

**CITY OF TORRINGTON  
INLAND WETLANDS COMMISSION  
MINUTES  
March 20, 2012**

Present: Jay Bate, Jr., Chairman  
Christine Altman, Vice Chair  
Jane Bakker, Secretary/Member  
Nicole Bastiannse-Fritch, Member  
Tom Telman, Member

Also Present: Kimberly Barbieri, Inland Wetlands Enforcement Officer

Not Present: Kathy Carlson, Member  
Doris Murphy, Member and Planning and Zoning Liaison

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

2. **Roll Call and Announcement:**

Chairman Bate announced present and serving on the Commission will be members Jane Bakker, Nicole Bastiannse-Fritch, Tom Telman, Christine Altman and Jay Bate. Also present is Inland Wetlands Enforcement Officer Kimberly Barbieri.

3. **Minutes for Approval:**

- a. 1/17/12

MOTION by Ms. Altman to approve the 1/17/12 minutes, seconded by Mr. Telman. Motion carried with abstention from Ms. Fritch

4. **Old Business:**

- a. Violation  
Owner: Mt. Top Trucking, Daniel Stoughton, Member  
Location: Winsted Road, Assessor Map 242/003/001  
Violation: Expanded work area within upland regulated area without permits (WC09-37)

Attorney Jerome Sanchy appeared before the Commission representing the property owner. Mr. Sanchy had a letter dated February 21, 2012, he had prepared stating their position stating they did not violate the regulations. Mr. Sanchy read the letter into the record, they dispute they clearcut in the regulated area, as cut down only one tree. His client requests the violations be removed.

Ms. Barbieri noted she has not seen this letter prior to tonight and was therefore not fully prepared to address all issues. Ms. Barbieri generally agrees with Mr. Sanchy's interpretations for the most part, but noted this was a violation issued for violating conditions of the owner's approval in permit WC09-37 (Ms. Barbieri read excerpts from the permit).

Ms. Barbieri stated there was a single tree cut 6-8" in diameter, but the predominance of vegetation cut was shrubs, grasses, etc.

Ms. Barbieri referred to an older violation by Mr. Fragale along the Still River, where he was required to restore it back to its native cover, and the Army Corps of Engineers was involved with that violation as well.

Ms. Barbieri wishes to address Mr. Sanchy's letter in a formal way, which can be done at the next meeting.

Mr. Sanchy read portions of the Inland Wetlands Regulations regarding cutting.

Discussion followed.

MOTION by Mr. Telman to table the subject item, seconded by Ms. Altman, unanimously carried.

- b. Applicant: Michael R. Rossi III  
Location: Migeon Avenue (Assessor Map 222-5-35)  
Activity: Construct two commercial buildings within upland regulated area

William Colby, P.E. appeared representing the applicant and gave a presentation of the proposal.

Mr. Telman inquired about the possibility of constructing something smaller, Mr. Colby responded this was an economics matter, and what will make this work for him.

Ms. Barbieri referenced Greg DiMichel's parking lot on East Main Street, with permeable pavers and Ms. Barbieri explained how that system works.

MOTION by Ms. Altman to GRANT a permit for the subject proposal, and if substantial changes are made during the Engineering process and reviewed by Ms. Barbieri, the applicant shall return to this Commission for a modified permit. Motion seconded by Mr. Telman, unanimously carried.

## 5. New Business:

- a. Violation  
Owner: David and Lynn Amato  
Location: 20 Barbaret Road  
Violation: Material deposited within upland regulated area without permits

David Amato appeared before the Commission. Ms. Barbieri stated this is a large lot, and regrading is being done. The owner wished to obtain wood chips to stabilize the slopes. Mr. Amato has acquired woodchips, and the chips were placed near the river in an area vulnerable to flooding (portions inaudible). Ms. Barbieri stated the site was fine within one week of noticing, Mr. Amato moved the material up the hill out of the regulated area.

MOTION by Ms. Altman to return the After The Fact Violation Fee to David and Lynn Amato, seconded by Ms. Bakker, unanimously carried.

- b. Violation  
Owner: Peter Ledda  
Location: Winsted Road, Assessor Map 241-2-1  
Violation: Work in stream without permits, Revoke WC11-09

Ms. Barbieri explained a neighbor called complaining of Mr. Ledda doing work in the stream. Ms. Barbieri viewed an area up front near the road, an area that appears to have been straightened out. Photos were reviewed and explained by Ms. Barbieri, this is on State right of way property.

Peter Ledda appeared and explained he had been clearing some brush for a site plan, his wife is going to start a business up there. His neighbor often throws debris down the bank and blocks the river causing the brook to run onto Mr. Ledda's property. He just cleaned his brook with his machine, he did not know this required a permit. Meanwhile the brook is carving a path through his property.

Ms. Barbieri explained to contact the State if the situation is in the State right of way. Ms. Barbieri stated the situation is where it used to be, erosion is still occurring.

Discussion followed.

MOTION by Ms. Bakker to not revoke the permit, waive the violation fee, and recommend that Mrs. Barbieri meet with the owner and neighbor with DOT to resolve drainage issues, motion seconded by Ms. Altman, unanimously carried.

- c. Violation  
Owner: Santoshi LLC, Aruna Desai  
Location: 3570 Winsted Road  
Violation: Deposition of junk and fill along streambank, no permits

Aruna Desai appeared and said he did not dump anything on the streambank (portions inaudible). He said he cleans up at least twice a year. He said he had nothing to do with Mr. Ledda's complaints. He agreed that he did place telephone poles against the trees at the top of the bank but that was only for safety reasons.

Ms. Barbieri reviewed the erosion concerns of the neighbor's property, and Ms. Barbieri noted the large number of telephone poles on the banks. Ms. Barbieri suggested a meeting amongst Mr. Ledda, Mr. Desai and the DOT, and look for a direction from DOT as it is their discharge.

Ms. Barbieri reviewed maps of area, and the State right of way.

MOTION by Ms. Altman to waive the After the Fact Fee for the subject violation, and Ms. Barbieri will coordinate between Peter Ledda, Santoshi LLC and the State, motion seconded by Ms. Bakker, unanimously carried.

**6. Staff Report:**

. WPCA, Right of way clearing.

Ms. Barbieri distributed a memo from Ray Drew, WPCA Administrator outlining the WPCA

areas of clearing, as planned for the sewer right of ways which have not been cleared in twenty years.

Agent Determinations:

. 200 Middle School Road, Torrington Little League.

Ms. Barbieri explained this Agent Determination.

**7. Adjournment:**

MOTION by Mr. Telman to adjourn at 8:17 p.m., seconded by Ms. Altman, unanimously carried.

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Land Use Office  
Inland Wetlands Commission