

**CITY OF TORRINGTON
INLAND WETLANDS COMMISSION
MINUTES
October 16, 2012**

Present: Jay Bate, Jr., Chairman
Christine Altman, Vice Chair
Jane Bakker, Member and Secretary
Kathy Carlson, Member

Also present: Kimberly Barbieri, Inland Wetlands Enforcement Officer

Not Present: Tom Telman, Member
Doris Murphy, Member and PZC Liaison
Nicole Bastiannse-Fritch, Member

1. Call to Order:

Chairman Jay Bate called the meeting to order at 7:05 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, Jane Bakker, Kathy Carlson and Jay Bate. Also present is Inland Wetlands Enforcement Officer Kimberly Barbieri

3. Minutes for Approval:

a. 9/18/12

MOTION by Ms. Bakker to approve the 9/18/12 minutes, seconded by Ms. Altman, unanimously carried.

4. Old Business:

a. Applicant: Charlotte Hungerford Hospital
Location: 540 Litchfield Street, Assessor Map 112 Block 4 Map 5
Proposal: Construction of parking lot and stormwater basin within upland regulated area

Tim Coon, professional engineer with J.R. Russo & Assoc. appeared before the Commission representing the applicant. A presentation was made at the last hearing, and Mr. Coon briefly reviewed the parking lot updates and additions to the sedimentation and erosion control plan.

MOTION by Ms. Altman to GRANT a permit for Charlotte Hungerford Hospital
Location: 540 Litchfield Street, Assessor Map 112 Block 4 Map 5; Proposal:
Construction of parking lot and stormwater basin within upland regulated area
Motion seconded by Ms. Bakker, unanimously carried.

- b. Applicant: Franklin Products
Location: 147 Water Street
Activity: Water Quality Basin and Parking Construction within upland regulated area.

Ms. Barbieri noted a new plan has been distributed to Commission members for review.

Steve Latour of Berkshire Engineering and Surveying appeared before the Commission representing the applicant. Mr. Latour reviewed plans and details about the changes in the water quality basin. The basin has been replaced with a long deep filtration trench that captures the parking lot stormwater.

Ms. Barbieri provided details regarding the filter trench, construction, etc.

MOTION by Ms. Bakker to GRANT a permit for Franklin Products, 147 Water Street, for water quality basin and parking construction, motion seconded by Ms. Carlson, unanimously carried.

5. New Business:

- a. Applicant: Torrington Water Company
Location: Goshen Road, Assessor Map 214-3-1
Activity: Timber harvest, stream crossings

Jonathan Zeiner, Torrington Water Company, appeared before the Commission and explained the Water Company's proposal for a timber harvest within regulated areas. Most work will occur near Pothier Road and most wood shall be ash. An outside contractor will be hired to complete the timber work.

Ms. Barbieri shared information she recently obtained regarding the Emerald Ash Borer insect and it is wise of the Water Company to remove this timber, and this is a good management technique at this point.

MOTION by Ms. Bakker to accept the application for Torrington Water Company, Goshen Road, Assessor Map 214-3-1 for timber harvest and stream crossing. Motion seconded by Ms. Altman, unanimously carried.

6. Public Hearings scheduled for 7:30 p.m., October 16, 2012, City Hall Council Chambers, Room 218, 140 Main Street, Torrington, CT

- a. Applicant: Greenbriar Estates LLC
- Location: Notting Hill Gate & Wimbledon Gate North
(Assessor Map 219-001-085)
- Proposal: Conservation subdivision, 21 lots with driveways, roads, grading and utilities within the upland regulated area - 1 stream crossing

Ms. Barbieri noted there is a King's Mark report available by e-mail to anyone who wants it, and there is a hard copy in the office for review as well.

Mr. Bate opened the public hearing at 7:30 p.m. and read the legal notice which was published in the Republican American.

Kenneth Hrica of Hrica Engineering and Assoc., appeared before the Commission representing the applicant. Mr. Hrica provided a history of this site and previously approvals that had been obtained.

Referring to site maps/plans, Mr. Hrica gave a detailed presentation of the proposal. The proposal is now for 21 lots, instead of the original 23 lots as initially proposed. Some lots became buffer area after the long driveway lots had been removed.

Chairman Jay Bate opened the hearing to the public.

Jim Howllind was present with other Litchfield property owners, they have retained Peter Herbst to represent them. He inquired when the Army Corps of Engineers Permit would be approved. Ms. Barbieri replied it is a long process, anywhere from six months to two years.

