

**CITY OF TORRINGTON
INLAND WETLANDS COMMISSION
MINUTES
September 21, 2010**

Present: Jay Bate, Jr., Chairman
Jane Bakker, Member/Secretary
Doris Murphy, Member and Planning and Zoning Liaison
Kathy Carlson, Member
Tom Telman, Member

Also Present: Kimberly Barbieri, Inland Wetlands Enforcement Officer

Not Present: Nancy Schroeder Perez, Vice Chairwoman
Christine Altman, Member

1. Call to Order:

Chairman Jay Bate called the meeting to order at 7:00 p.m., Torrington City Hall, Room 218, Council Chambers, 140 Main Street, Torrington, CT

2. Roll Call and Announcement:

Chairman Bate announced present and serving on the Commission this evening will be members Jane Bakker, Doris Murphy, Kathy Carlson, Tom Telman and Jay Bate. Also present is Kim Barbieri, Inland Wetlands Enforcement Officer.

3. Minutes for Approval:

a. 7/20/10

MOTION by Ms. Murphy to accept the 7/20/10 Minutes, seconded by Ms. Bakker, unanimously carried. Ms. Carlson abstained.

4. Old Business:

a. Applicant: Borghesi Building & Engineering
Location: 474 New Litchfield Street
Activity: Construct concrete/steel storage shed within upland regulated area

Marc Borghesi of Borghesi Building and Engineering appeared before the Commission. Mr. Borghesi explained his proposal for tank storage for Air Gas Torrington, as they are no longer allowed to store tanks inside the building. Presentation continued. Commissions asked questions related to orientation of the shed on the site, answers were provided by Mr. Borghesi.

Ms. Bakker inquired if a detention basin was being put in, and Mr. Borghesi Responded it is already there.

MOTION by Ms. Bakker to GRANT a permit to Borghesi Building & Engineering, 474 New Litchfield Street, to construct a concrete/steel storage shed within upland regulated area, seconded by Mr. Telman, unanimously carried. Ms. Carlson abstained from voting.

5. New Business:

Chairman Bate announced an agenda item to be added by 2/3rds vote:

Applicant: Torrington Fire Department

Location: 111 Water Street

Activity: Addition to Torrington Fire Department, two parking spaces within regulated area (new dispatch center)

MOTION by Mr. Telman to add the above referenced item to the agenda, seconded by Ms. Carlson, unanimously carried.

Deputy Chief Gary Brunoli, Torrington Fire Department, appeared before the Commission with a presentation. Mr. Barbieri noted the map has been marked with a green line, to 100 feet of the Naugatuck River, to denote the regulated area.

The Commission noted the activity was a small area within the upland regulated area. Ms. Barbieri further explained because this is a City project, the Commission should make the determination, instead of the standard Agent Determination that would have been ordinarily issued.

MOTION by Mr. Telman to authorize Ms. Barbieri make an Agent Determination on the above referenced project, seconded by Ms. Bakker, unanimously carried.

- a. Applicant: Barbieri Properties, LLC
- Location: 588 Winsted Road
- Activity: Stream stabilization and drainage damage restoration

The letter from Northeast Consulting to City Planner Marty Connor regarding the withdrawal of this agenda item from the agenda was reviewed by the Commission.

Mr. Bate read the letter into the record.

At approximately 7:15 p.m., the Commission moved to agenda item Staff Report.

7. Staff Report:

- . Pinewoods/Greenwoods Road, CL&P, Agent Determination
- . 229 Devaux Road, Jim and Mermisa Carney, Agent Determination
- . Winsted Road, O & G Burrville Quarry, Agent Determination

Ms. Barbieri provided information on the three above noted Agent Determinations.

Violation: 977 Sawmill Hill Road, William & Frances Schoonmaker,
ATV/motocross track created without permits within wetlands soils.

Ms. Barbieri briefly explained this violation, there are no actual wetlands in the disturbed area, but it is within the upland regulated area. For all the ATV tracks Ms. Barbieri has found within regulated areas, this one is well done, it doesn't pond water and it doesn't have any discharges that create negative impacts to the wetlands.

Mr. William Schoonmaker appeared before the Commission and said they put up erosion controls in areas they thought would be a problem. They went off their A-1 survey which had pins on site. Mr. Schoonmaker tonight spoke to the person who made the complaint, he said the water from their property was running off onto his property. Mr. Schoonmaker said he doesn't see how that could occur, as the neighbor is quite a distance away. Ms. Barbieri added the water would go into the City property before it entered the neighbor's property. Near the property corner, dirt thrown from tires could possibly be getting onto another property. Mr. Schoonmaker instructed his son to take everything down and put up some sort of barrier, hay bales or silt fence, to keep the dirt from going onto the next property.

Mr. Schoonmaker was not aware of any wetlands when he bought the property. He has stressed to his son to stay on their own property. Property lines were discussed.

Mr. Schoonmaker asked if the Commission could waive the fine, they did not realize they were doing anything wrong, they are a farm, they thought they were using it within their limits. Ms. Barbieri stated the normal fee for a wetlands application is \$225.00.

Commission members asked for orientation, Mr. Schoonmaker pointed to the map and provided explanations. (Several people speaking at once for a while, conversations inaudible)

Ms. Barbieri provided explanations of the soil surveys in the area and satellite photos. Once on site, she did not see any tell-tale signs of wetlands soils on site. Ms. Barbieri provided more site details, drainage details, etc.

