

**CITY OF TORRINGTON
INLAND WETLANDS COMMISSION
MINUTES
August 18, 2009**

Present: Jay Bate, Jr., Chairman
Nancy Schroeder Perez, Vice Chairwoman
Jane Bakker, Member and Secretary
Christine Altman, Member

Also Present: Mike O'Neil, Assistant Zoning Enforcement Officer

Absent: Doris Murphy, Member and PZ Liaison
Kathy Carlson, Member
Tom Telman, Member

1. **Call to Order:** Chairman Jay Bate called the meeting to order at 7:00 p.m., Sullivan Senior Center, Main Room, 88 East Albert Street, Torrington, CT

2. **Roll Call and Announcement:**

Chairman Bate announced present and serving on the Commission this evening will be Nancy Schroeder Perez, Jane Bakker, Christine Altman and Jay Bate, Jr. Also present is Mike O'Neil, Assistant Zoning Enforcement Officer.

3. **Minutes for Approval:**

a. 7/21/09

MOTION by Ms. Perez to approve the 7/21/09 minutes, seconded by Ms. Bakker, motion carried with Ms. Altman abstaining.

4. **Executive Session :**

a. Discuss current litigation.

MOTION by Ms. Perez to go into executive session, seconded by Ms. Bakker, unanimously carried.

Going into Executive Session: Attorney Perly Grimes, Mr. Ronald McCarthy, Sean Hayden and Commissioners Nancy Schroder Perez, Christine Altman, Jane Bakker, Jay Bate, Jr., Assistant Zoning Enforcement Officer Mike O'Neil, City Attorney Ernestine Weaver, City Engineer Ed Fabbri.

7. **Public Hearings Scheduled for August 18, 2009, 7:30 p.m., Sullivan Senior Center, 88 East Albert**

Chairman Bate read the legal notice that was published in the Republican American.

- a. Applicant: Torrington Senior Living LLC
Location: 1058 Litchfield Street at Newbury Brook
Proposal: Grading and construction of groundwater recharge system within upland regulated area associated with the construction of a senior living facility

Attorney James Steck of Herbst and Herbst LLC, Torrington, CT appeared representing the applicant. Joe Roche of Torrington Senior Living LLC was also present. Ken Hrica, professional engineer with Hrica Associates, Ed Fawn, wetlands scientist, Rosemary Aldrich, Landscape Architect were also present to represent the applicant.

Presentation by the applicant's representatives followed along with public comment. (Tape #1, #1200).

MOTION by Ms. Perez to table the public hearing until the next Commission meeting, seconded by Ms. Altman, unanimously carried.

The Commission took a five minute recess at this point.

- b. Applicant: City of Torrington
Location: Naugatuck River, East and West Branches and main stem.
Proposal: Bank clearing for phase 2 of the Flood Control Project per Army Corps

Mr. Bate read the legal notice which was published in the Republican American.

Ed Scoville, licensed professional engineer/survey, Assistant City Engineer appeared before the Commission. Mr. Scoville gave a presentation (tape #3, #1800)

Ms. Bakker discussed cover to protect aquatic life and concerns about the raising of the water temperature.

MOTION by Ms. Perez to close the public hearing, seconded by Ms. Altman, unanimously carried. No action was taken.

5. **Old Business:**

- a. Applicant: AJK, LLC
Location: Winsted Road, Assessor Map 236 - 1 - 10 & 11
Activity: Storm drainage discharge, earth excavation site

Dennis McMorrow, professional engineer, Berkshire Engineering and Surveying, appeared before the Commission with a brief presentation. The Commission tabled the application.

- b. Applicant: AJK, LLC
Location: Winsted Road, Assessor Map 236 - 1 - 9
Activity: water service connection in road, construct drive for scale and trailer for adjacent quarry, regulated area

Dennis McMorrow, professional engineer, Berkshire Engineering and Surveying, appeared before the Commission with a brief presentation. The Commission tabled the application.

- c. Applicant: Noah Johnson
Location: 32 Grove Street
Activity: Fill portions of backyard within upland regulated area.

No discussion. The Commission tabled this item.

- d. Applicant: Taco Bell of America
Location: 1795 East Main Street
Activity: Construct Taco Bell Restaurant with associated grading, drainage and paving within upland regulated area and discharge to a wetland

No discussion. The Commission tabled this item.

6. New Business:

- a. Applicant: Mountaintop Trucking, Tom Iffland
Location: Winsted Road, Assessor Map 242 Block 3 Lot 1
Activity: Process earth products from construction jobs, within upland regulated area

No discussion. The Commission tabled this item.

The Commission voted by 2/3rds to add an item to the agenda:

- a. Application: Charlotte Hungerford Hospital
Location: 200 Kennedy Drive
Activity: Parking lot construction within regulated area.

Tim Coon from J.R. Russo appeared representing the applicant. The Commission voted to accept the application and determined this is not a significant activity.

8. Staff Report:

Agent Determinations:

- I. 153 Water Street, Franklin Project, remove material and construct retaining wall.

9. Adjournment:

The Commission adjourned at 10:30 p.m.

Lona Kirk, Secretary
Inland Wetlands Commission