

**CITY OF TORRINGTON  
INLAND WETLANDS COMMISSION  
MINUTES  
December 16, 2008**

Present: Jay Bate, Jr., Chairman  
Christine Altman, Member  
Kathy Carlson, Member  
Tom Telman, Member

Also Present: Kim Barbieri, Inland Wetlands Enforcement Officer

Not Present: Nancy Schroeder Perez, Vice Chairwoman  
Doris Murphy, Member and Planning and Zoning Liaison  
Jane Bakker, Secretary/Member

1. **Call To Order:** Chairman Jay Bate, Jr. called the meeting to order at 7:00 p.m. in the City Hall Council Chambers, 140 Main St., Torrington, CT

2. **Roll Call and Announcement:**

Chairman Bate announced present and serving on the Commission this evening will be Christine Altman, Kathy Carlson, Tom Telman and Jay Bate. Also present is Inland Wetlands Enforcement Officer Kim Barbieri.

3. **Minutes for Approval:**

a. 11/18/08

MOTION by Mr. Telman to approve the 11/18/08 minutes, seconded by Ms. Altman, unanimously carried.

4. **Old Business:**

a. Location: 365 West Pearl Road  
Owner: James P. Murphy  
Activity: Creation of a new building lot through first split with wetlands on site

Ms. Barbieri noted this application was received at last month's meeting. The applicant called Ms. Barbieri to let her know they would be arriving late at this meeting. There were no comments or recommendations from this Commission at last month's meeting.

MOTION by Ms. Altman to grant a permit for 365 West Pearl Road, James P. Murphy, creation of a new building lot through first split with wetlands on site, seconded by Ms. Carlson, unanimously carried.

5. **New Business:**

a. Location: Oak Avenue Baseball Fields  
Owner: City of Torrington  
Activity: Replace existing 18 inch pipe with 24 inch pipe  
And  
Violation: Pierce Street, Assessor Map 128-7-7  
Owner: City of Torrington Street Department  
Violation: Work within stream without permits

Ed Fabbri, City Engineer, appeared before the Commission and explained the history of this site, and complaints that had been received at the Mayor's office and Park and Rec Commission regarding drainage from the Park. The new Park and Rec Director Brett Simmons asked Mr. Fabbri to take a

look at the drainage through the ball field and the brook that runs out to Pierce Street. Mr. Fabbri reviewed

his meetings at the site with Ms. Barbieri and some of the neighbors who provided their input and observations. (#160) Mr. Simmons met with Street Superintendent Bob Lizzotte, and there was a communication problem as the next day a backhoe was on the site. The Engineering Department wants to increase the size of the pipe to help reduce flooding.

Ms. Barbieri will be doing a neighborhood stream maintenance meeting with the neighbors, and that will hopefully alleviate some issues from debris being placed in the stream. Site details were further explained by Mr. Fabbri.

Ms. Carlson stated that as far as the violation is concerned, education is needed. Discussion followed. Ms. Barbieri has offered yearly to do a 'dog and pony' show during the down times for the Street Department. She has been told that they don't need it. Education opportunities, such as the ones available to Commissioners, are available. Suggestions were made to bring this to the Mayor's office first.

MOTION by Ms. Carlson to accept the application for Oak Avenue Baseball Fields for the City of Torrington, replacing an 18 inch pipe with a 24 inch pipe, and for the violation, Ms. Barbieri will bring the matter to the Mayor and address it with the Street Department, and they all need to be educated maybe with a DEP course as well as an in-service by Ms. Barbieri. Motion seconded by Ms. Altman, unanimously carried.

b. Location: 332 McKinley Street  
Owner: Mark & Donna Greco  
Activity: Relocate seasonal watercourse

Ms. Barbieri reviewed the past meeting the Grecos had with this Commission to see if it was feasible for them to relocate the run-off from through their property to around their property. They were given the thumbs up and engineering plans were submitted.

Mark Greco appeared and submitted photos, and briefly explained the proposal.

