

**CITY OF TORRINGTON
INLAND WETLANDS COMMISSION
MINUTES
March 16, 2010**

Present: Jay Bate, Jr., Chairman
Nancy Schroeder Perez, Vice Chairwoman
Kathy Carlson, Member
Tom Telman, Member
Jane Bakker, Member/Secretary, arrived 7:03
Christine Altman, Member, arrived 7:03

Also Present: Kim Barbieri, Inland Wetlands Enforcement Officer

Not Present: Doris Murphy, Member and P&Z Liaison

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

2. **Roll Call and Announcement:** Chairman Bate announced present and serving on the Commission this evening will be Nancy Schroeder Perez, Kathy Carlson, Tom Telman, and Jay Bate. Also present is Inland Wetlands Enforcement Officer Kimberly Barbieri.

3. **Minutes for Approval:**
 - a. 3/2/10

MOTION by Mr. Telman to approve the 3/2/10 minutes, seconded by Ms. Carlson, unanimously carried.

4. **Old Business:**
 - a. Applicant: Greenbriar Estates, LLC
Location: Notting Hill Gate and Wimbledon Gate North
Assessor Map 219 Block 1 Lots 85, 162, 48, 165
Activity: Remove three culverts/roadway crossings, stabilize embankment (Army Corps of Engineers mandated stream/wetland restoration)

Kenneth Hrica, professional engineer and licensed land surveyor appeared on behalf of the applicant. Mr. Hrica provided updated drawings. Commissioners Jane Bakker and Christine Altman arrived at this point. Mr. Hrica provided details of the culverts as mandated by the Army Corps of Engineers.

Mr. Hrica noted Ms. Barbieri's memo dated 3-11-10, and he has had discussions with Ms. Barbieri. Stumps and other obstructions were requested to be part of the design to discourage the use of ATVs in this area. Former staff members at the Army Corps did

not want water impounded, and Mr. Hrica will talk to the new staff about using some of the existing culverts to control the flow of the water going into the Gulf Stream. He will ask if the Corps considers this a remediation technique. Details were provided. Grading was discussed.

MOTION by Ms. Perez to APPROVE the subject proposal with the stipulation that Ms. Barbieri was to write a letter to Army Corps stating that a permit was issued but the Commission had grave concerns about any increase in flow to the already volatile Gulf Stream watershed. Motion seconded by Ms. Altman, unanimously carried.

5. New Business:

- a. Applicant: Robert and Christine Richard
Location: 160 Dawes Avenue
Activity: Construct 25' x 27' addition within upland regulated area, clear trees near Troy Brook .

Robert Richard of 160 Dawes Avenue appeared and explained the addition he wants to construct. The final addition would come within 55 feet of the brook.

Ms. Barbieri did not have a concern with the addition. She wanted the Commission to review the tree clearing near the bank of the brook. Mr. Richard explained his neighbor has a retaining wall, and there are larger trees close to the house, and this would be the time to take some of those trees down. He motioned with his hands to demonstrate the size of the tree diameter. (Approximately 18")

Mr. Bate noted this may be a tree holding soil back, and inquired what happens with the soil after the tree is down. Ms. Barbieri responded if the tree was cut down and the stump left in tact, the roots would help maintain it until something else could grow in. If the tree is cut and take out the roots, then it's open to erosion and would cause many problems. It will change the flow of the stream, any stream by definition of nature are eroding, that's what streams do. Anything that can be done to keep roots on the streambanks and to stabilize that area will need to be done. The neighbor's retaining wall was built about 55 years ago, and would not be done today. Natural areas near a stream should be maintained, when lawn fertilization is taking place, then the fertilizer will not go straight into the water.

Ms. Altman expressed reservations about the trees along the bank being cut, and it does not seem necessary for the addition.

Mr. Telman would go along with trees being cleared for the addition, but not removing trees 40 to 55 feet away from the addition.

Mr. Richard said he would be willing to replace the trees with smaller plant material. The map and photos were reviewed and discussed.

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

Ms. Barbieri inquired if an alternate planting plan would be considered. Ms. Altman stated the trees look healthy and are over 50 feet away from the house. A developer would never be allowed to remove such trees. It's a hard call for her to say go ahead and get rid of it.

Individual trees on site were discussed, referring to the plan. Mr. Richard said his whole back yard will continue to get more shady, and the tree will continue to grow and cause a problem.

Ms. Barbieri informed the applicants they may bring in an alternative plan for the next meeting on April 20.

- b. Applicant: Gene Barbero/LARC
Location: 450 South Main Street
Activity: Construct adult daycare center within upland regulated area

Bob Green of Robert Green Associates, 6 Old Waterbury Road, Terryville, CT, appeared representing the applicant. This is currently vacant land with a proposal for an approximately 9,000 sq. ft. adult day care center. Presentation continued, referring to site maps. (#1135) Gene Barbero and Architect Mike Boe were also present. The planting plan for the rain gardens is being worked on now. There is a large specimen maple which will remain.

Mike Boe, Architect for the project and LARC Board Member appeared before the Commission and gave a presentation.

Ms. Barbieri explained the water sheet flows into the stream. On a site such as this we don't do detention because we want that water to get into the stream and move along before the peak flows. We have asked for a water quality methods to be used. There is a natural bank on the stream without much cover, there is an electric line that goes overhead so many trees overhead have been trimmed. This is a very sandy area and they have worked with the engineers to handle the water in the best method for this type soil.

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

6. Public Hearing scheduled for 7:30 p.m., March 16, 2010, Sullivan Senior Center, 88 East Albert Street, Torrington, CT

- a. Applicant: T & M Building Co., Inc.
Location: 505 Harwinton Avenue (Assessor Map 127-19-19 & 25)
Activity: Construction of 78 new condominium units, upland regulated area
(Public hearing continued from 3/2/10)

This application has been withdrawn by the applicant.

7. **Staff Report:**

Agent Determinations: None

Set public hearing date for Inland Wetlands Regulation Changes per Department of Environmental Protection.

MOTION by Ms. Bakker to set a public hearing date of April 20, 2010 for regulation changes, seconded by Ms. Altman, unanimously carried

8. **Adjournment:**

MOTION by Mr. Telman to adjourn at 7:45 p.m., seconded by Ms. Bakker, unanimously carried.

Lona Kirk, Land Use Office
Inland Wetlands Commission