

**CITY OF TORRINGTON
INLAND WETLANDS COMMISSION
MEETING MINUTES
December 19, 2023**

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

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

Not Present: Randall Stelma, Member

1. Call To Order:

Chair Jay Bate Jr. 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 are Commission members Christine Altman, Joe Paganini, Adrienne Barbe, Steve Thompson and Jay Bate. Also present is Nate Nardi-Cyrus, Inland Wetlands Enforcement Officer and Assistant City Planner.

3. Minutes for Approval:

11-21-23 Regular Meeting

MOTION by Ms. Altman to table the November 21, 2023 meeting minutes, seconded by Mr. Paganini, unanimously carried.

4. Old Business:

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

Mr. Nardi-Cyrus briefly reviewed this application which goes back to June 2023. Mr. Nardi-Cyrus recommended denial of the application due to incomplete information submitted. The applicant had difficulty in securing an engineer. It is likely he will resubmit an application in the near future.

MOTION by Ms. Altman to deny the application:

Applicant: Mike Perugino

Location: 811 Tarringford Street

(Assessor Map 144 Block 002 Lot 002)

Activity: Construction of house within upland regulated area

Due to insufficient information requested by the Inland Wetlands Commission, seconded by Ms. Barbe, unanimously carried.

- b. 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. Nardi-Cyrus briefly reviewed the on-site meeting that was held, soil scientist George Logan was present on site. During the subsequent meeting where Mr. Logan was not present, the Commission made suggestions and potential site changes to be included. Mr. Nardi-Cyrus provided this information to Mr. Logan and did not hear back until this past week. A revised plan was provided just yesterday, not leaving enough time for review.

Mr. Mazzarelli emailed Mr. Nardi-Cyrus requesting time to obtain an attorney as he believes this process is unfair and wants to explore legal options. An extension of time was needed and the full 65 days were requested, putting this matter out until the January 2024 meeting. Mr. Nardi-Cyrus spoke with Mr. Logan today, and Mr. Logan wants to table the application to allow Mr. Mazzarelli to consider his options, and will return to the January 2024 meeting.

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 Ms. Barbe, unanimously carried.

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

Mr. Nardi-Cyrus reviewed that at the last Commission meeting, the Commission had requested more information on how the planned activities relate to agriculture and how those activities affect the wetlands.

Mr. Nardi-Cyrus had called Mr. Mazzarelli who stated he would not comply and the Commission would have to come after him. Mr. Nardi-Cyrus had further discussions internally since he also needs a plan for his PA490 tax exemption. Rather than send a Cease and Desist order, it would be a better to have a meeting with the applicant's wife who is the actual owner of the property and has not had any involvement in these discussions. The Mayor can mediate and get a discussion going to get Mr. Mazzarelli to provide the materials to move forward.

Mr. Nardi-Cyrus recommended tabling the application. There is no timeline to act on a jurisdictional determination.

MOTION by Ms. Altman to table the application of:

Applicant: Jim Mazzarelli

Location: 516 Mountain Road

Activity: Jurisdictional Determination Application

Motion seconded by Mr. Paganini, unanimously carried.

5. New Business:

- a. Applicant: AJK LLC
Location: 3350 Winsted Road
(Assessor Map 242 Block 003 Lot 001)
Activity: Renewal Permit application for Gravel Processing, recycled materials handling, screening, crushing, reprocessing of recycled materials within regulated area

Mr. Nardi-Cyrus stated this application arrived just after the deadline for submission of agenda materials. Mr. Nardi-Cyrus had a site visit here this summer. Since the application was first submitted in 2009, there have been extensive changes to the site and filling of wetlands shown in the old site plan. A new site plan is needed. It is Nate's recommendation to deny a permit renewal if it is not the same activity. The representative for AJK LLC called today to say they will withdraw the application. There is a meeting with AJK LLC and representatives and City Staff on December 28, 2023.

Mr. Nardi-Cyrus stated this application has been formally withdrawn and there is no need to take any action on it. Something will come back as there are violations on site, and they cannot legally be working on that site without a current Inland Wetlands Permit, and they don't have Planning and Zoning Commission approval. There is very likely still activity going on at the site.

- b. Applicant: Alfano Group LLC
Location: 87 Eagle Ridge
Activity: Modification to redesign approved restoration plan

Mr. Nardi-Cyrus noted this site is where a permit was issued for a single family house. There were numerous violations on site that had required restoration. The house is

completed physically, but does not have a Certificate of Occupancy as the City will not sign off until the restoration is complete on site to the Inland Wetland Commission's satisfaction.

An environmental consultant has been hired to a plan which was approved by this Commission this past autumn. The property owner has hired additional consultants to redo the plan. A basic application was submitted showing a fence rather than boulders, and modifications to plantings. The applicant is asking for the proposal to be tabled in order to resubmit another plan for review. There is no need for extensions.

MOTION by Ms. Altman to table the application:

Applicant: Alfano Group LLC

Location: 87 Eagle Ridge

Activity: Modification to redesign approved restoration plan

Motion seconded by Mr. Stelma, unanimously carried.

6. Staff Report:

a. Enforcement Report – update

The 516 Mountain Road violations is being worked on now. Mr. Nardi-Cyrus came across a large clearing and disturbance on Guerdat Road, the last house on the left. The property owner has been working with Mr. Nardi-Cyrus on the matter, and erosion and sedimentation controls have been installed. There is a pond at the bottom of the site.

b. Agent Determinations

An agent determination on University Drive for new house construction was briefly reviewed by Mr. Nardi-Cyrus.

8. Adjournment:

MOTION by Ms. Altman to adjourn at 7:25 p.m., seconded by Mr. Stelma, unanimously carried.

Land Use Office