

# CITY OF TORRINGTON

LAND USE OFFICE  
140 Main Street • City Hall  
Torrington, CT 06790-5245



Phone: (860) 489-2221  
Fax: (860) 496-5928  
[www.torringtonct.org](http://www.torringtonct.org)

**To:** Inland Wetlands Commission  
**From:** Nate Nardi-Cyrus, City Planner/Wetlands Agent  
**Subject:** Application WC22-10-01, Haynes Aggregate – Torrington LLC, Owner, 3217 Winsted Road and Winsted Road (242/001/017). Application for unintended discharge of sediment into Still River wetlands  
**Date:** October 18, 2022

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 documents and conducted a site inspection of the property to assess potential significant impacts with respect to section 2.1 of the regulations. Based on my review of the site on October 13<sup>th</sup>, 2022, photos of the violation dated April 11<sup>th</sup>, 2022 and the associated notice of violation dated May 5<sup>th</sup>, 2022, the submitted plans titled "Site Plan – Southern Buffer Area – 3217 Winsted Road, Torrington, Connecticut" dated September 26, 2022, and a report titled "Wetlands Investigation – Summary of Findings. Haynes Materials, Winsted Road, Torrington, CT" dated October 14, 2022 by REMA Ecological Services LLC, 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.

***This application comes in response to a wetlands violation – discharge of***

**sediment into a watercourse without a permit. On April 11<sup>th</sup>, 2022, former Wetlands Agent Jeremy Leifert documented unpermitted sediment discharge clogging culverts and catch basins and filling a watercourse adjacent to the Still River (i.e. a flooded shrub swamp). On May 5<sup>th</sup>, 2022, Mr. Leifert sent a notice of violation to Haynes Aggregate – Torrington LLC, requesting adherence to their approved stormwater maintenance plan and submittal of a wetlands permit application to the Torrington Inland Wetlands Commission with current conditions and proposed mitigation measures. The applicant implemented a plan for enhanced sediment control on site and Nate Nardi-Cyrus, current Wetland Enforcement Officer, observed that sediment has been removed from previously clogged culverts and catch basins.**

2. Any activity which substantially changes the natural channel or may inhibit the natural dynamics of a watercourse system.

**No changes to any watercourse channel are proposed. Sediment was discharged into the watercourse but REMA Ecological Services LLC indicates that the natural dynamics of the system would be more adversely impacted by removal or disturbance of the deposited sediment than leaving in place.**

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.

**In my opinion, the natural capacity of the watercourse would be diminished by any disturbance, including the removal of sediment within the watercourse. Upgraded sediment management is expected to improve the natural capacity of the watercourse.**

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

**The proposed activity, construction of enhanced sediment management and avoidance of sediment already deposited in the watercourse, is expected to reduce turbidity, siltation, and sedimentation within the watercourse.**

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

**It appears from my review of submitted plans and reports that there will be no substantial change to surface flows or groundwater. City Engineering review in progress.**

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

***In my opinion, the proposed project is not likely to cause pollution if best management practices are observed during construction activities and proper installation and maintenance is performed on erosion controls.***

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 not a significant activity, and as such, does not require a public hearing for the application.**

*Please note that this memo represents the staff opinion of the Wetlands Agent/Assistant City Planner only. The City Engineer will also review and submit comments prior to the commission rendering a decision on this application.*