

**CITY OF TORRINGTON
INLAND WETLANDS COMMISSION
SPECIAL MEETING MINUTES, AMENDED
March 2, 2010**

Present: Jay Bate, Jr., Chairman
Nancy Schroeder Perez, Vice Chairwoman
Jane Bakker, Member and Secretary
Christine Altman, Member
Kathy Carlson, Member
Tom Telman, Member, arrived 7:25 p.m.

Also Present: Kimberly Barbieri, Inland Wetlands Enforcement Officer

Not Present: Doris Murphy, Member and Planning and Zoning Liaison

1. **Call to Order:** Chairman Jay Bate called the meeting to order at 7:02 p.m., Sullivan Senior Center, Main Room, 88 East Albert Street, Torrington, CT

2. **Roll Call and Announcement:**

Chairman Bate announced present and serving this evening will be Commissioners Nancy Schroder Perez, Jane Bakker, Christine Altman, and Kathy Carlson. Also present is Inland Wetlands Enforcement Officer Kimberly Barbieri.

3. **Minutes for Approval:**

a. 1/19/10

MOTION to by Ms. Perez to approve the 1/19/10 minutes, seconded by Ms. Bakker, motion carried with Ms. Carlson abstaining from voting.

b. 2/6/10

MOTION by Ms. Perez to approve the 2/6/10 minutes, seconded by Ms. Altman, motion carried with Ms. Carlson abstaining from voting.

4. **Old Business:**

a. Applicant: C & A Construction LLC
Location: Charles Street, Assessor Map 124-11-5
Activity: Construct new single family house within upland regulated area

Dave Zygmunt of Berkshire Engineering and Surveying appeared representing the applicant and gave a summary presentation of the proposal. Nothing had changed from the previous meeting. The house site was staked in the field. Commission members stated they had seen the site and had no further questions.

MOTION by Ms. Perez to approve the above referenced activity, seconded by Ms. Altman, motion carried with Ms. Carlson abstaining from voting.

b. Inland Wetland Violation

Owner: NF Holdings, LLC, Peter Ledda, Member
Location: Winsted Road, Assessor Map 241-2-1
Violation: Deposited fill and tree cutting within upland regulated area

Peter Ledda appeared and indicated the area that was disturbed and the areas with tree removals that were located within the upland regulated area.

Ms. Barbieri indicated that the site was not stabilized but was contained. A letter was received by Jason Dismukes, PE, stating he had been retained by Mr. Ledda to complete a site plan for the site.

Ms. Altman stated she would be inclined to wait to look at any remediation for the site until the site plan comes in.

MOTION by Ms. Perez to delay action on this violation until site plan approval is applied for. Motion seconded by Ms. Bakker, unanimously carried.

MOTION by Ms. Perez to table this item, seconded by Ms. Bakker, unanimously carried.

5. **New Business:**

a. Applicant: Greenbriar Estates, LLC
Location: Notting Hill Gate and Wimbledon Gate North
Assessor Map 219 Block 1 Lots 85, 162, 48, 165
Activity: Remove three culverts/roadway crossings, stabilize embankment
(Army Corps of Engineers mandated stream/wetland restoration)

Ken Hrica of Hrica Engineering and Surveying Associates appeared representing the applicant. Mr. Hrica gave a presentation of the proposal.

Greenbriar Estates later phases had been approved in the 1980's. While the earlier phases were being constructed, the developer began the beginning road building work for the later phases. Now 20 years later, they find that an Army Corps permit had been required. *(See footnote below)* To remediate that problem, the Corps is asking for the removal of the culverts and any fill material within the wetlands.

(Footnote: on 3/5/10 City Engineer Ed Fabbri submitted the attached memo (two pages) dated 5/10/01 addressed to the City Planner regarding Phase II of Greenbriar Estates)

Mr. Hrica reviewed the plans that showed the removal of the culverts and fill. He explained how the site would be stabilized. Ms. Barbieri said she is waiting to see the site before writing comments to the Commission.

