

**CITY OF TORRINGTON
INLAND WETLANDS COMMISSION
MINUTES
July 17, 2012**

Present: Jay Bate, Jr., Chairman
Christine Altman, Vice Chair
Doris Murphy, Member and PZC Liaison
Jane Bakker, Member and Secretary
Tom Telman, Member

Also Present: Kimberly Barbieri, Inland Wetlands Enforcement Officer

Not Present: Kathy Carlson, Member
Nicole Fritch, Member

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 this evening will be Christine Altman, Doris Murphy, Jane Bakker, Tom Telman and Jay Bate. Also present is Inland Wetlands Enforcement Officer Kimberly Barbieri.

3. Minutes for Approval:

a. 6/19/12

MOTION by Ms. Murphy to approve the 6/19/12 minutes, seconded by Ms. Bakker, motion carried.

4. Old Business:

a. After The Fact Permit Application

Owner: Lakeridge Association

Location: 811 Burr Mountain Road

Violation: Material deposited within upland & regulated area without permits,

Culverts installed no permits. Stream modification, three crossings.

Ms. Barbieri reviewed that at the last meeting Mr. Battista of Lenard Engineering presented this plan, regarding the site facts.

Mr. David Battista was present and available to answer any questions. Mr. Battista provided more details regarding the size of the trails and the time frame of completing the project.

MOTION by Ms. Bakker to APPROVE a permit for the above referenced proposal, seconded by Ms. Murphy, motion carried with Ms. Altman and Mr. Telman abstaining from voting.

A (name inaudible) woman from the Lakeridge Association appeared before the Commission and thanked the Commission and Ms. Barbieri.

- b. Applicant: Sunset Hill Restoration
Location: 30 Peck Road
Activity: Construct water quality basin, minor regrading and repave existing parking

Dennis McMorrow of Berkshire Engineering and Surveying appeared representing Sunset Hill Restoration. A revised parking plan was reviewed by Mr. McMorrow, the water quality basin was reviewed as well. Site details and plans were explained by Mr. McMorrow.

Ms. Barbieri has met with Mr. McMorrow to review changes that were made to the plan, so that water leak-offs were not all concentrated in one area. The landscape plan is being developed as well, there will be a buffer behind the water quality basin. Winterberry will be used in that area, and a seed mix will be chosen. The basin will be mowable which will make it easy to maintain. This basin bottom will be mowed inside at least once or twice a year, and regular mowing around the basin. The applicant is doing more than what is minimally required.

MOTION by Ms. Bakker to APPROVE a permit for Sunset Hill Restoration, for the proposed activity, seconded by Ms. Murphy, motion carried with Ms. Altman and Mr. Telman abstaining from voting.

5. New Business:

- a. Applicant: Hartford Dispensary
Location: 241 Kennedy Drive
Activity: Construction of building addition and parking area within upland regulated area.

Attorney Diane Whitney of Pullman and Comley in Hartford appeared representing the applicant. Also present were Rob Hiltbrand, engineer; Biff Schechinger, landscape architect and Hans Winkel, architect. The site is shabby right now, and is presently zoned Industrial Park. A new floating zone is being proposed for the 2.8 acre site. The Boy Scout Council owns the site, and the building is vacant now. An addition is proposed to increase the square footage to 5,500 square feet. Impervious surface will be increased slightly to 16.4 percent. Twenty eight parking spaces will be provided. There are some activities within the upland review area, .82 acres are proposed to be disturbed total.

Robert Hiltbrand, engineer, appeared before the Commission and reviewed the plans, referring to sheet #1. A detailed presentation followed by Mr. Hiltbrand.

Biff Schechinger, Landscape Architect, appeared before the Commission and presented his findings. They are planning to leave what is there. They will be reintroducing healthy native plants and taking out invasive species. Selective clearing will be done, to increase air flow around the building. There is a chestnut tree growing on site being choked by vines which will be cleared out. Understory planting is being concentrated on, not shade trees, to increase sunlight on the site.

Ms. Barbieri noted the preliminary plans showed parking on the far side of the driveway towards Kennedy Drive, and it seemed odd and awkward, and eventually someone would want to fill it in. This is a more honest and functional way for the parking lot to work. Parking will be constructed on existing fill, and more fill will be brought in as well.

MOTION by Ms. Bakker to accept the subject application, motion seconded by Mr. Telman, unanimously carried. It was the consensus of the Commission to set up a site walk. It was determined not to be a significant activity.

- b. Applicant: Community Systems Inc.
Location: 295 Alvord Park Road
Proposal: Parking lot improvements, water quality basin discharge pipe and rip rap pad

Dennis McMorrow of Berkshire Engineering and Surveying appeared before the Commission and gave a presentation of the proposed activity with details regarding the new water quality basin.

MOTION by Ms. Altman to accept the proposed application and that this is not a significant activity, seconded by Ms. Bakker, unanimously carried.

