

**CITY OF TORRINGTON
INLAND WETLANDS COMMISSION
MINUTES
November 16, 2010**

Present: Jay Bate, Chairman
Doris Murphy, Member and P&Z Liaison
Jane Bakker, Member and Secretary
Kathy Carlson, Member

Also Present: Kimberly Barbieri, Inland Wetlands Enforcement Officer

Not Present: Nancy Schroeder Perez, Vice Chairwoman
Christine Altman, Member
Tom Telman, 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 on the Commission this evening will be Commissioners Doris Murphy, Jane Bakker, Kathy Carlson, and Jay Bate. Also present is Inland Wetlands Enforcement Officer Kimberly Barbieri.

3. Minutes for Approval:

a. 9/21/10

MOTION by Ms. Murphy to approve the 9/21/10 minutes, seconded by Ms. Bakker, unanimously carried.

4. Old Business: none

5. New Business:

a. Low Impact Development Zoning Regulations review/discussion

Ms. Barbieri explained approximately a year and a half ago we applied for a grant from the DEP/Farmington River fund. The City received a \$30,000 grant to change the regulations and a number of meetings were held. Ken Hrica, Engineer, was part of that team as a professional consultant. The Planning and Zoning Commission and Christine Altman were also involved, including the Downtown Development Corporation. Ms. Barbieri explained the history of how these proposed regulations for Torrington came about. Through the NEMO program, the Commission had significantly changed the cluster regulation wherein a piece of land has the buildings and infrastructure clustered into one area, with more land preserved.

The Planning and Zoning Commission has reviewed the proposed regulations and now in order to move forward with the regulations, review by the Inland Wetlands Commission is now needed. The Wetlands Commission and Ms. Barbieri discussed the possibility of additional language. Ms. Barbieri inquired if the Wetlands Commission wishes to support the Planning and Zoning Commission on these proposed changes. There was a consensus of the Wetlands Commission to submit a letter of support to the Planning and Zoning Commission.

MOTION by Ms. Bakker to authorize the Wetlands Enforcement Officer to write a letter of support to the Planning and Zoning Commission regarding the Low Impact Zoning Regulations, seconded by Ms. Carlson, unanimously carried.

- b. Applicant: Torrington Senior Living LLC
Location: 1058 Litchfield Street
Activity: Minor Site Plan modification to existing permit

Attorney Peter Herbst, Prospect Street, Torrington, appeared representing the applicant. Also present is Steve Marcus, one of the two principals of Torrington Senior Living, as well as Ken Hrica, Project Engineer, and Ed Pawluck, wetlands scientist.

This proposal was originally approved November 17, 2009, after three public hearings. Modifications had been made to the project to gain the Commission's approval. Tonight is an application to show minor site plan modifications. This project has been favorably approved by the Architectural Review Committee. A site plan and special exception application has been submitted to Planning and Zoning Commission. This new plan shows a reduction of about 5,000 square feet to the footprint.

Steve Marcus appeared before the Commission, he stated they have sent out close to 2,000 mailers over the past month and beginning to get exceptionally strong continued feedback from the elders.

Kenneth Hrica, Professional Engineer and Licensed Land Surveyor, 44 Mapleview Trail, Litchfield, appeared before the Commission representing the applicant. A new version of the site plan was presented, with the upland review area highlighted. Mr. Hrica outlined the changes that were made. The height of the retaining walls has been reduced from ten feet tall to approximately eight feet tall. The green roof aspect of the building has been maintained. The site access has been moved further to the west. A detailed presentation was given by Mr. Hrica referring to maps.

Ed Pawluck, wetlands scientist from West Hartford appeared before the Commission representing the applicant with a favorable report on the modifications. This project will not cause any adverse effects to the wetlands or watercourses on the property.

It was the consensus of the Commission that these changes are minor.

MOTION by Ms. Bakker to grant a minor modification approval to the permit for site plan modification to Torrington Senior Living LLC, 1058 Litchfield Street, seconded by Ms. Carlson, unanimously carried.

