

**CITY OF TORRINGTON
INLAND WETLANDS COMMISSION
MINUTES
September 15, 2020**

Present: Jay Bate, Jr., Chair
Christine Altman, Vice Chair
Jane Bakker, Member/Secretary
William Storti, Member
Tomasz Kalinowski, Member

Also Present: Jeremy Leifert, Asst. City Planner/CZWEO

Not Present: Jonathan Andrews, Member

1. Call To Order:

Chair Jay Bate called the meeting to order at 7:03 p.m.; remote meeting via ZOOM online platform.

2. Roll Call and Announcement:

Mr. Bate announced present and serving this evening will be Commissioners Christine Altman, Jane Bakker, William Storti, Tomasz Kalinowski, and Jay Bate. Also present is Jeremy Leifert, Asst. City Planner/Certified Zoning and Wetlands Enforcement Officer.

3. Minutes for Approval:

a. 8/18/20

MOTION by Ms. Bakker to approve the August 18, 2020 minutes, seconded by Ms. Altman, unanimously carried.

4. New Business:

a. Show Cause Hearing
Property Owner: Ron Raymond
Address: Felicity Lane, Assessor Map 101 Block 011 Lot 008
Violation: Grading and material processing within a regulated area without permits

Property owner Ron Raymond, Jr. was logged into ZOOM for the meeting.

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Mr. Leifert provided some background history on the property, and Mr. Raymond noted that Mr. Leifert has been speaking to his father, Ron Raymond, Sr. Mr. Leifert reviewed some of the work he has observed occurring at the subject site. There is a wetlands crossing, additional material deposited over the spring and summer on the site, material is stockpiled alongside the access way and in the regulated wetlands areas. Screening and processing of materials is occurring on site. A letter was sent to the property owner, and after observing additional materials on site, three weeks ago another letter was sent to the property owner. Last week, Mr. Leifert issued a Cease and Desist Order.

Mr. Bate inquired of Mr. Raymond if he is planning to get permits for this activity, Mr. Raymond responded yes and he needs more information and it's their position that no further work has occurred. Mr. Raymond referred to the September 8, 2020 letter from Mr. Leifert. Mr. Raymond said they have taken material off site, and approximately 80 to 100 yards of material is left on site, and wanted to know what they were doing wrong and how can they correct it.

Mr. Leifert referred to the photos sent to Commission members, and explained any deposits of materials within the wetlands areas or within 100 feet of the water course requires a permit. An inland wetlands survey needs to be done first to determine where these regulated areas are located. Mr. Raymond said he thought an existing driveway could be maintained without permits. Mr. Leifert responded that more than regular maintenance has occurred on the site, and any new work needs a review. Mr. Raymond explained they are working on the access way because they want to get to the top of the hill, and they do not have a definite plan as to what they eventually want to do with the property. Discussion followed.

Mr. Raymond stated he wants to remove trees to get an access way through the property, and Mr. Leifert said a wetlands survey is needed.

Ms. Altman inquired about the history of the property, and what it is being used for now. Mr. Raymond said they have owned the property for about two years, the road on the property was built in the 1950's and a culvert put in over the stream long ago. It is a wooded site, 25 acres, with a road going in to near to the top of the property. He is unsure of their plans for the land in the future.

Mr. Leifert confirmed he needs to know the boundaries of the wetlands, and the road appears to have been widened, there are stockpiles of materials outside of the road, which falls outside of normal maintenance. The role of the Inland Wetlands Commission will be to listen, and to decide to uphold the Cease and Desist Order, modify the Order, or overturn the Order.

Mr. Bate stated a wetlands survey is to be done, and no further work is to occur on the property until the Inland Wetlands Commission can review the wetlands survey, and meet again.

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Mr. Leifert said the stockpiles of materials have weeds growing on them and appear to be stabilized, and noted the location of the culvert. The access way goes along the waterway, and the culvert is a good size, 48” to 60”.

Mr. Raymond indicated he would obtained a wetlands survey. Mr. Bate said the Commission would meet again next month and review the materials provided.

