

**CITY OF TORRINGTON
INLAND WETLANDS COMMISSION
MINUTES
December 14, 2010**

Present: Jay Bate, Jr., Chairman
Jane Bakker, Member and Secretary
Kathy Carlson, Member
Tom Telman, Member
Nicole Fritch, Member

Also Present: Kimberly Barbieri, Inland Wetlands Enforcement Officer

Not Present: Doris Murphy, Member and PZC Liaison
Christine Altman, Member

1. Call to Order:

Chairman Jay Bate called the meeting to order at 7:02 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 this evening will be Commissioners Jane Bakker, Kathy Carlson, Tom Telman, Nicole Fritch and Jay Bate. Also present is Inland Wetlands Enforcement Officer Kimberly Barbieri.

3. Minutes for Approval:

a. 11/16/10

MOTION by Ms. Carlson to approve the 11/16/10 minutes, seconded by Ms. Bakker, motion carried. Mr. Telman and Ms. Fritch abstained from voting.

4. Old Business:

a. Applicant: Torrington Development Corporation
Location: Downtown Plan and City Hall Avenue (total property acreage 4.70)
Activity: Changes in stormwater discharge

Ms. Barbieri stated this application is for changes in drainage regarding the new City Hall Avenue project and was presented last meeting with no changes requested by the Commission. MOTION by Ms. Bakker to grant a permit for the above referenced application, motion seconded by Ms. Carlson, motion carried. Ms. Fritch and Mr. Telman abstained from voting.

b. Applicant: Eric and Lisa Borden
Location: 39 Deercrest Drive
Activity: Proposed garage addition with upland regulated area

Eric Borden was present. The Commission and Ms. Barbieri reviewed the plans for the proposal.

MOTION by Ms. Carlson to GRANT a permit for the above referenced application and to maintain the buffer adjacent to the wetlands, seconded by Ms. Bakker, motion carried. Mr. Telman and Ms. Fritch abstained from voting.

5. New Business:

- a. Applicant: Mike and Heidi Novajasky
Location: 391 New Litchfield Street
Activity: Fill to level out property within upland regulated area

Ms. Barbieri had asked the applicants to come in and explain the fill that they placed on their property to finish it off after the original wetlands permit that was granted to stabilize the erosion on the hillside down to the Gulf Stream. Heidi Novajasky was present and stated the information in the file should be used. The Commission reviewed the file information and Ms. Novajasky reviewed their application from 2007 regarding significant rainfall damage during 2006. The rear yard area needed to be leveled out from the truck damage during the repairs.

Ms. Barbieri noted a series of small terraces was created so that the water sits on the flat parts before it moves off. A new permit has been paid for, as an extension had expired a while ago. The work has been done already, and the site needed to be stabilized.

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

- b. Applicant: Church of St. Maron aka St. Maron Church
Location: 613 Main Street (includes parcels:
Assessor Map 119 Block 8 Lots 1, 2/1, 2/2, 3, 4, 5)
Activity: Building addition, parking lot expansion and storm drainage within upland regulated area. Storm drain outlet within wetlands.

Todd Parsons, Engineer with Lenard Engineering appeared representing the applicant. Also present is Sam Slaiby, a member of the building committee and Richard Geyser, the project architect. Mr. Parsons referred to a site map and explained the details of the proposal. (7:15 p.m.) This is an improvement to the site and a significant improvement to the entire neighborhood with no detrimental effect on the wetlands.

Ms. Barbieri outlined some of the restrictions on the channel encroachment area.

Mr. Bate stated his concerns regarding the placement of the dumpster so close to the stream. Mr. Parsons responded there is not a lot of room on this site. Mr. Bate inquired if there was a way to control what was coming out of that dumpster. Ms. Barbieri noted an infiltrator could be installed, a deep stone trench around the downward side of it. Mr. Parsons was agreeable to the stone trench concept.

Mr. Bate noted years ago their used to be an old car garage on this site. Mr. Parsons stated very little excavation will occur on this site, most cases within a few inches. Ms. Barbieri said if any one wanted this to be done, it would be the bank helping with any financing as a Phase I Environmental is usually required for a mortgage.

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

6. Staff Report:

- Violation - 1626 Weed Road, Frank Dilefsen; clearing of land within regulated area without permits.

Fred Erik Nilsen appeared representing Frank Dilefsen, the owner of the property. He did not know the rules that apply to the activities they have done there which was to take down trees along the driveway. Ms. Barbieri had a letter Mr. Nilsen wrote and reviewed by the Commission. They had been sued by someone who drove by their property and said a tree fell onto their car. They also wanted to open up the property and make a lawn area. Mr. Nilsen apologized but was unaware of the rules.

Ms. Barbieri provided further site details, referring to a site map. Approximately 1.5 acres of land had been cleared.

MOTION by Ms. Carlson to ISSUE an order for 1626 Weed Road, Frank Dilefsen, clearing of land within regulated area without permits. Erosion controls shall be maintained once the stumping process begins, as well as the construction of the stone walls. Motion seconded by Mr. Telman, unanimously carried.

- Violation - 537 Main Street, Eduardo Jadan, dumping/pollution of Naugatuck River (west branch)

Ms. Barbieri explained Mr. Jadan came in last week, and he has finished cleaning and he is all set.

- 755 Riverside Avenue, Lucianne Lavin, shed within upland regulated area - Ms. Barbieri noted this was about 75-80 foot mark away from the water course, this was a small project.

- Update: Torrington Senior Living LLC, 1058 Litchfield Street

Ms. Barbieri provided an update, during Planning and Zoning reviews, the Engineering Office requesting a redesign. Ms. Barbieri explained the changes to the parking lot. The Commission was comfortable with a modification and agent determination to approve the changes since there were less impacts to the regulated areas.

7. Adjournment:

MOTION by Mr. Telman to adjourn, seconded by Ms. Bakker, unanimously carried at 7:47 pm.