

**CITY OF TORRINGTON
INLAND WETLANDS COMMISSION
MINUTES
July 21, 2009**

Present: Jay Bate, Jr., Chairman
Nancy Schroeder Perez, Vice Chairwoman
Jane Bakker, Secretary and Member
Kathy Carlson, Member
Tom Telman, Member
Doris Murphy, Member and P&Z Liaison

Also Present: Kim Barbieri, Inland Wetlands Enforcement Officer

Not Present: Christine Altman, Member

1. **Call to Order:** Chairman Jay Bate called the meeting to order at 7:00 p.m., Sullivan Senior Center, Shuffleboard Room, 88 East Albert Street, Torrington, CT

2. **Roll Call and Announcement:**

Chairman Jay Bate announced present and serving on the Commission this evening will be Nancy Schroeder Perez, Jane Bakker, Kathy Carlson, Tom Telman and Jay Bate.

Also

present is Inland Wetlands Enforcement Officer Kim Barbieri.

3. **Minutes for Approval:**

a. 6/15/09

MOTION by Ms. Bakker to approve the 6/15/09 minutes, seconded by Ms. Perez, motion carried with Mr. Telman abstaining from voting.

4. **Executive Session:**

Jay Bate, Nancy Schroeder Perez, Jane Bakker, Kathy Carlson, Tom Telman, Kim Barbieri, Attorney Perly Grimes, Bill Colby, Ron McCarthy, and Corporation Counsel Ernestine Weaver entered into executive session to discuss pending litigation. Doris Murphy entered executive session approximately 5 minutes late.

5. **Old Business:**

a. Owner: Daniel Stoughton, AJK, LLC
Location: Winsted Road, Assessor Map 242-3-1
Violation: clearing of wetland buffer plantings within upland regulated area and filling of wetlands, no permits

Tom Iffland appeared representing AJK, LLC. Mr. Iffland had a map and pointed to pine trees and stock piles on the map. He stated the stockpiled dirt is not even close to the wetlands.

Ms. Barbieri stated the activity is outside of the wetlands boundaries based on the maps, and the wetlands violation can be dropped and floodplain issues will be handled separately.

MOTION by Ms. Perez to WAIVE the violation on the subject site, seconded by Ms. Bakker, unanimously carried.

5. New Business:

- a. Applicant: AJK, LLC
Location: Winsted Road, Assessor Map 236 - 1 - 10 & 11
Activity: Storm drainage discharge, earth excavation site

Mr. Tom Iffland appeared representing AJK, LLC. He stated this is just a renewal. He did not have any updated maps and was not prepared to make a presentation. Ms. Barbieri noted information is needed for the discharge and approval.

Ms. Barbieri suggested tabling this to next month.

MOTION by Ms. Perez to table this agenda item, seconded by Mr. Telman, unanimously carried.

- b. Applicant: AJK, LLC
Location: Winsted Road, Assessor Map 236 - 1 - 9
Activity: water service connection in road, construct drive for scale and trailer for adjacent quarry, regulated area

Maps were not available for this application and Mr. Iffland was not prepared to make a presentation.

MOTION by Ms. Perez to table this agenda item, seconded by Ms. Murphy, unanimously carried.

- c. Applicant: Noah Johnson
Location: 32 Grove Street
Activity: Fill portions of backyard within upland regulated area.

Noah Johnson appeared before the Commission and explained his proposal, a sketch was distributed to the Commission, the property owner wants to level out the backyard to make it easier to maintain. A fence will be moved back with about a five foot grade difference. The area will be seeded. Mr. Johnson answered questions from Commission members

MOTION by Ms. Bakker to accept the subject application, seconded by Ms. Perez, unanimously carried.

- d. Applicant: Torrington Senior Living, LLC
 Location: Litchfield Street at Newberry Brook
 Activity: Minor grading and construction of groundwater recharge system
 within upland regulated area associated with the construction of a
 senior living community

Ms. Perez noted for the record that she is close family friends with some of the parties, but feels she can be objective in this matter.

Attorney Peter Herbst appeared representing Torrington Senior Living LLC. This site consists of 16.7 acres on the north side of Litchfield Street. Work began on this project 16 months, meetings have occurred with Kim Barbieri, Martin Connor, City Planner and the former Assistant City Engineer Rob Trottier. Ed Pollock is the wetlands scientist. The project itself will be 152 units, a combination of independent living, assisted living and memory care. A previous application before the Planning and Zoning Commission was approved to change the regulations to allow these three uses in one building. Ken Hrica is the project engineer.

Mr. Herbst introduced Steve Marcus, one of the two principals in this project. Mr. Marcus appeared before the Commission. The other principal, Joe Roche, was unable to attend this evening. Mr. Marcus explained his background in health care and how this project will benefit the community, keeping elders in their own community (#395).