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

Vincent McDermott, Senior Vice President of Milone and McBroom in Cheshire, CT, licensed landscape architect and certified planner appeared before the Commission. Also present is Attorney Peter Herbst, member of Torrington Development Corporation, and Bill Baxter, Executive Director of the Torrington Development Corporation. This is a large project from a city planning view, but from a wetlands point of view very minimal. These are infrastructure improvements being made to the Downtown area as a first phase project. There would be streetscape improvements to Main Street. Details were provided about the 30 inch pipeline under the street system, for discharges. The drainage for East Main Street is also inadequate.

It was the consensus of the Commission that a public hearing was not necessary.

MOTION by Ms. Bakker to accept the subject application, seconded by Ms. Carlson, motion unanimously carried.

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

The applicants were not present. Ms. Barbieri suggested tabling the application as the applicants may need to explain some of things they are doing. Approximately a year ago they were authorized to put stone rip rap along the banks of the Gulf Stream as their property was eroding. There are now stone terraces with stone walls going down to that area, and a significant amount of work was done to create these terraces without a permit.

MOTION by Ms. Murphy to table this application, seconded by Ms. Bakker, unanimously carried.

- e. Applicant: Eric and Lisa Borden
Location: 39 Deercrest Drive
Activity: proposed garage addition with upland regulated area

Eric Borden appeared before the Commission. He would like to expand his one car garage to a two car garage, and this area is close to the wetlands. Mr. Borden provided more details on his proposal. Photos were provided for the Commission's review.

In response to a question from Mr. Bate, Mr. Border agreed to maintain and enhance the buffer. Silt fence will be installed.

MOTION by Ms. Carlson to accept the proposal for Eric and Lisa Borden at 39 Deercrest Drive for proposed garage addition within upland regulated area, seconded by Ms. Bakker, unanimously carried.

MOTION by Mr. Bate to add an item to the agenda by 2/3rds vote, Eduardo Jadan, 537 Main Street, Violation: dumping/pollution of Naugatuck River (west branch), seconded by Ms.

Bakker, unanimously carried.

Ms. Rose Ponte, Economic Development Coordinator, appeared to assist Mr. Eduardo Jadan with translation. Ms. Barbieri explained a complaint was received regarding demolition debris thrown into the river. Ms. Ponte translated. A clean up near the stream bank is still needed per Ms. Barbieri. Mr. Jadan stated high winds caused much of the mess, it wasn't Mr. Jadan who created the mess, it was the storm. Ms. Barbieri stated as the property owner, Mr. Jadan is responsible for cleaning up the debris that came from his property. Mr. Jadan stated this debris is not from the work he is doing on his house, it happened two weeks ago due to a storm. Mr. Jadan apologized, saying he didn't know it was his responsibility to clean it up, and he said he would clean it up tomorrow.

MOTION by Ms. Bakker to issue an order for the above noted agenda item, seconded by Ms. Carlson, unanimously carried.

Mr. Jadan will call Ms. Barbieri to confirm when everything is cleaned up.

f. 2011 Inland Wetlands Commission Calendar

MOTION by Ms. Bakker to approve the 2011 Inland Wetlands Commission Calendar, seconded by Ms. Carlson, unanimously carried.

6. Staff Report:

- . Agent Determination, 977 Sawmill Hill Road, William & Frances Schoonmaker, ATV/motocross track.
- . Agent Determination, 169 Pierce Street, Richard Rougeot, shed within upland regulated area

Ms. Barbieri briefly reviewed the Agent Determinations that were issued.

- . Conceptual Approval received, Norfolk Road, Assessor Map 211-2-14, driveway, bridge, grading within regulated area; update.

Ms. Barbieri noted Army Corps and DEP approval have already been obtained.

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

Mr. Dilefsen has been speaking with Ms. Barbieri, right now he is out of the country on a family funeral now. He has been good about keeping in touch with Ms. Barbieri. This will remain on the agenda for next month.

7. Adjournment:

MOTION by Ms. Murphy to adjourn, seconded by Ms. Bakker, unanimously carried at 8:08 p.m.

Lona Kirk, Land Use Office
Inland Wetlands Commission