MOTION by Ms. Altman to accept the application for 332 McKinley Street, Mark and Donna Greco, Relocate seasonal watercourse, seconded by Mr. Telman, unanimously carried.

c. Location: 52 Peck Road  
Owner: 52 Peck Road Associates, LLC  
Activity: construction of additional parking within regulated area

Mr. Bate noted this application was withdrawn. With Ms. Barbieri's and Mr. Fabbri's help, they were able to relocate the additional parking spaces elsewhere on the property that did not require a wetlands permit.

d. Location: Tarringford Street (Assessor Map 143-3-7)  
Owner: Tasim Klenja  
Activity: House construction and grading within regulated area

Ms. Barbieri briefly reviewed the past applications on this site. (#860)

MOTION by Ms. Carlson to accept Tarringford Street, Assessor Map 143-3-7, owner: Tasim Klenja for house construction and grading within regulated area, seconded by Mr. Telman, unanimously carried.

e. Location: 1477 Tarringford Street  
Owner: William J. Bartley  
Activity: New house construction within upland regulated area  
(New lot creation)

Mike Grier, engineer with CCA Engineering and Surveying appeared representing the applicant.

A presentation was given, referring to site maps. Ed Pollack did a wetlands soils review in June 2005.

Commission members felt this was a significant activity.

MOTION by Mr. Telman to accept the application for 1477 Tarringford Street, owner: William J. Bartley for new house construction within upland regulated area, new lot creation, and that this is a significant activity requiring a public hearing, seconded by Ms. Altman, unanimously carried.

Ms. Barbieri noted the public hearing will be January 20, 2009.

- f. Location: East Side of Stillwater Pond Road (Assessor Map 224-3-8)  
Owner: Thomas E. Roden  
Activity: New house construction with three wetlands crossings

Ms. Barbieri provided site details of the site.

Mike Grier from CCA Engineering and Surveying appeared representing the applicant. A presentation of the proposal was given (#1350). Discussion followed on possibly moving the driveway, referring to site maps.

MOTION by Mr. Telman to accept East Side of Stillwater Pond Road (Assessor Map 224-3-8), Thomas E. Roden, New house construction with three wetlands crossings, seconded by Ms. Carlson, unanimously carried.

- g. Amendments to Inland Wetlands Regulations in response to PA 05-24, New Sections 7.11, 1.8 & 10.9  
Applicant: City of Torrington  
Proposal: Regulation amendments, set public hearing date

Commission members have received a memo outlining the proposed changes.

MOTION by Mr. Telman to set a public hearing date of February 17, 2008, seconded by Ms. Altman, unanimously carried.

- h. Violation  
Owner: John and Linda Spuroskey  
Location: 44 Dennison Drive  
Violation: shed constructed in regulated area without permits

This item has been removed from the agenda.

- i. Applicant: Montagna Estates, LLC  
Location: Mountain Road, Assessor Map 232-3-1 & 6  
Activity: 26 lot subdivision with grading and driveways within upland regulated area.

Darin Overton of Milone & MacBroom appeared before the Commission, site development plans were reviewed. (#1750)

Ms. Barbieri recommended a public hearing for the public interest, the plan is much improved.

MOTION by Mr. Telman to accept applicant: Montagna Estates, LLC, Location: Mountain Road, Assessor Map 232-3-1 & 6, 25 lot subdivision with grading and driveways within upland regulated area, with public hearing for public input, seconded by Ms. Altman, unanimously carried. Ms. Barbieri stated the public hearing will be January 20, 2009.

Ms. Barbieri noted there will be a review with Sean Hayden, to look at it from a low impact standpoint.

**6. Staff Report:**

- i. a. 1023 New Harwinton Road, Violation Compliance, Richard M. Condon

Ms. Barbieri stated this site is in a full violation now, they were close to compliance and are now moving backwards. She will be sending out a violation in January, for the January meeting.

- b. Violation Update  
Location: Pumping Station Road, Assessor Map 202-1-1  
Owner: Sam Mazzarelli  
Violation: Clearing and filing of wetlands; non-conformance with IW permit WC05-27

No new information from Mr. Mazzarelli to report.

- ii. Agent Determinations:

- a. 420 Winsted Road, site redevelopment, Lowes, Dudrow Torrington LLC, subdivision of property  
b. Vista Drive & South Main Street, install storm water drainage pipe and catch basin, within upland regulated area  
c. 780 Litchfield Street, Hungerford Center, construct addition within upland regulated area.

Ms. Barbieri briefly reviewed the agent determinations.

Ms. Barbieri briefly reviewed the subdivision application on Torrington West Street from Ensurv, one lot will be split out for sale for a house lot, the other lot will be left as an unbuildable lot now, pending the outcome of the legal case.

**7. Adjournment:**

MOTION by Ms. Altman to adjourn, seconded by Ms. Carlson, motion unanimously carried at 8:10 p.m.