Mr. Hrica stated he is speaking with Army Corps already and it is expected soon, and it should not hold up this approval. Mr. Hrica pointed to the site maps and provided further details near the area where Mr. Howllind lives.

Keith Zordan of 66 Wilson Road, Litchfield, appeared with concerns about crossing the wetlands and why it had to happen. Ms. Barbieri provided details of the meeting with Mr. Hrica and the Conservation Commission regarding the mitigation with the Army Corps of Engineers. The Commission does not want any upland regulated areas on new Conservation Subdivision lots, so that homeowners can put in a shed or a pool, etc. without worrying about the wetlands and everyone knows they don't have to get an extra wetlands permit. The Mayor's Office and the Conservation Commission are very supportive of open space lands. By-laws are being worked on by the Conservation Commission, as more open space is being acquired. Invasion species control will be looked at as well.

Mr. Zordan inquired about the Kings Mark Review and if it is expired. Ms. Barbieri has spoken at length with Elaine Sych of the Kings Mark Review team. There is much general information, soil types, wildlife, soils hydrology, etc. in the review. These types of items do not change that quickly. This plan was originally planned for 234 house lots, and this specific area is now down to 21 lots, in the area that was approximately 70 lots. The wetlands impacts have been significantly lessened by this proposal.

Matthew Sachem of Litchfield, referred to Greenbriar's declaration dated December 1989, and read portions of the document, and inquired about the time line which is contradictory to what is now being done. Ms. Barbieri requested a copy of the document that was read. Mr. Sachem promised to get one to the City.

Ms. Barbieri explained the wetlands mitigation, referring to requirements by the Army Corps of Engineers. Open space can be managed in many different ways.

William Boyles of Wimbledon Gate appeared inquired about transfer of the open space, an explanation was provided by Ms. Barbieri as to how this is accomplished. Mr. Boyles stated severe storms are causing problems on the intersection of Notting Hill Gate and Wimbledon Gate, with three inches of rain, a poor engineering of the roadway is also a problem. Water is shedding onto his property.

Lynn Williamson of 153 Notting Hill Gate appeared, sharing her neighbor's concerns. Her basement flooded three times last year and she is concerned. Most neighbors have suffered from basement flooding. She is concerned with open space use, motorized vehicles and abuse of the open space. She is concerned with the document declaration and development limitation, and it shows in the 1995 documents as well, and she would like that explained more.

Mr. Bates inquired what is the pitch of the proposed road, Mr. Hrica responded the road is crowned the middle and water will shed to the storm drainage system. Mr. Hrica pointed to the map.

MOTION by Ms. Bakker to table this application, seconded by Ms. Altman, unanimously carried.

Ms. Barbieri noted the public hearing will remain open, and resumed at the next meeting on Tuesday, November 20, 2012 at 7:30 p.m. here at the City Hall.

b. Applicant: City of Torrington
Location: Citywide
Proposal: Regulation change for permits, time extensions and permit conditions per PA 12-151

Chairman Bate opened the public hearing and read the legal notice which was published in the Republican American.

Ms. Barbieri explained the regulation changes which were recommended by DEEP. Discussion followed.

There were no comments from the public.

MOTION by Ms. Altman to close the public hearing, seconded by Ms. Bakker, unanimously carried.

MOTION by Ms. Bakker to accept the Regulation Changes for permits, time extensions and permit conditions per PA 12-151, applicant: City of Torrington. Motion seconded by Ms. Altman, unanimously carried.

7. Staff Report:

- a. Violation
Owner: Paul Kalisz
Location: 425 Westledge Drive
Violation: Clearing and grading within regulated area without permits

Ms. Barbieri stated Paul Kalisz will appear at the next Inland Wetlands Commission meeting.

- b. Applicant: Loureiro Engineering
Location: Naugatuck River at NIDEC
Activity: Oil Spill Remediation

Ms. Barbieri noted this matter has appeared before the Torrington Flood and Erosion Control Board and the appropriate Flood Plain Permits will be applied for to do the sheeting.

Agent Determinations:

- a. 557 Wood Duck Road, Jay's Adept Builders, deck and above ground pool within upland review area
- b. 1301 Torrington West Street, Mineshwar Kathuria, three ponds to be cleaned out
- c. 2119 East Main Street, Borghesi Building & Engineering, sewer extension

The Agent Determinations were briefly explained by Ms. Barbieri.

8. Adjournment:

MOTION by Ms. Bakker to adjourn at 8:39 p.m., seconded by Ms. Altman, unanimously carried.