

**CITY OF TORRINGTON
INLAND WETLANDS COMMISSION
MEETING MINUTES
November 21, 2023**

Present: Jay Bate, Jr., Chair
Christine Altman, Vice Chair
Randall Stelma, Member
Joe Paganini, Member
Adrienne Barbe, Member
Steve Thompson, Member

Also Present: Nate Nardi-Cyrus, Inland Wetlands Enforcement
Officer and Assistant City Planner

1. Call To Order:

Chair Jay Bate called the meeting to order at 7:00 p.m.; City Hall Auditorium, Room 218, 140 Main Street, Torrington, CT, or remote meeting via Microsoft teams meeting.

2. Roll Call and Announcement:

Chair Bate announced present and serving this evening are Commissioners Christine Altman, Randall Stelma, Joe Paganini, Adrienne Barbe, Steve Thompson and Jay Bate Jr. Also present is Nate Nardi-Cyrus, Inland Wetlands Enforcement Officer and Assistant City Planner.

MOTION by Ms. Altman to add to the agenda by 2/3rds vote the November 16, 2023 Special Meeting Minutes for approval, seconded by Ms. Barbe, unanimously carried.

MOTION by Ms. Altman to add to the agenda by 2/3rds vote under new business – 2315 Torrington West Street, permit transfer, seconded by Mr. Barbe, unanimously carried.

3. Minutes for Approval:

a. October 24, 2023

MOTION by Ms. Barbe to accept the October 24, 2023 minutes, seconded by Mr. Stelma, unanimously carried.

b. November 16, 2023

MOTION by Ms. Altman to accept the November 16, 2023 minutes, seconded by Mr. Stelma, unanimously carried.

4. Old Business:

- a. Applicant: Mike Perugini
Location: 811 Tarringford Street
(Assessor Map 144 Block 002 Lot 002)
Activity: Construction of house within upland regulated area

The applicant was not present. Mr. Nardi-Cyrus stated no word has been received from Mr. Perugini the applicant.

MOTION by Ms. Altman to table the application of:

- Applicant: Mike Perugini
Location: 811 Tarringford Street (Assessor Map 144 Block 002 Lot 002)
Activity: Construction of house within upland regulated area

Motion seconded by Ms. Barbe, unanimously carried.

- b. Applicant: Berat and Festim Arjo
Location: 207 Silver Brook Lane (Assessor Map 219/001/197)
Activity: Restoration to remediate grading and filling of mapped wetlands within the URA

Mr. Nardi-Cyrus reviewed the discussions from last month's Commission meeting, and referred to his staff memo dated November 20, 2023. Maps of the subject property were reviewed by the Commission.

MOTION by Ms. Altman to GRANT a permit to:

- Applicant: Berat and Festim Arjo
Location: 207 Silver Brook Lane (Assessor Map 219/001/197)
Activity: Restoration to remediate grading and filling of mapped wetlands within the URA

with the following conditions as noted in Mr. Nardi-Cyrus memo dated November 20, 2023:

1. The surveyed wetland boundary shall be posted with metal markers, with the design and spacing to be approved by the City of Torrington Wetlands Enforcement Officer.
2. Plant species specified in the restoration may be modified with approval by the City of Torrington Inland Wetlands Enforcement Officer.

Motion seconded by Ms. Barbe, unanimously carried.

- c. Applicant: James Mazzarelli
Location: 137 Babbling Brook Road (Assessor Map 221 Block 003 Lot 054)
Activity: Piping of 130' of watercourse, creation of armored ponds before and after piped stream, and backfilling of adjacent wetlands to extend lawn.

Mr. Bate stated he does not see the practicality of removing 130 feet of piping which would cause more disturbance to the wetlands than it already has, so this is not a significant activity requiring a public hearing.

At the site visit, seeding was discussed. Mr. Bate would like to see some sort of fence or stone boulders to delineate where no mowing is to occur. There needs to be a delineation of wetlands areas.

Mr. Paganini stated without taking the pipe out, the wetlands will never be recovered. It is how much of a wetlands do we want to recover. He is concerned it will return to a cut lawn. Ground levels, seeding, area drainage, rye seeding and seed mixes were discussed. Mr. Nardi-Cyrus screen shared the plan and discussion followed regarding wetlands flagging and other site details.

MOTION by Ms. Altman to table the application of:

Applicant: James Mazzarelli

Location: 137 Babbling Brook Road (Assessor Map 221 Block 003 Lot 054)

Activity: Piping of 130' of watercourse, creation of armored ponds before and after piped stream, and backfilling of adjacent wetlands to extend lawn.