MOTION by Mr. Kalinowski to UPHOLD the Cease and Cease Order pending a wetlands survey,

Property Owner: Ron Raymond

Address: Felicity Lane, Assessor Map 101 Block 011 Lot 008

Violation: Grading and material processing within a regulated area without permits.

MOTION seconded by Ms. Altman, unanimously carried with Ms. Altman, Mr. Kalinowski, Mr. Storti, Ms. Bakker and Mr. Bate voting in favor of the motion.

5. Old Business:

- a. Applicant: To Design LLC c/o Mary Dehais
Location: Koury Terrace/East Main Street
(Assessor Map 134 Block 009 Lot 006)
Activity: Construct two new buildings, associated parking, storm water management within upland review area

Mary Dehais, Landscape Designer of To Design, New Britain, CT appeared for the Torrington Housing Authority.

Mr. Leifert has sent a memo to Commission members earlier this evening. This application was previously approved in the fall of 2013, that permit has expired. This project is for Slaiby Village, access off East Main Street, and is approximately 17 acres in the R6 zone.

Ms. Dehais reviewed the maps, plans, parking, etc., referring to site maps. They will be leaving as much existing vegetation as possible, and bringing fill onto the site. Walking trails will be created. Pervious pavers will be used, there is a detention basin on the right side of the property. Mostly native materials will be used for plantings; evergreens and fencing will be installed along the property line. Ms. Dehais reviewed the light fixtures, which will be full cut off fixtures.

Ryan Schittorole, PE, reviewed plans, draining, storm water runoff, etc. Engineering details were provided (7:35 p.m.). Mr. Leifert noted this is basically the exact same permit being applied for as last time. That first permit issued is now expired.

Mr. Leifert reviewed conditions, and confirmed that a small adjoining parcel will be combined with this site and the plan will need to reflect that.

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Confirmation is needed that downslope drops will not be adversely affected by the drainage. The Planning and Zoning Commission will review the applications next, and part of that review will be done by the City Engineer.

Mr. Leifert noted this proposal will have minimal impact to the inland wetlands. The previously approved application was deemed not a significant activity.

Mr. Bate posed questions regarding the piping in wetlands areas. Mr. Schittorole stated there will be no piping in the wetlands areas.

Per Mr. Leifert, the understory area of shrubs and growth should be minimally cleared. Ms. Dehais said this is a 17 acre site with approximately 4.5 acres of wetlands.

MOTION by Ms. Bakker to GRANT a permit to:

Applicant: To Design LLC c/o Mary Dehais

Location: Koury Terrace/East Main Street, (Assessor Map 134 Block 009 Lot 006)

Activity: Construct two new buildings, associated parking, storm water management within upland review area

with the following conditions:

1. The applicant shall respond, to the satisfaction of the City Engineer, to comments and questions in the letter dated September 1, 2020, specifically items #3 through #5, prior to commencing work on the site.
2. An maintenance plan for the pervious pavement area and storm water maintenance on the submitted plans shall be submitted and reviewed to the satisfaction of the City Engineer and Wetlands Officer
3. Debris and dead wood removal as proposed on submitted plans within surveyed wetlands shall be limited to clearing for bark mulch walking trails, removal of dangerous/dead standing trees and non-vegetative trash. The brush and understory shall be minimally cleared.

MOTION seconded by Mr. Storti, motion unanimously carried with Ms. Altman, Mr. Kalinowski, Mr. Storti, Ms. Bakker and Mr. Bate voting in favor of the motion.

6. Staff Report:

- a. . Agent Determination, 50 Persechino Drive, Raymond and Linda Poniatoski, install backyard drainage within upland review area
- . Agent Determination; 205 Marshall Lake Road, Greg Campanelli, stream and upland review area restoration
- . Agent Determination; 38 Birney Brook Road, Frederick Rosa, shed within upland review area
- . Agent Determination, 45 Warder Lane, Ut Hua, shed within upland review area
- . Agent Determination, 72 Belleview Avenue, Paul Blackman, stabilization and restoration of regulated area.

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Mr. Leifert reviewed the agent determinations that were issued.

7. Communications:

n/a

8. Adjournment:

MOTION by Ms. Altman to adjourn at 8:01 p.m., seconded by Ms. Bakker, motion unanimously carried.

Land Use Office