

CITY OF TORRINGTON
INLAND WETLANDS COMMISSION
MINUTES
August 18, 2015

Present: Jay Bate Jr., Chairman
Jane Bakker, Member/Secretary
Doris Murphy, Member and PZC Liaison
Tom Telman, Member
William Storti, Member
Jonathan Andrews, Member

Also Present: Rista Malanca, Inland Wetlands Enforcement Officer

Not Present: Christine Altman, Vice Chair

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 Jay Bate announced present and serving on the Commission this evening will be Jane Bakker, Doris Murphy, Tom Telman, William Storti, Jonathan Andrews and Jay Bate. Also present is Inland Wetlands Enforcement Office Rista Malanca.

3. Minutes for Approval:

a. 6/16/15

MOTION by Ms. Bakker to approve the 6/16/16 minutes, seconded by Mr. Andrews, motion carried with two abstentions, Ms. Murphy and Mr. Telman.

4. Old Business:

none

5. New Business:

a. Applicant: Wes Shelley
Location: 160 Margerie Street
Activity: Build retaining wall within upland regulated area

West Shelley of 160 Margerie Street appeared and explained he is building a retaining wall to prevent further erosion. Ms. Malanca added she made a site visit, and it appears that some digging for the piers will be along the edge of the brook (Troy Brook), and as an agent she cannot approve anything in the brook, it needs to come before this Commission.

Mr. Shelley presented photos to the Commission for their review. Commission members posed questions and received responses from Mr. Shelley. Ms. Malanca stated hay bales will be installed, and Mr. Shelley gave more details of his construction plans.

Ms. Malanca will be making a site visit to ensure no erosion is occurring, Mr. Shelley will notify Ms. Malanca prior to starting any work.

MOTION by Mr. Storti to accept the application of Wes Shelley, 160 Margerie Street, to build a retaining wall within upland regulated area and this is not a significant activity, seconded by Ms. Bakker, motion unanimously carried.

b. Applicant: Borghesi Building and Engineering Co., Inc.
Location: 45 Norfolk Street
Proposal: Construct 1,200 sq. ft. addition and parking within regulated area

Ms. Malanca stated the plans have significantly changed as of today, it was determined part of the proposed building is in the flood plain and the applicant is not going to move forward with the construction. There will be changes to the parking lot, details provided by Ms. Malanca. Ms. Malanca recommended the Commission not take action on the application as submitted, and Ms. Malanca will issue an Agent Determination for the parking lot improvements.

No action by the Commission.

c. Applicant: Sam Mazzarelli
Location: Pumping Station Road; Assessor Map 202 Block 1 Lot 1
Proposal: Modification of existing Wetlands Permit WC09-36

Ms. Malanca provided a brief overview of the current and valid Wetlands Permit, and the changes proposed, and Mr. Mazzarelli had received the OK for changes to the swale by the road crew, but not this Commission.

Mr. Sam Mazzarelli appeared and explained his work and plans that were approved by the City and the Army Corps of Engineers. The original plan called from the edge of the road, out six feet to be tapered three to one which left no shoulder and an ugly area. He had intended for a slope leading into the pond. Details were given by Mr. Mazzarelli. A four to one ratio will be used.

Ms. Malanca reviewed her discussions with City Engineer Ed Fabbri today, who indicated the applicant may not be able to stay on his property with the four to one slope. Ms. Malanca recommended a modification to the permit with the condition that he work

with her and Ed Fabbri to finalize the details of the grading on site. Mr. Mazzealli has done everything the City has asked him to do.

MOTION by Ms. Bakker to approve a modification to Wetlands Permit WC09-36 for Sam Mazzealli, Pumping Station Road, Assessor Map 202, Block 1, Lot 1, for modification of existing wetlands permit with the condition that Mr. Mazzealli work with Rista Malanca and Ed Fabbri to finalize the details of the grading on site, motion seconded by Mr. Andrews.

- d. Applicant: Borghesi Building and Engineering Co., Inc. for Fuel Cell
Location: 539 Technology Park Drive
Proposal: Grading and small paved area within upland regulated area.

Marc Borghesi of Borghesi Building and Engineering Co., Inc. appeared representing Fuel Cell. The plan is to build a 101,000 sq. ft. addition to Fuel Cell. Details were given by Mr. Borghesi, referring to maps indicating the regulated area and wetlands area. He pointed to the area on the map where they will be working.

Commission members posed questions, and Mr. Borghesi responded, referring to site maps.

MOTION by Ms. Bakker to accept the application from Borghesi Building and Engineering Co., Inc., for Fuel Cell, 539 Technology Park Drive, for grading and small paved area within upland regulated area, and that this is not a significant activity, seconded by Mr. Storti, unanimously carried.

6. **Staff Report:**

- a. Agent Determinations:
 - . East Main St and Tarringford Street (144-003-336), remediation (Walmart site); SL Torrington LLC and GG Torrington LLC
 - . Tarringford Street, Mastercraft Custom Homes, Canfield Subdivision, Assessor Map 252 Block 3 Lots 189 – 198, twelve lot subdivision converted to a three lot subdivision, no regulated activities
 - . 380 Tarringford West Street, Preservation of Affordable Housing, Modify existing Wetlands Permit

Ms. Malanca reviewed the Agent Determinations recently issued.

Ms. Malanca reviewed the situation on the East Pearl Street court case, the banks are to be stabilized in a better manner than they are currently with black plastic, and the judge agreed, and there is another court date at the end of October to review the work that has been accomplished. Ms. Malanca wants to see an engineered plan. The insurance company CIRMA is working on this matter as well, fighting to not hold the City liable for damages and work to be done. There will be another update on this matter. Ms. Malanca does not care who is at fault in this matter, she just wants to see work and stabilization accomplished at this site before a large storm comes in.

7. **Adjournment:**

MOTION by Ms. Bakker to adjourn at 7:24 p.m, seconded by Mr. Telman, unanimously carried.

Land Use Office
City of Torrington