- c. Applicant: Matazalan Enterprises LLC
Location: Westside Lane, Assessor Map 216-1-51
Proposal: New house construction within upland regulated area

Gary Swingle of Matazalan Enterprises LLC appeared and explained his proposal to construct a new single family house. A septic system has been designed and approved.

Ms. Barbieri explained this is a lot of record, dated back to when this area was zoned R15. The zone in the area has since changed to R60 which makes this a legal non-conforming lot. Ms. Barbieri provided details regarding the setbacks, which will involve a variance application with the Zoning Board of Appeals.

MOTION by Ms. Altman to accept the above referenced application, and part of this acceptance is that the house be pushed forward as far as possible. This is not a significant activity. Motion seconded by Ms. Bakker, unanimously carried.

- d. Applicant: Allan Borghesi, Dibble Street Associates
Location: 220 Dibble Street
Proposal: Fill in a small pond (approximately 700 sq. ft.) intended to filter oils

Allan Borghesi of Dibble Street Associates appeared before the Commission and explained his proposal. The subbase for this area is clay, and what happens now is that the water sits in the basin twelve months a year, and complaints are coming in regarding mosquitoes. Garbage also collects in this area. Mr. Borghesi would like to grade out the area, level it out, seed it, and it would look better than it does now.

Ms. Barbieri encouraged Mr. Borghesi to come in, and she would be interested in hearing what Matt Walsh, Assistant City Engineer, has to say about the project. Ms. Barbieri stated this was intended to collect oil run off from the parking lot, non-point pollution.

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

- e. Applicant: Borghesi Building and Engineering Co., Inc.
Location: 474 New Litchfield Street
Proposal: Improve stream flow to minimize erosion and flood damage

Allan Borghesi of Borghesi Building and Engineering Company, Inc. appeared representing Paul and Susan Janco who are owners of the subject property. On occasion, the Gulf Stream develops

substantial volume, which has filled up the riverbed and even crossed the road.

After viewing the site, Mr. Borghesi had spoke with Ms. Barbieri, who referred her to Claire Marie of the State of Connecticut, and he has a completely different opinion on what is occurring here than she does. He was considering concrete to make the area more slippery to get the water out of the bend quicker. Mr. Borghesi explained current stream/site conditions pointing to the site map. There are fallen trees in this area and huge boulders in the area.

Ms. Barbieri had viewed the site in the past during a flooding event and she could hear the boulders moving down stream.

Mr. Borghesi wants to see the trees and boulders cleared out to increase the water velocity.

Mr. Paul Janco appeared before the Commission and stated there are two or three rocks that need to come out, but behind the rocks the area needs attention from the neighbor (portions inaudible). Trees need to be removed. The neighbor's trees have damaged Mr. Janco's roof and it is costing him money for this damage.

Ms. Altman reviewed there are two options, the first is to remove trees and fill the area with rip rap. Mr. Borghesi made hatch marks on the map for the area to clean up and place rip rap.

Ms. Barbieri requested a sketch for the Commission to visually see, and have something they can agree to. Possible solutions were discussed by the Commission, Ms. Barbieri, Mr. Borghesi and Mr. Janco. Mr. Borghesi feels the right solution is to make the area as slippery and fast for the water as possible, and Ms. Marie Claire feels the opposite, she wants the water to be slowed down. The problem is the water flow is too slow now. Ms. Claire is the head of District 4 DOT drainage. Mr. Borghesi said the solution is not for Mr. Janco to go onto State of Connecticut property to try and correct those problems, that will be nothing but trouble.

Per Ms. Barbieri's request, Mr. Borghesi will write a letter explaining these issues and proposal.

Mr. Borghesi requested the fee for this meeting be reimbursed. Ms. Barbieri stated if Mr. Janco is going to get a permit, that needs to be paid for. Mr. Janco stated he should not be paying for something that is not his problem. His property has been damaged three times now.

Ms. Barbieri stated property owners along a stream bear the financial responsibility of maintaining their property. If a problem is occurring upstream or with the State property, Ms. Barbieri suggested Mr. Janco speak with his State Representatives and get them involved. Discussion followed.

MOTION by Ms. Altman to accept the subject application and with the condition that we have a written description of the rip rap and berm and some photos of the current state of the stream and surrounding areas, motion seconded by Mr. Telman, unanimously carried.

6. Staff Report:

Ms. Barbieri reviewed a July 11, 2012 letter from the Army Corps of Engineers giving the Water Company, Steve Cerrutto, a permit to dredge Allen Dam Reservoir, along University Drive. It would be under the Torrington Regulations, as of right maintenance for a water utility. A permit

would be required from the Federal Government.

7. Adjournment:

MOTION by Ms. Altman to adjourn at 8:27 p.m, seconded by Ms. Bakker, unanimously carried.

Land Use Office
Inland Wetlands Commission