

**CITY OF TORRINGTON
INLAND WETLANDS COMMISSION
MINUTES
June 15, 2010**

Present: Jay Bate, Jr., Chairman
Jane Bakker, Member and Secretary
Christine Altman, Member
Doris Murphy, Member and Planning & Zoning Liaison
Tom Telman, Member

Also Present: Kimberly Barbieri, Inland Wetlands Enforcement Officer

Not Present: Nancy Schroeder Perez, Vice Chairwoman
Kathy Carlson, Member

1. Call to Order:

Chairman Jay Bate called the meeting to order at 7:00 p.m., Torrington City Hall, Room 218, Council Chambers, 140 Main Street, Torrington, CT

2. Roll Call and Announcement:

Chairman Jay Bate announced present and serving on the Commission this evening will be Commissioners Jane Bakker, Christine Altman, Doris Murphy, Tom Telman and Jay Bate, Jr.. Also present is Inland Wetlands Enforcement Officer Kimberly Barbieri.

3. Minutes for Approval:

a. 4/20/10

MOTION by Ms. Murphy to APPROVE the 4/20/10 minutes, seconded by Ms. Bakker, motion carried with Mr. Telman abstaining from voting..

4. Old Business:

a. Applicant: Dennis E. Andrews, Jr.
Location: Migeon Avenue, Assessor Map 222-5-33
Activity: Two lot subdivision

Dennis Andrews appeared before the Commission. Ms. Barbieri provided clarification for the Commission, there is a paper street that runs through the property that will be divided. Apparently whenever the City of Torrington abandoned this street, it was done wrong and effectively did not remove the street, it just removed our use of the street. It is owned by a huge land company that owns land all over the country. We are now

assuming the road is now the property line, and his property is much smaller. What we would like to do is switch this from subdivision to site development. The plan was presented at last month's meeting. Ms. Barbieri reviewed the maps with the Commission and provided further site details.

MOTION by Ms. Altman to GRANT a permit for site development, building lot and driveway within regulated area, seconded by Ms. Bakker, unanimously carried.

5. New Business:

- a. Applicant: 65 Grant Street LLC
Location: Oak Avenue, Assessor Map 128-2-18
Activity: Placement of gravel as impervious area, storage area for mobile containers.

There was no one present to represent the applicant.

Ms. Barbieri briefly reviewed the plan that was submitted by the applicant. Albreada needed a place to store their empty containers. We have been assured this will not be a transfer station. We have been assured there will be no waste will be held on this site, it's just for empty storage containers whenever they come in and before they go out, and they are on a rotating basis. The DEP has reviewed this as a portion of this property is in the channel encroachment line. These lines were established after the flood to determine an area that you could not build in. They have received approval from DEP to store containers in there because they are not permanent and they could be removed. They can provide some sense of screening, so we do not get wash from the dumpsters going into the river. The storage area will be gravel. The dotted line is actually the top of the levy so there is a height of a berm behind it to control, and filter through the water, so there is no direct output from that area to the river.

MOTION by Ms. Bakker to accept the subject application, motion seconded by Mr. Telman, motion unanimously carried. This is not a significant activity.

MOTION by Ms. Murphy to add the following agenda item by 2/3rds vote, seconded by Mr. Telman, unanimously carried.

Property Owner: Lance Boyton & Heather Sulkowski
Location: 2024 Weed Road
Violation: Clearing of wetlands and of land within 100 feet of a watercourse and working within a watercourse without permits.

Lance Boyton appeared and apologized, he has a Phragmites stand that is 120 feet long, he took out part of that as an access to the house, and they are putting in a path down to Timber Lake. The work is 100 feet from Timber Lake and he was unaware he was in a restricted area. Ms. Barbieri had asked the person there to stop work. He is looking for guidance as to what is the next proper step. He had a list of native species he wanted to reintroduce to the area.

Ms. Barbieri noted there are wetlands soils in the area of the Phragmites stand. There is a watercourse or drainage area being cut in.

Mr. Boyton responded when the house was built six years ago, the gutters and pipe from under the house tie in and dump out right in that area. Ms. Barbieri questioned whether there would be a plunge pool there or some other plan. Mr. Boyton said they are trying to improve the appearance of the area, there is a stone wall and a staircase, and there will be a path. Native ferns are being put back, and other native plants as well. Maybe a Japanese garden type bridge would be put in.

Ms. Barbieri informed the Commission the property owner is entitled to clear twenty percent of their frontage, to make sure they have use of the lake, so that is well within their property rights.

Ms. Altman said clearing the manmade invasives is great and she thinks aesthetics is fabulous, she is concerning about erosion control. She cannot tell if it is a watercourse, or if it is a ditch. They need more of an idea of the overall project and what is actually being done.

This photo was being taken after a big rainfall. Mr. Boyton said the ditch filled in with rainwater.

Commissioners asked questions, pointing to photos. Discussion followed. (Portions inaudible with several conversations at once).

Beavers in the lake were discussed, and Ms. Barbieri outlined the method that problem beavers are handled by the DEP. Ms. Barbieri will provide DEP contact information to Mr. Boyton. Mr. Boyton said there are over 30 beavers in this lake.

Mr. Boyton will return to the Commission with a plan. Commission members agreed that a regular application fee will be paid.

MOTION by Mr. Telman for property owners to pay a \$125.00 application fee, the Commission will waive the violation fee, and the owners will appear at the next meeting (July 20, 2010) with a plan. Motion seconded by Ms. Altman, unanimously carried.

6. Staff Report:

. 391 New Litchfield Street, Inland Wetlands Activity, Mike & Heidi Novajasky

Ms. Barbieri noted the Novajaskys appeared before the Commission a couple years ago, and had built a few walls to get the machinery out there. It appears the yard is being expanded now. A letter has been sent requesting more information.

Agent Determinations:

. 851 Goshen Road, Christopher Laux, Driveway culvert replacement

Per Ms. Barbieri, this property has received several permits for multiple additions. This house had gone into foreclosure, and the twin 48" diameter pipes collapsed. The new owners bought the property, and Ms. Barbieri recognized this as an emergency situation, and the new owners ordered a new pipe which is much larger. There is a lot of water that comes off the hillside, and a curtain drain will be put in at the bottom of the hill. The house foundation had been damaged by the water coming off the hill.

7. Adjournment:

MOTION by Mr. Telman to adjourn, seconded by Ms. Bakker, unanimously carried.

Lona Kirk, Land Use Office
Inland Wetlands Commission