Motion seconded by Mr. Stelma, unanimously carried.

5. New Business:

- a. Applicant: Jim Mazzarelli
Location: 516 Mountain Road
Activity: Jurisdictional Determination Application

Mr. Nardi-Cyrus reviewed this is resulting from an enforcement activity. From the road, Mr. Nardi-Cyrus had noticed extensive disturbance on site, most disturbance at an outlet near the dam which ultimately drains into the Naugatuck River. A meeting was held on site, and Mr. Nardi-Cyrus contacted CT DEEP Dam and Safety Unit, as he questioned whether the City has the expertise to regulate dam safety. The Dam Safety Unit agreed that is out of the jurisdiction of a local Inland Wetlands Commission. The applicant had not registered this dam with the State of Connecticut so the DEEP is following up with enforcement on the property. Historic photos show this dam going back many years, and it has been altered along the years.

Mr. Thompson inquired if previous local approvals are null and void as it is out of our jurisdiction. Discussion followed on the dam and outlets, referring to maps. (41 minutes)

The 490 program was briefly reviewed by Mr. Nardi-Cyrus. Mr. Mazzarelli's plan is outdated, and no real evidence of agricultural activity has been provided. Hay farming has been done in the past. The Assessor Office had provided Mr. Nardi-Cyrus with a very limited plan. Discussion followed on the previous jurisdiction ruling provided in 2009 by this Commission. Plans were screen shared and reviewed noting the hay lots. Mr. Thompson said it appears the applicant had plans to use this area initially as a hay field, and it has since been turned into a pond (46 minutes).

Mr. Nardi-Cyrus stated the plan provided by the applicant is incomplete, it does not show the disturbance and a recent drive by showed the excavator in the pond. There are no erosion and sedimentation controls installed. The application has not been filled out yet. The Army Corps of Engineers has sent violation notices to the applicant. Past permitting was discussed

MOTION by Ms. Altman to not accept the plan provided from:

Applicant: Jim Mazzarelli

Location: 516 Mountain Road

Activity: Jurisdictional Determination Application

without further information, specifically a full farm plan. Motion seconded by Mr. Paganini, unanimously carried.

- b. Location: 2315 Tarringford West Street (244-004-026)
Permit WC22-0401
Permit transfer from Crystal Gilbert to Nhan Huynh

MOTION by Ms. Altman to approve a transfer of Permit WC22-0401 from Crystal Gilbert to Nhan Huynh; for watercourse crossing, driveway, grading and new house construction.

Motion seconded by Mr. Stelma, unanimously carried.

6. Staff Report:

- a. Enforcement Report – update

Mr. Nardi-Cyrus noted the major enforcement is the 516 Mountain Road site, everything else is minor.

The proposed solar facility on Vista Drive was briefly reviewed by Mr. Nardi-Cyrus (60 minutes)

- b. Agent Determinations
 - . Tarringford Street (Assessor Map 254 Block 002 Lot 001)
 - . Greenwoods Country Club Inc., Install stone on gravel parking area, create a berm to avoid runoff and washout, plant grass
 - . 2404 Newfield Road, deck and front porch additions in the upland review area

Agent Determinations were briefly reviewed by Mr. Nardi-Cyrus.

- c. CACIWC Annual Meeting and Environmental Conference – Update from Commissioner Joe Paganini

Commissioner Paganini provided Commission members the brochure from the Conference he attended, and reviewed several breakout sessions led by experts in the area. The key note speaker was a PHD UCONN professor who explained impacts and provided many graphs. 1.2” ocean height increase is predicted over the next thirty years. Diversion plans were reviewed at conference.

The wetlands sections of the conferences were very helpful, particularly the legal section reviews, supplemented by Darcy Winters of DEEP. Per Mr. Paganini, the brief reviews were in depth referring to difficult enforcements. Portions of the briefs were read by Mr. Paganini. The stormwater management sessions were reviewed by Mr. Paganini as well.

Mr. Bate inquired about the violation at the Felicity Lane site. Mr. Nardi-Cyrus stated Jeremy Leifert, City Planner, is following up with site plan enforcement, with zoning citations. He is awaiting the appointment of a new Corporation Counsel to be in place to handle the case.

8. Adjournment:

MOTION by Ms. Altman to adjourn at 7:28 p.m., seconded by Mr. Stelma, unanimously carried.

Land Use Office