

**CITY OF TORRINGTON
INLAND WETLANDS COMMISSION
MINUTES
September 20, 2011**

Present: Jay Bate, Jr., Chairman
Christine Altman, Vice Chairwoman
Doris Murphy, Member and P&Z Liaison
Jane Bakker, Secretary/Member
Kathy Carlson, Member
Tom Telman, Member
Nicole Bastinannse-Fritch

Also Present: Kimberly Barbieri, Inland Wetlands Enforcement Officer

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, Kathy Carlson, Tom Telman, Nicole Bastiannse-Fritch and Jay Bate. Also present is Torrington Inland Wetlands Enforcement Officer Kimberly Barbieri.

3. **Minutes for Approval:**

a. 8/16/11

Motion by Ms. Altman to approve the 8/16/11 minutes, seconded by Ms. Bakker, motion carried with one abstention.

4. **Old Business:**

a. Location: 184/188 Hoffman Street, Assessor Map 110 Block 10 Lot 26 and portion of Lot 21
Applicant: Robert W. Wesneski
Activity: Stabilization/repair of existing retaining walls, removal of contaminated soil, Birney Brook

Ms. Barbieri summarized the project and where it was in reviews. They were waiting on reviewed from her and Engineering. The applicant addressed all Ms. Barbieri's comments. Engineering comments were received earlier today.

Questions were posed by Commission members, and Mr. Wesneski provided answers. The garage was built in the late 1930's. A tow wall will be constructed on both sides, and the wall be backed up by rip rap. The fallen down wall will be replaced by concrete blocks, and there will be a catch basin put on the side. Mr. Wesneski provided a letter addressing all of the Engineering Department's concerns.

MOTION by Ms. Altman to GRANT a permit for the above referenced project, seconded by

Ms. Bakker, motion unanimously carried.

- b. Location: 299 Industrial Lane
- Applicant: Seaman Realty Enterprises LLC
- Activity: Warehouse and parking lot expansion within regulated area

Ms. Barbieri noted this application was left at the last meeting, waiting for Ms. Barbieri's comments and the Engineering Department's comments, both of which have been received.

Richard Calkins, licensed professional engineer with Northeast Consulting appeared representing the applicant. This site is the distribution site and corporate headquarters for Eblens. This industrial park was built in the late 1970's and early 1980's, the original building was constructed in 1988 at about 18,000 square feet. The building has been added onto since then, with a 10,000 square foot addition. The applicant is now requesting a 9,600 square foot addition to bring the total to 37,800 square feet.

There are two detention basins for the industrial complex, one on this particular site is for the park, and the other basin is down further towards the intersection of Ella Grasso and Industrial Lane. The basin is on the rear of the property, there is an easement in favor of the City of Torrington, for which purpose is not exactly clear. In that easement area are also sewer lines for the park and various utilities and a pump station for the city sewer system in the rear corner of this lot, which would be the southwest corner.

Mr. Calkins explained site features, and explained proposed grading, some of which will be ripped. The piping to be installed towards the detention basin was explained. A stone trench will serve to mitigate some of the run off from the impervious surface areas of the site. When the ponds were designed long ago, zoning regulations allowed 1/3rd of a lot to be covered by a building plus parking areas as appropriate, and the basins were designed at that time to take the build out of the park, without having to do any enlargement of the basin areas. Mr. Calkins referred to the map and pointed out drainage swales.

Mr. Calkins stated all of Ms. Barbieri's comments have been addressed. The invasive species (street trees) Norway Maples will be cut down, and replaced with an appropriate native species. Some comments from the Engineering Department are outstanding, which are mainly Planning and Zoning Commission issues. Ms. Murphy asked questions regarding the layout of the parking area, and Mr. Calkins explained the parking lot, sewer lines, etc. If the parking lot were turned, it would be pushed much closer to the wetlands than it is now. The purpose of pushing it back towards the property line, to keep it away from the wetlands as much as possible.

Easement areas were discussed. Ms. Murphy noted areas of the parking that could be moved to improve the view, Mr. Calkins will review the parking area.