Mr. Schoonmaker said he is not opposed to installing silt fencing and planting grass. Ms. Barbieri noted on the map the area of hummocky grass, discharge, a little discoloration but not extend past a certain point (on the map). Mr. Schoonmaker will provide a map of the site work performed.

Mr. Bate noted the work does not appear it will cause problems within the wetlands or regulated areas, and just a regular permit fee and a survey copy will be sufficient. Perhaps silt fencing would be beneficial to safeguard the area. Mr. Schoonmaker will try to get the silt fence up this weekend and plant the grass. Ms. Barbieri would prefer that haybales be installed, as they are eventually biodegradable.

MOTION by Ms. Bakker to approve the above noted work, seconded by Mr. Telman, unanimously carried. \$225.00 fee to be paid and a map to be submitted showing the track location on their existing A-2 survey.

6. **Public hearings scheduled for 7:30 p.m., City Hall, Council Chambers, 140 Main Street, Torrington, CT:**

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

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

- a. Applicant: Torrington Affordable Housing Inc.
Location: Milici Drive / Torrington Street, Assessor Map 138-5-10
Activity: Excavation of accumulated sediment within existing drainage way for maintenance purposes. Regrade and seed

Bob Collin, President of Torrington Affordable Housing, Inc. appeared before the Commission. He explained nothing has been done in this water retention area since the project was built back in 1990. It has filled up with sediment and maintenance is needed.

Rocco Roberts with Civil Strategies appeared before the Commission and explained a tremendous amount of sediment from the road and streamway have built up in this area (referring to the map). Plantings will be installed along the front. Site details were provided. The pipes have been buried by sediment. Working is being performed only in the channel. The project will take a couple weeks to complete.

There were no comments from the public.

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

Ms. Barbieri noted five or six neighbors had stopped by the office or called, unsure of what was occurring. They were in support of correcting this situation.

MOTION by Ms. Murphy to GRANT a permit for the above agenda item, motion seconded by Ms. Bakker, unanimously carried.

- b. Applicant: Richard Gravel
Owner: Michael V. Camarata & Carol Zipke
Location: Norfolk Road, Assessor's Map 211-2-14
Activity: Proposed driveway, bridge and associated grading within regulated area.

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

Richard Gravel appeared before the Commission. He is planning to purchase this property and construct a bridge and driveway. Before he purchases the property, he wants to make sure he will be able to get a bridge on the property. They are going to span the river, not touching the river, putting in a sixty foot steel structure, I-beam

bridge with a wood deck.

Ms. Barbieri said she has spoken with Mr. Gravel's engineer at CCA, and the drawings are vague at this point, as Mr. Gravel if going through this process, is it worthwhile and what is it going to cost. What we are looking for tonight is a conceptual approval. Is the concept acceptable with this type of bridge in a concept form. At that time where he is able to purchase the property, Mr. Gravel will come back to us with detailed plans. From his standpoint, it is unwise to put engineering and money into the plans if it is not feasible. No permit will be issued tonight, it is based on concept and the letter going to Mr. Gravel would say so. This is a public hearing, and we will hear from neighbors tonight. There wasn't enough data on the bridge structure for our Engineering Department to review the application.

Mr. Bate inquired if Army Corps would have to approve as well. Ms. Barbieri stated the best way to proceed is if Mr. Gravel gets a positive feed from the Commission tonight is to go through the state and federal processes and when he is done with them, come back to this Commission. It is unclear if Army Corps permits would be required but is recommended that Mr. Gravel call to find out.

Site features were discussed by the Commission and Mr. Gravel. Possible bridge construction designs were discussed. Mr. Gravel will be enhancing the site line and is working with the State DOT. His biggest concern is getting approval for the bridge.

Ms. Barbieri provided site features of the river area. Mr. Bate said he does not have any problem with the bridge as built the way described by Mr. Gravel.

Louis Stefanitis appeared before the Commission, and stated that for 38 years they owned the adjoining piece of property to the South. He pointed to a spot on the map that has been his driveway since 1974. Mr. Bate noted wetlands issues are for discussion tonight, and if the applicant owns the driveway that Mr. Stefanitis is using, it is not up to this Commission to determine what happens with this matter. Only wetlands issues will be determined. Ms. Barbieri advised the two neighbors to talk and also to contact the DOT.

Mrs. Stefanitis inquired what is the applicant's intent for the property. Ms. Barbieri read the notes from the application that this property is to be used for a single family house. (Portions inaudible)

Discussion followed amongst the Commission members, who stated they do not have major concerns, but they do need more information. It was the consensus of this Commission to give conceptual approval. Ms. Barbieri noted the plans will probably change with the additional permits from Army Corps/DEP that are needed, etc.

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

MOTION by Ms. Bakker to GRANT conceptual approval for two years to Richard Gravel, Owner: Michael V. Camarata and Carol Zipke, Norfolk Road, Assessor Map 211-2-14, for proposed driveway, bridge, and associated grading within regulated area, motion seconded by Ms. Carlson, unanimously carried. The Commission was

agreeable to the applicant coming back for a time extension, if necessary.

8. Adjournment:

MOTION by Mr. Telman to adjourn, seconded by Ms. Bakker, unanimously carried at 8:03 p.m.

Lona Kirk, Land Use Office
Inland Wetlands Commission