

**CITY OF TORRINGTON  
INLAND WETLANDS COMMISSION  
MEETING MINUTES  
August 22, 2023**

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

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

Not Present: Randall Stelma, Member

7:00 p.m. Attendance by Microsoft teams meeting or in-person at City Hall, Room 215, 140 Main Street, Torrington, CT.

**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 on the Commission this evening will be Christine Altman, Joe Paganini, Adrienne Barbe and Jay Bate. Also present is Nate Nardi-Cyrus, Assistant City Planner and Inland Wetlands Enforcement Officer.

**3. Minutes for Approval:**

a. July 25, 2023 Special Meeting

MOTION by Ms. Barbe to approve the July 25, 2023 Special Meeting Minutes, seconded by Ms. Altman, 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

Applicant Mike Perugini was not present.

Mr. Nardi-Cyrus reviewed details of the site and application, he had also followed up with the applicant at the last meeting and has not heard back from Mr. Perugini. A for sale sign has gone up on the property since the last Wetlands Commission Meeting.

Mr. Nardi-Cyrus recommended tabling this application until the next Commission meeting, giving the applicant an opportunity to request an extension, or issue a denial decision based upon what has been submitted thus far. The applicant has 65 days, and this is not a public hearing situation.

MOTION by Ms. Barbe to table this application, seconded by Mr. Paganini, unanimously carried.

b.      Property Owner:      Berat and Festim Arjo  
            Location:              207 Silver Brook Lane  
   (Assessor Map 219/001/197)  
            Violation:              Grading and filling mapped wetlands within the URA

The property owners were not present at this meeting and were not present at last month's Show Cause Hearing, although Festim Arjo did come into the Land Use Office afterwards and stated her husband was out of town.

Mr. Nardi-Cyrus reviewed details of the property, fill was brought into the yard and placed in wetlands. He met owners on site and told them an application could be submitted, but the site needs to be stabilized with silt fencing. Mr. Berat was on site with Mr. Nardi-Cyrus, and he knows an application needs to be submitted and all the materials must be removed out of the wetlands as he has not demonstrated a need for it, he just wanted to expand his yard. Inland Wetlands boundaries were reviewed.

Mr. Nardi-Cyrus asked if the applicant removed all the material from the regulated area, would the Commission be okay with him approving an Inland Wetlands Agent Permit if the area is less than 100 sq. ft. or the owners can come before this Commission. The erosion and sedimentation controls were put up quickly.

The enforcement history of this property is that in 2018 they were called in for the same issues and they got a permit, and eventually did more and different work outside of the permit.

It was the consensus of the Commission that the owners appear before this Commission, as this is not the first occurrence of disturbance in the inland wetlands area. The Inland Wetlands Agent Permit has since expired, and the fee shall be \$725.00 as the applicants are repeat offenders.

It was the consensus of the Commission that the owners not be required to hire an engineer, but to submit proper plans and applications for approval.

## **5.      New Business:**

a.      Applicant:      Miklos Joo  
            Location:      399 Notting Hill Gate (Assessor Map 219 Block 001 Lot 069)  
            Activity:      Installation of gravel pad and shed within mapped wetlands.

The applicant was not present.

Mr. Nardi-Cyrus displayed a photo of the shed on the screen and reviewed the enforcement action taken, erecting a shed without wetlands or zoning permits. The shed is visible from the street. The owners called immediately after receiving notice. Their entire property is in the inland wetlands review area. They previously did not come in for a permit when a gazebo was installed. Permits are needed for any ground disturbance on their property.

There was a meeting with owners on site and alternative locations for the shed were discussed that were also compatible with zoning setbacks. There are two or three possible locations on site. The occupant of the house called and stated he wants to do what he can to keep the shed where it is. Mr. Nardi-Cyrus indicated to him that it was unlikely he would get such an approval for the current location, as there are alternatives available to relocate the shed. The owners have limited options for shed placement as there are extensive wetlands in the area.

Mr. Nardi-Cyrus pulled up the Inland Wetlands map and the Commission discussed the various options for placement of a shed. Site features were discussed. Items stored around the shed need to be removed.

Mr. Nardi-Cyrus said there is a lot of unpermitted activity within the wetlands in this subdivision. Ms. Barbe noted there is much turnover of occupants in this neighborhood.

Mr. Nardi-Cyrus explained the way the subdivision was approved with lots created right up against the wetlands encourages encroachment into the wetlands. When the subdivision approvals were granted, wetlands were not required to be marked at that time. Ms. Altman noted back in 2004 or 2005 the wetlands signage requirements were implemented.

It was the consensus of the Commission to move the shed out of the wetlands. Mr. Nardi-Cyrus stated there are multiple alternative locations for the shed, which is currently located in the wetlands, not even in the upland review area. This is consistent with the decision just made to remove fill from the wetlands on the nearby site, discussed earlier this evening.

MOTION by Ms. Altman to accept the application from: Miklos Joo  
Location: 399 Notting Hill Gate (Assessor Map 219 Block 001 Lot 069)  
Activity: Installation of gravel pad and shed within mapped wetlands

And that this is not a significant activity requiring a public hearing. Motion seconded by Mr. Paganini, unanimously carried.

Mr. Bate stated the Inland Wetlands Commission is not in favor of keeping a shed in wetlands, there is the possibility of modifying the permit to show the shed in a different location. The permit process was discussed, and Mr. Nardi-Cyrus could process it as an agent determination if the shed is relocated within the upland regulated area.

## **6. Staff Report:**

### **a. Enforcement Report – update**

Mr. Nardi-Cyrus reviewed the notifications received for dam work from the DEEP, who always supersedes the Inland Wetlands Commission. Notices have been received for the reservoir and dam on Norfolk Road.

As far as violations, there are 16 actions in place now.

137 Babbling Brook Road, a draft plan has been received and George Logan will be submitted further information.

516 Mountain Road, Jim Mazzarelli; there was an emergency dam repair made and the whole area was unstable. Mr. Mazzarelli stated he would obtain a permit. There are other areas of disturbance on site that need to be addressed. This property is not in the 490 agricultural exemption program. The owner had previously wanted his pond to be deeper so it could be stocked with trout. An emergency repair was done to the large pond, and Mr. Nardi-Cyrus has made a referral to DEEP for a dam safety permit.

### **b. Agent Determinations:**

- . 971 New Litchfield Street – Clearing and grading within the upland regulated area
- . 811 Upper Valley Road – Clearing and grading within the upland regulated area
- . 100 Windtree Drive – home addition within the upland regulated area

### **c. Draft Citation**

Mr. Nate Nardi-Cyrus discussed the process for implementing Citations for wetlands violations. By State Statute, fines cannot exceed \$1,000.00. Mr. Nardi-Cyrus mirrored the Zoning Citation process, which would ultimately have to be adopted by the City Council, after review by the Ordinance Committee. A citation cannot be issued until after a Cease and Desist Order is issued, and a Show Cause Hearing would be held.

Wording and details of such a Citation were discussed, along with the process of the Hearing Officer. Mr. Nardi-Cyrus will look into the language further to be consistent with other municipalities. Then this Commission would make a recommendation to City Council to adopt such a Citation process.

## **7. Adjournment:**

MOTION by Ms. Altman to adjourn at 7:40 p.m., seconded by Ms. Barbe, unanimously carried.

---

Land Use Office