Mr. Bate referred to Matt Walsh's memo regarding the project, the items to be completed were reviewed. The detention basin that was a matter of dispute was discussed. Ms. Barbieri reviewed that when the industrial park was first developed, it was made with taxpayer money between the City and the State, the property was purchased and design work was paid for. At that time the goal was to create industrial sites to increase Torrington's industrial base. There are two basins that are labeled on old plans as settling/detention basins. Apparently these were to be settling basins, and then turned into detention basins afterwards when construction was complete. Not one site in the entire industrial park has on-site detention or been made to get on-site detention. Since inland wetlands laws have been in effect since the 1970's, there must have been something that everyone assumed was there to manage the storm runoff. Engineering did not know there were easements over these basins, they have apparently never been maintained, and they had never been turned into detention basins. The water from the entire industrial park goes straight out under Route 8 to the Still River. Mr. Calkins brought up a good point, if we do detain the water, we might be releasing the water

into a higher peak flow when it gets down to the Still River. There are no hydrological studies to prove it, or disprove it. The basin seems too small to meet today's standards, but if it were cleaned out and made functional as a basin, it will add some storage. Ms. Barbieri provided a detailed explanation of peak flows, and the purpose of the detention basins. The water should be released either before or after the peak flow, not at the same time.

Mr. Calkins was involved with all but four of the buildings in the park. Mr. Calkins explained none of the buildings in that park have ever had a detention basin, including the 93,000 square foot Nidec building across the street, with one or two acres of asphalt. Even the new park, Technology Park down the street, has a single detention structure to take care of the water. Every park funded with State money is handled the same way. Properties have not been encumbered with such a basin for each site. Engineering details were provided by Mr. Calkins. Mr. Calkins said the Engineering Department wants the owner of this site to retrofit the basin, own it, and maintain it in the future for the entire park. Mr. Calkins' stated his clients have no desire to own and maintain the City's infrastructure and they are not going to do it.

Ms. Barbieri noted it is filled to the point now, where the basin is level, and a stream runs through it.

Ms. Bakker noted since the basin is City property, we cannot force the land owner to improve it for the entire park, and Mr. Calkins further added that if the City releases property for such work/maintenance, the proposed new owner must consent to it. In response to questions from Commission members, Mr. Calkins referred to the map, providing explanations.

MOTION by Ms. Altman to GRANT a permit for the subject proposal, seconded by Mr. Telman, unanimously carried.

- e. Location: Eagle Ridge, Lot #8, Assessor Map 224 Block 6 Lot 31
- Applicant: Thomas Szabo
- Activity: Driveway wetland crossing; house, driveway, well and grading within upland regulated area

Kenneth Hrica, professional engineer and licensed land surveyor; and Thomas Szabo, property owner, appeared before the Commission. Mr. Hrica reviewed the maps and proposal. This is the same proposal as previously approved for a former property owner, Gary Lucia with the addition of a second house lot. The roof drains will be used to recharge the inland wetlands. There will be double footing drains, consists of a footing drain around the outside perimeter, and then a footing drain around the inside perimeter to maintain a dry basement. Engineering details were provided.

Ms. Barbieri read a memo from Matt Walsh concurring with the plan designs. In response to questions from Ms. Murphy, Ms. Barbieri noted that if the Commission had determined a significant activity was being proposed, a public hearing could have been held. Ms. Murphy believes there is more to the project than she initially thought, she did not realize the extent of the wetlands on the property, and she did not realize the house would be placed totally in the upland regulated area. Ms. Altman said she knew at the last meeting the house was completely in the upland regulated area, her opinion has not changed since the last meeting and she does not see any issue.

Mr. Hrica added he had encouraged members to walk the site.

Ms. Barbieri inquired if the owner would be willing to mark the property with our markers noting the wetlands boundary, the applicant agreed.

MOTION by Ms. Altman to GRANT a permit for the subject activity and the wetlands markers be placed on trees delineating the wetlands, seconded by Ms. Bakker, unanimously carried.

5. New Business:

none

6. Staff Report:

- . 318 Industrial Lane, Dymax, Stormwater system maintenance. Ms. Barbieri reviewed the plan to clean the pipe that had been blocked up from Tropical Storm Irene. Ms. Barbieri gave them the authority to do this work through an agent determination.
- . Bell Electric, New Harwinton Avenue, came in and need to reinforce the toe of the slope on their property. During Storm Irene, they were about to lose the entire slope. They used stone that was on their site to correct the problem before the Tropical Storm Lee was about to arrive.
- . Ms. Barbieri noted other issues arose from storm damage, and owners were authorized to make repairs before the next storm system arrived. The Inland Wetlands Commission concurred with her actions.

Agent Determinations:

- . Westside Lane, Assessor Map 216-1-87, Janis L. LaPorta, construct septic system within upland regulated area
- . 1950 Norfolk Road, Martin Marolda, After the Fact, Agent Determination

Ms. Barbieri reviewed the Agent Determinations.

7. Adjournment:

MOTION by Ms. Bakker to adjourn, seconded by Ms. Altman, motion unanimously carried at 8:14 p.m.