MOTION by Ms. Bakker to accept the subject application and that this is not a significant activity. Motion seconded by Ms. Carlson, unanimously carried.

Commissioner Tom Telman arrived at this point.

6. **Public Hearing, 7:30 p.m., Tuesday, March 2, 2010, Sullivan Senior Center, 88 East Albert St., Torrington, CT**

- a. Applicant: T & M Building Co., Inc.
Location: 505 Harwinton Avenue (Assessor Map 127-19-19 & 25)
Activity: Construction of 78 new condominium units, upland regulated area

Chairman Bate and Ms. Barbieri outlined the procedures for the public hearing.

Chairman Bate read the legal notice which was published in the Republican American. Ms. Barbieri noted neighborhood notification receipts have been received, a soils report from Roy Shook was received and the Commission received Ms. Barbieri's memo dated February 16, 2010.

Anthony Tranquillo, registered professional engineer in the State of Connecticut appeared before the Commission. John Fowler and Greg Ugaldi are present representing T & M Building Co., Inc., (name inaudible), site contractor and Roy Shook, soils scientist, are also present.

Mr. Tranquillo gave a presentation referring to site maps. The condos currently on site were built in the mid-1980's. At that time the City granted approval for 99 condo units and the project was not completed due to the economy at that time. 32 units were completed as part of Phase I.

Roy Shook, soils scientist, appeared before the Commission and provided a detailed overview of the site, referring to presented maps. (#384) The underground piping off site at Oak Avenue ballfields that will be provided will help to alleviate the downstream flooding that neighbors are experiencing.

Greg Ugaldi, President of T & M Building Co., Inc. appeared stating they are continuing a work in process and they will answer any questions.

Mr. Bate inquired how the water from the roofs will be channeled, footing drains, etc. Mr. Tranquillo responded they will install a storm drain system within the roadway that will discharge to an existing culvert (he pointed to an area on the map). Footing drains and roof drains will go into this culvert. City Staff has requested many additional pieces of information, which the applicant will provide. The requests are voluminous and the applicant is in the process of providing that information. Drainage was discussed. Mr. Bate noted the parking lot sand and everything from that flow will end up in the stream, and Mr. Tranquillo agreed. An unidentified man stated they do not use much sand in

the maintenance of the parking lot, and what is left over is swept up in the Spring. Mr. Bate responded this applicant can't be allowed to just dump into the stream when no one else in this town is allowed to do that. Ms. Perez noted there will be cars in the parking lot, with gasoline, oil, etc. going into the parking lots and run off with flow directly to the stream.

Ms. Bakker inquired if the developer was going to come back with information regarding the increased flow from the additional units. Ms. Barbieri inquired if the drainage calculations would include the piping that is proposed at the Oak Avenue ballfields as well, or just on site? Mr. Tranquillo responded just on site, as the Oak Avenue work was performed by the City.

Ms. Barbieri stated typically we have the Engineering Department review the plans, on something of this magnitude where we know we are dealing with the problems down at Pierce and Andrews Streets. It might behoove the Commission, for transparency, to see if someone would allow us to have an impartial third party review to make sure that the information is jiving and we can see a big picture of what is happening, including the Oak Avenue work. Commission members stated all the information needs to be tied together for them to make the correct decision. Ms. Perez stated they need much more information than what is in front of them now.

Ms. Barbieri reviewed which items of requested information are missing.

The third party review possibility was discussed. Mr. Ugaldi said they certainly don't want to get started on something that could end up being more headaches for everybody down the road.

Vincent Marola, a representative of the existing condo association appeared. He wanted everyone to be aware that it is a struggle to keep a 32 unit association afloat, especially where it is located on that steep hill which costs a lot of money to plow on a regular basis. A couple years ago a 23 foot retaining wall failed and the town demanded it be repaired or the only access to the private road would be closed. A large loan had to be taken out to pay for that. He is completely in favor of getting more units built to help them to stay afloat.

