

**CITY OF TORRINGTON  
INLAND WETLANDS COMMISSION  
MINUTES  
December 13, 2011**

Present: Christine Altman, Vice Chair  
Kathy Carlson, Member  
Nicole Fritch, Member  
Tom Telman, Member  
Jane Bakker, Member/Secretary

Also Present: Kimberly Barbieri, Inland Wetlands Enforcement Officer

Excused: Jay Bate, Jr., Chairman  
Doris Murphy, Member/Planning and Zoning Commission Liaison

1. **Call to Order:** Vice Chair Christine Altman 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:**

Vice Chair Christine Altman announced present and serving on the Commission this evening will be Christine Altman, Nicole Bastiannse-Fritch, Jane Bakker, Kathy Carlson, and Tom Telman. Also present is Kimberly Barbieri, Inland Wetlands Enforcement Officer.

3. **Minutes for Approval:**

a. 11/15/11

MOTION by Mr. Telman to approve the 11/15/11 minutes, seconded by Ms. Bakker, unanimously carried.

4. **Old Business:**

None

5. **New Business:**

a. Applicant: Brian Butler  
Location: 478 Norfolk Road  
Proposal: Construct house addition within regulated upland area

Ms. Barbieri briefly reviewed the information that was received when Mr. Butler was planning his addition. When the survey was done, it was discovered a good portion of his house is within the State right of way. The DOT won't allow new additions within their right of way.

Brian Butler appeared before the Commission, copies of the survey plan and photos were submitted to the Commission for review. The house is approximately 100 years old and needs upgrades. They are planning a small addition to get a bathroom onto the first floor and have a little more living space. Mr. Butler provided site details, referring to the map/photos.

Commission members posed questions regarding the placement of the deck on the north side of the house. Mr. Butler responded this was the best location for the north, colder side of the house as far as window placement, stairs to basement, view of the river etc. Ms. Barbieri noted for the Commission that the addition will have the foundation, and the deck will have only piers into the ground.

MOTION by Ms. Bakker to accept the subjection application, seconded by Mr. Telman, motion unanimously carried. This is not a significant activity.

- b. Violation
  - Owner: Matthias Auer, Matthias F. Auer LLC
  - Location: 761 Migeon Avenue
  - Violation: Grading and possible filling within upland regulation area, without permits

Matthias Auer, owner of A to Z Driveline, 761 Migeon Avenue, appeared before the Commission.

Mr. Auer stated he realizes now he made a mistake regarding the grading, and adding on to his building. He is trying to make the builder more user friendly. He has an A-2 survey and he is working to correct many issues, not realizing that the grading was a violation. He is here today to attempt to correct the problem and ask that the fine be waived so he can have an engineer work with him. An engineer has already viewed his site, and he has gone in and spoke with Ms. Barbieri.

Ms. Barbieri reviewed some of the actions Mr. Auer has done, to comply with the orders and the site plan that is needed. Mr. Auer is working with Ken Hrica, Hrica Engineering to complete a site plan.

Mr. Auer spoke, explaining some of the things he has done to the property, and his experience with these procedures and how he was unaware of various permits that were needed, and he has learned from these mistakes. He wants to correct these issues and do things the right way.

Ms. Barbieri requested a deadline, to set a time frame and see results.

MOTION by Ms. Bakker to waive the after-the-fact fee for Matthias Auer at the subject location and that an application to do the required work be received within 90 days from today, motion seconded by Ms. Carlson, motion carried with Mr. Telman abstaining from voting.

6. **Public Hearing Scheduled for 7:30 p.m, December 13, 2011, City Hall Council Chambers, 140 Main Street, Torrington, CT**

- a. Applicant: City of Torrington
  - Location: Citywide
  - Proposal: Regulation change for permits time extension and the regulation of dry hydrants and water withdrawals for fire service per PA 11-5 and 11-184 (continued from 11/15/11 meeting)

Ms. Barbieri reviewed the changes as required by the DEEP, the public hearing was opened at the last meeting on 11/15/11 and continued to tonight.

There were no comments from the public/audience.

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

MOTION by Ms. Bakker to accept the regulation changes for the subject proposal, seconded by Ms. Carlson, unanimously carried.

**7. Staff Report:**

Ms. Barbieri noted for the Commission's information that AJK LLC Quarry on Winsted Road has submitted their requests for extension. The legislation does not allow Commissions to pick and choose who gets the extensions. This Commission had been granting permits every two years to coincide with their Special Exception permits for the quarry. The Wetlands permits are now good until 2023. Ms. Barbieri has spoken to AJK LLC's attorney, and a clause has been put into their extension that if they go outside the limits of their permit as they have defined it in 2009, then a new permit will be required. Their goal for the amount of material was much greater than what it actually was, with the economic downturn, the need for stone products has gone down significantly.

Ms. Barbieri provided more details for the Commission regarding the time extensions allowable.

**8. Adjournment:**

MOTION by Ms. Carlson to adjourn, seconded by Ms. Bakker, unanimously carried at 7:34 p.m.