeting to order at 7:05 p.m.; Torrington City Hall, Room 218, City Hall Council Chambers, 140 Main Street, Torrington, CT

2. Roll Call and Announcement:

Chairman Bate announced present and serving on the Commission this evening will be Jane Bakker, Doris Murphy, William Storti, Jonathan Andrews, Tom Telman and Jay Bate. Also present is Inland Wetlands Enforcement Officer Rista Malanca.

3. Minutes for Approval:

a. 2/28/17

MOTION by Ms. Bakker to approve the 2/28/17 minutes, seconded by Mr. Andrews, motion carried with Ms. Murphy abstaining from voting.

4. Old Business:

a. Applicant: Dymax Corporation
Location: 51 Greenwoods Road
Activity: Replace collapsed corrugated metal pipe culvert with concrete culvert within regulated area

Todd Parsons, PE from Lenard Engineering appeared before the Commission with Mark Pettegrew of Dymax Corporation. Their presentation was made at the last meeting, and Mr. Parsons is available for questions. Ms. Malanca noted City Right of Way permits will be required. (Commissioner Tom Telman arrived at this time)

MOTION by Ms. Bakker to APPROVE the subject activity, seconded by Ms. Murphy, unanimously carried.

- b. Applicant: Michael A. Morgan
Location: 76-80 East Pearl Street
Activity: Repair retaining wall within regulated area

Michael Morgan was not present. Ms. Malanca does have a motion for review and/or approval. These plans have gone to the City's Engineering Department. Just this afternoon WPCA stated that this is an active 18" sewer line, and Matt Walsh has made a couple comments about this, and a few comments about the e/s controls. Ms. Malanca provided details that need to be addressed and noted in the motion form. If the Commission is not comfortable with this, the matter could be tabled until next month.

Ms. Malanca read the email from Asst. City Engineer Matt Walsh, dated March 21, 2017.

MOTION by Ms. Bakker to APPROVE the application of Michael A. Morgan, applicant, 76-80 E. Pearl LLC & Christopher Morgan, owner, 76-80 E. pearl St, Repair retaining wall within regulated area.

Whereas said application contains the following maps and plans titled, Maps and Plans prepared by GEO Design, Inc., Project: Modular Block Retaining Wall, 76-80 East Pearl Street, Torrington CT, Titled: "Modular Wall Layout and Proposed Grading" dated: 1/18/17

Whereas, the Inland Wetlands Commission of the City of Torrington, has evaluated the application according to the standards and criteria for a decision per Section 10 of the City of Torrington Inland Wetlands and Watercourses Regulations, the Commission has taken into consideration all relevant facts and circumstances.

The proposed regulated activities do not represent a significant activity per Section 2 of the City of Torrington Inland Wetlands and Watercourses Regulations. The Commission finds that there is no reasonable likelihood of adverse impact to the wetlands and watercourses from the regulated activities proposed.

NOW THEREFORE BE IT RESOLVED by the Inland Wetlands Commission of the City of Torrington that the aforementioned application is approved with the following conditions:

1. If the authorized activity is not completed within TWO (2) years from the issuance date of: **March 21, 2017**, said activity will cease and, if not previously revoked or specifically

renewed or extended, this permit will be null and void. Any request to renew or extend the expiration date of a permit should be filed in accordance with the Inland Wetlands Regulations of the City of Torrington. Expired permits may not be renewed and the Inland Wetlands Commission may require a new application for regulated activities.

2. The permittee will notify the Inland Wetlands Enforcement Officer upon commencement of work and upon its completion.
3. All work and all regulated activities conducted pursuant to this authorization will be consistent with the terms and conditions of this permit. Any structures, excavation, fill, obstructions, encroachments, or regulated activities *not specifically identified and authorized herein* will constitute a violation of this permit and may result in its modification, suspension or revocation.
4. This authorization is not transferable without the written consent of the Inland Wetlands Commission.
5. In evaluating this application, the Inland Wetlands Commission has relied on information provided by the applicant. If such information is subsequently proved to be false, incomplete, or misleading, this permit may be modified, suspended, or revoked and the permittee may be subject to any other remedies or penalties provided by law.
6. The permittee will employ the best management practices as outlined in the 2002 CT E&S Guidelines, March 2002 edition and all amendments, consistent with the terms and conditions of this permit, to control storm water discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands or watercourses. For information and technical assistance, contact the Wetlands Enforcement Officer. The permittee will immediately inform the Commission of any problems involving the wetlands or watercourses that have developed in the course of, or that is caused by, the authorized work. No equipment or material including without limitation, fill, clippings, brush, construction materials, or debris, will be deposited, placed, or stored in any wetland or watercourse on or off site unless specifically authorized by this permit. Any such activity not authorized by this permit may be just cause for revocation of the permit.
7. This permit is subject to and does not derogate any rights or powers of the City of Torrington, conveys no property rights or exclusive privileges, and is subject to all public and private rights to all applicable federal, state and local laws. In conducting and maintaining any activities authorized herein, the permittee may not cause pollution, impairment, or destruction of the inland wetlands and watercourses of Torrington.
8. If the activity authorized by the inland wetlands permit also involves activity or a project that requires zoning or subdivision approval, special permit, variance, or special exception, no work pursuant to the wetlands permit may begin until such approval is obtained.
9. The permittee will maintain sediment and erosion controls at the site in such an operable condition as to prevent the pollution of wetlands and watercourses. Said controls are to be inspected by the permittee for deficiencies at least once per week and immediately after rains. The permittee will correct any such deficiencies within 24 hours of said deficiency being found. The permittee will maintain such control measures until all areas of disturbed soils at the site are stabilized.
10. Erosion and sedimentation controls are installed and inspected **prior** to start of construction.

11. Comments from Deputy City Engineer, Matt Walsh, P.E., in an email to the Wetlands Enforcement Officer dated 3/21/2017 must be addressed prior to the start of any Regulated Activity.

MOTION seconded by Tom Telman, unanimously carried.

5. New Business:

none

6. Staff Report:

Agent Determination: 26 Pumping Station Road, Bruce Bennett, construct inground pool and temporary access way within upland review area

Ms. Malanca briefly reviewed Agent Determinations

7. Adjournment:

MOTION to adjourn at 7:18 p.m., by Mr. Telman, seconded by Mr. Andrews, unanimously carried.

Land Use Office