John Ray Bottass of Pierce Street appeared and questioned the 36 inch line that will be distributed to a channel. They can't handle their own water in a 48 inch pipe, and now there will be more. He doesn't care about the sand, he cares about the water and they already have a water problem. That channel is already washed out like a canyon without more water.

Mike Godburn of Pierce Street appeared with concerns about water and drainage.

Maps were reviewed and Ms. Altman wanted to know the location of the pipes in question, which are not shown on the map. Discussion followed with explanations from Mr. Tranquillo. Ms. Bakker inquired if the land/trees would be cleared, and Mr. Tranquillo responded they are doing the minimum amount of disruption to put the number of units in.

MOTION by Ms. Perez to table the subject public hearing until we have more requested information, seconded by Ms. Altman, unanimously carried.

The Commission gave Ms. Barbieri permission to talk with a third party regarding this application. Ms. Perez requested Ken Hrica and the rest of the Commission concurred.

7. **Staff Report:**

Agent Determinations: None

8. **Adjournment:**

MOTION by Ms. Bakker to adjourn, seconded by Ms. Perez, unanimously carried.



Lona Kirk, Land Use Office
Inland Wetlands Commission

TO: Ken Hrica

DEPT: _____

CO: C.C.A.FAX: 567-1716City Standard Drawing now included.HP FAX
FROM Ed FabbriDATE: 5/17/01

MEMORANDUM

Date: May 10, 2001

To: Marty Connor, City Planner

From: Ed Fabbri, City Engineer *EF*

Subject: Greenbriar Estates Subdivision, Phase II (400)

The Engineering staff has reviewed plans with various dates on the referenced project. The following comments must be addressed before an extension is granted:

1. The U.S. Army Corp of Engineers (C.O.E.) has changed their permit criteria for filling wetlands since the time of original plan review. It appears the size of the wetlands areas impacted by the entire development falls into a C.O.E. permit condition. It is my opinion the C.O.E. may deny a permit for wetlands disturbances of this magnitude and/or may require mitigation. An extension should not be granted until a current C.O.E. permit is obtained which may require substantial modifications to the plans, in which case the City may have additional comments. Also, a copy of Connecticut D.E.P. approved general permit for Discharge of Stormwater and Dewatering Wastewater from Construction Activities and a plan indicating erosion control measures should be submitted.
2. The proposed detention area directly upstream of the proposed road crossing should be designed so that the roadway embankment does not function as the detention pond dam. The road culverts upstream ends shall be terminated with flared end sections.
3. The proposed storm pipe through lots #35 and #36 is not acceptable. The discharge point shall be relocated adjacent to the cul-de-sac for maintenance access. The open space area shall extend to the discharge point eliminating one lot.
4. The proposed median island within the roadway shall be eliminated.
5. Proposed roadway spot grades shall be shown on the plan, specifically at street intersections and at cul-de-sacs.

Marty Connor, City Planner

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6. Plans indicate substantial lot grading. Proposed grading on some lots shown are dependent on each other. Rough grading of lots shall occur simultaneously with roadwork.
7. Proposed sanitary sewers are shown to terminate at Sidney Court which is not an existing road. Modify plan as needed. Proposed sanitary sewers cross wetlands. All sanitary lines outside of the paved area shall have a gravel road to allow the WPCA vector truck access to manholes.
8. Add City street light detail to plans. Add note stating street lights to be installed by applicant at locations approved in field by City Engineer.
9. Add stop signs and stop bars to plans. These items are to be installed by applicant.
10. Provide grading and storm water impoundment easements on adjacent properties. This includes existing Phase I lots already sold.
11. Utilities shall be located per the attached City standard drawing. Add detail to plans.
12. Cul-de-sac pavement radii shall be fifty (50) feet. Right of way radii shall be sixty (60) feet.
13. Proposed street trees shall be located on individual lots at least five (5) feet behind street right of way line. If sidewalks are planned then the trees shall be located at least ten(10) feet behind street right of way line.
14. Add revision date to all plan sheets.