Ken Hrica, professional engineer and licensed land surveyor appeared before the Commission and distributed copies of the project report to the Commission. There are 5.1 acres of wetlands on this site. Maps were presented and reviewed. Total development will be 6.92 acres. The building footprint will be 65,583 sq. ft., there is a courtyard in the middle of the building which is intended for the memory impaired residents. The building itself is 60,560 sq. ft.

A green roof is proposed for the middle of the building which is just under 32,000 sq. ft. Mr. Hrica provided details on the green roof and planting methods/trays.

Mr. Hrica explained there is a high ground water table, and the site slopes exclusively to the west, all the of the site drains to the wetlands surrounding Newbury Brook. Mr. Hrica explained the retaining walls and recharging areas that will collect most of the water that flowed underground. (#700)

Mr. Hrica discussed how the parking lot drainage will be handled through a series of three detention basins.

Ms. Carlson inquired about lighting, and Mr. Hrica explained the lighting that will be used in the courtyard. The lighting will be contained within the courtyard and the space would be used primarily during the daytime.

Mr. Bate inquired about the height of the retaining walls, and Mr. Hrica referred to maps and provided information, including information on planter blocks. Ivy will be planted to

overflow the walls to take away the starkness of the retaining walls' concrete. Mr. Telman inquired about the steepness of the property, and Mr. Hrica provided details and elevations.

Discussion follow on site details and relation to Arizona Street.

Ms. Barbieri noted the Commission is accepting tonight, and a determination is needed as to whether this is a significant activity or not.

Ms. Perez feels this is a significant activity, especially because of what they learned the last time this site was before the Commission. Commission members agreed.

MOTION by Ms. Perez to accept the subject application and it is a significant activity requiring a public hearing, seconded by Ms. Bakker, unanimously carried.

Ms. Barbieri noted the public hearing will be held at the August 18 meeting.

- e. Taco Bell of America
Location: 1795 East Main Street
Activity: Construct Taco Bell Restaurant with associated grading, drainage and paving within upland regulated area and discharge to a wetland.

Chris Tymula from MHF Design appeared representing Taco Bell of America. Mr. Tymula gave a presentation, referring to site maps. The stored soils currently on site will be removed if and when the Taco Bell is built. (#1295)

Ms. Murphy questioned the flow of traffic which appears to exit onto Toringford Street. Mr. Tymula responded this proposal is based on recommendations received from the DOT. Traffic patterns were discussed.

Drainage was discussed by Mr. Tymula.

MOTION by Ms. Perez to accept the subject application, this is not a significant activity, seconded by Ms. Bakker, unanimously carried.

- f. Applicant: City of Torrington
Location: Naugatuck River Flood Control Project
Activity: Bank clearing of Naugatuck River per Army Corps requirements

Jerry Rollett, Public Works Director for the City of Torrington, appeared before the Commission. This is the second phase of this project as required by Army Corps. Details were provided by Mr. Rollett. Phase I was approved by this Commission a couple years ago. Mr. Rollett referred to a map outlining the areas to be cleared. (#1600)

Mr. Rollett answered questions from Commission members and Ms. Barbieri. This clearing is important as there are many invasive species in this area. Discussion followed amongst Ms. Barbieri, Mr. Rollett and Commission members.

MOTION by Ms. Perez to accept the subject application, and a public hearing will be scheduled in August, seconded by Ms. Bakker, unanimously carried.

6. Staff Report:

Agent Determinations:

- i. Activity: House construction within upland regulated area
Applicant: Joseph Maneca
Owner: Joseph Maneca
Location: 10 Arbor Ridge Road

- ii. Activity: House construction with minor grading within upland regulated area
Applicant: Dominick Colucci
Owner: Dominick Colucci
Location: Putter Lane, Lot 3

Ms. Barbieri briefly explained the agent determinations.

- a. Violation
Owner: U.S. Postal Service
Location: 185 East Elm Street
Violation: Excavation within 100 feet of a watercourse without permits

Ms. Barbieri explained the postal officials were unaware of the watercourse along their boundary. A check/application has been received and Ms. Barbieri is working with them to resolve the permitting issue.

- b. Violation
Owner: Antonio and Pasqualina Assesi
Location: 400 Fairlawn Drive
Violation: Filling within regulated area without permits

Ms. Barbieri explained the small filling of this area, the owners were just trying to level out a part of their back yard. Ms. Barbieri handled this as a violation and is working with the property owners.

7. Adjournment:

MOTION by Ms. Bakker to adjourn at 8:35 p.m., seconded by Ms. Perez, unanimously carried.