

**CITY OF TORRINGTON
INLAND WETLANDS COMMISSION
MINUTES
April 24, 2018**

Present: Jay Bate, Jr., Chairman
Christine Altman, Vice Chair
Tom Telman, Member
Jonathan Andrews, Member
Tomasz Kalinowski, Member

Also Present: Rista Malanca, Certified Zoning and Wetlands Enforcement Officer

Not Present: Jane Bakker, Member/Secretary
William Storti, Member

1. Call To Order:

Chairman Jay Bate, Jr., called the meeting to order at 7:00 p.m.; Torrington City Hall, Room 218, City Hall 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 Christine Altman, Tom Telman, Jonathan Andrews, Tomasz Kalinowski and Jay Bate. Also present is Inland Wetlands Enforcement Officer Rista Malanca.

3. Minutes for Approval:

a. 3/20/18

Motion by Mr. Andrews to approve the 3/20/18 minutes, seconded by Ms. Altman, motion carried with Mr. Telman abstaining from voting.

4. Old Business:

None

5. New Business:

a. Applicant: John Sliwa
Location: Timber Lake Court (Assessor Map 202 Block 002 Lot 023)
Activity: Phragmites Control, treat and cut within regulated area

The applicant was not present, Motion by Ms. Altman to table the application until later in the meeting, seconded by Mr. Telman, unanimously carried.

- b. Applicant: City of Torrington Park and Recreation, J. Brett Simmons
 Location: Alvord Park, 391 Kennedy Drive
 Activity: Request for As of Right Use to install a footbridge over stream, on disc golf course

Brett Simmons, Superintendent of Park and Recreation appeared, along with Nathan Ward (sp?) an Eagle Scout will be completing his project for the City, looking to install a footbridge over a stream at the lower end of the disc golf course. All the baskets for the front 9 of the course has been completed, and there is a need to install a footbridge to allow the hikers and disc golf users to traverse from the second hole to the third T. Details were provided by Mr. Simmons. A footbridge is needed for safety issues, and also to help with erosion control. No footings with concrete will be used. The footbridge will extend approximately three feet beyond each bank.

In response to a question from Ms. Altman arose, and Ms. Malanca read Section 4.2b regarding As of Right uses. Ms. Malanca provided some background information on the disc course and the wetlands permit previously obtained. It would be a declaratory ruling that it is a non-regulated use.

MOTION by Ms. Altman to declare the installation of a footbridge over a stream at Alvord Park, 391 Kennedy Drive as an unregulated use, per Section 4.2b, seconded by Mr. Andrews, unanimously carried.

- c. Applicant: O&G Industries, Inc.; Kenneth Faroni
 Location: 850 South Main Street
 Activity: Grade and fill an existing man-made pond previously developed as a settling basin for the recycling of processed waters used in the former wash plant operation (production of sand and gravel). A phased earth excavation and overall grading plan is proposed as part of the final reclamation of the site.

Mr. Kenneth Faroni of O&G Industries, Inc. appeared before the Commission and explained the proposal (7:13 pm), referring to site maps. An application will be forthcoming with an excavation and grading site, for the Planning and Zoning Commission's consideration. Mr. Faroni noted the area of regulated activity, on the maps, and the permissions they have with the property owner. The pond will be filled in above the water table. The rock mountain will be lowered. Details of the proposal were given by Mr. Faroni. Don Mysling from DEEP Fisheries, ZEO Rista Malanca, and City Planner Martin Connor have all visited the site. Ms. Malanca has asked for a planting plan, which has been provided, and Mr. Faroni provided details of those plans.

Ms. Malanca noted that the previous quarry site stopped operation, and no site restoration was completed when operations ceased. The quarry had pre-existed zoning.

Ms. Meghann Raymond from Milone and MacBroom (representing the applicant) provided some calculations and characteristics of the pond and the site.

Ms. Malanca provided her observations of the site and the plans, and the area will act as a small meadow and be aesthetically pleasing.

MOTION by Ms. Altman to ACCEPT the application for

Applicant: O&G Industries, Inc.; Kenneth Faroni

Location: 850 South Main Street

Activity: Grade and fill an existing man-made pond previously developed as a settling basin for the recycling of processed waters used in the former wash plant operation (production of sand and gravel). A phased earth excavation and overall grading plan is proposed as part of the final reclamation of the site, and this is not a significant activity.

MOTION seconded by Mr. Telman, unanimously carried.

- d. Applicant: The Arc of Litchfield County, Inc.
Location: 1145 Brandy Hill Road
Activity: Request for As of Right Use to improve beach recreation area and reduce erosion.

Dennis McMorrow of Berkshire Surveying and Engineering appeared before the Commission and distributed a map to Commission members for their reference during the presentation. Mr. McMorrow gave a presentation, referring to the map. (7:35 p.m.) A small shed will be removed, the fencing is in good shape and will be removed and replaced. A wooden walkway will be added. The grass swale is shallow, six inches deep by six feet long. A Winter maintenance schedule has been put into place, and silt fencing will be installed at the end of the season, maintenance will be done and the silt fence removed at the beginning of the next season.

Ms. Malanca reviewed the section of the Regulations that will cover this application, 4.2b, As of Right Uses, sporting area and swimming for recreation.

MOTION by Ms. Altman to APPROVE Applicant: The Arc of Litchfield County, Inc.

Location: 1145 Brandy Hill Road

Activity: Request for As of Right Use to improve beach recreation area and reduce erosion; as this is an unregulated activity per Section 4.2b.

Motion seconded by Mr. Telman, unanimously carried.

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- a. Applicant: John Sliwa
Location: Timber Lake Court (Assessor Map 202 Block 002 Lot 023)
Activity: Phragmites Control, treat and cut within regulated area

The Applicant was not present.

Ms. Malanca reviewed the information provided by the applicant's landscaper at a previous Commission meeting.

The Applicant has now decided to not use machinery on the property, but instead use approved herbicide by a licensed applicator. Ms. Malanca said if he decides to use machinery, he can come back to a Commission meeting for approval. Invasive species will be removed by hand. This Commission does not regulate the herbicide.

Ms. Malanca reviewed the section of the Regulations that would cover this matter, uses incidental to the enjoyment of a residential property. Removal of invasive species is not an As of Right use.

It was the consensus of the Commission to accept the application, and the Applicant can appear at the next meeting on May 15, 2018.

MOTION by Ms. Altman to ACCEPT the application from

Applicant: John Sliwa

Location: Timber Lake Court (Assessor Map 202 Block 002 Lot 023)

Activity: Phragmites Control, treat and cut within regulated area, and this is not a significant activity.

Motion seconded by Mr. Kalinowski, unanimously carried, with Mr. Andrews abstaining from voting.

6. Staff Report:

No new information per Ms. Malanca.

7. Adjournment:

MOTION by Mr. Telman to adjourn, seconded by Mr. Kalinowski, unanimously carried.