

# CITY OF TORRINGTON

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**To:** Inland Wetlands Commission  
**From:** Nate Nardi-Cyrus, City Planner/Wetlands Agent  
**Subject:** Application WC23-09-03, James Mazzarelli, 137 Babbling Brook Road. Application for Piping of 130' of watercourse, creation of armored ponds before and after piped stream, and backfilling of adjacent wetlands to extend lawn.  
**Date:** September 26, 2023

The City of Torrington's Inland Wetlands and Watercourses Commission (the "Commission"), has received an application for activities requiring a permit from the Commission based on state statute and local inland wetlands regulations. In regard to this application, at this meeting the Commission must:

1. Make a motion to formally accept the application to begin review
2. Make a determination whether the activities proposed in this application constitute a significant impact to wetlands or watercourses under the terms of Section 2.1 of the regulations. Alternatively, the Commission has the option of scheduling a site walk of the property and tabling the determination of significant impact to the next commission meeting.

As staff, I have conducted an initial review of the submitted materials and conducted a site inspection of the property regarding review of potential significant impacts with respect to section 2.1 of the regulations. Based on my review of the site and available materials, I offer the following staff recommendation based on the following standards contained within the regulations:

1. Any activity involving deposition or removal of material which will or may have a substantial effect on the wetland or watercourse or on wetlands or watercourses outside the area for which the activity is proposed.

***It is my opinion, the piping of 130' of watercourse, pond creation, and associated filling for the expansion of a residential lawn has had a substantial effect on the watercourse.***

2. Any activity which substantially changes the natural channel or may inhibit the

natural dynamics of a watercourse system.

***It is my opinion, the unpermitted piping of 130' of watercourse, pond creation, and associated filling for the expansion of a residential lawn has likely increased stream velocity and inhibited natural dynamics of the system.***

3. Any activity which substantially diminishes the natural capacity of an inland wetland or watercourse to: support aquatic, plant or animal life and habitats; prevent flooding; supply water; assimilate waste; facilitate drainage; provide recreation or open space; or perform other functions.

***By piping the watercourse, 130' of stream and adjacent wetland habitat has been completely removed and downstream stream velocities were likely increased.***

4. Any activity which is likely to cause or has the potential to cause substantial turbidity, siltation or sedimentation in a wetland or watercourse.

***Based on my review, there has likely been minimal turbidity, siltation, or sedimentation in the watercourse after initial installation.***

5. Any activity which causes substantial diminution of flow of a natural watercourse or groundwater levels of the wetland or watercourse.

***Based on my review, this activity is not likely to cause a diminution of flow in the watercourse.***

6. Any activity which is likely to cause or has the potential to cause pollution of a wetland or watercourse.

***It appears from my review of submitted materials that there is minimal pollution of surface flows or groundwater.***

7. Any activity which damages or destroys unique wetland or watercourse areas or such areas having demonstrable scientific or educational value.

***There are no Natural Diversity Database (NDDDB) records in the project area nor any records of sensitive or unique habitats on the subject property. There are no conservation or preservation easements or restrictions requiring review prior to IWC application review. No unique habitats have been identified in the project area.***

In consideration of the above, I recommend that the commission make a motion that this proposed project is a significant activity, and as such, does require a

**public hearing for the application.**

*Please note that this memo represents the staff opinion of the Wetlands Agent/  
Assistant City Planner only.*