

CITY OF TORRINGTON

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To: Inland Wetlands Commission
From: Nate Nardi-Cyrus, City Planner/Wetlands Agent
Subject: Application for jurisdictional determination for 95 University Drive - applicant Aquarian Water Company (Torrington Water Company) – Restoration of banks at dike at Allan Dam Reservoir due to 2023 flooding
Date: February 13, 2024

The City of Torrington's Inland Wetlands and Watercourses Commission (the "Commission"), has received an application for a jurisdictional determination regarding maintenance of water utility infrastructure in and around wetlands at 95 University Drive.

The City of Torrington Inland Wetlands Commission (the "Commission"), based on the written testimony from the applicant and City staff regarding the above referenced application, must make a motion on whether to accept this activity as an as-of-right Jurisdictional Determination.

The record contains the following documents (in chronological order):

- Application from Jonathan Zeiner, Aquarian Water Company Forester, including associated drawings, maps, and e-mail correspondence with Tiche and Bond, dated January 19, 2024

According to CGS Chapter 283 Sec 16-235 "...no authority granted to any city or borough or a town planning, zoning, inland wetland, historic district, building, gas, water or electrical board, commission or committee created under authority of the general statutes or by virtue of any special act, **shall be construed to apply to so much of the operations, plant, building, structures or equipment of any public service company as is under the jurisdiction of the Public Utilities Regulatory Authority, or the Connecticut Siting Council, but zoning commissions and inland wetland agencies may, within their respective municipalities, regulate and restrict the proposed location of any steam plant, gas plant, gas tank or holder, water tank, electric substation, antenna, tower or earth station receiver of any public service company not subject to the jurisdiction of the Connecticut Siting Council.**"

Based on the above language, I recommend that the Commission make a motion to accept the activities proposed by Aquarian Water Company, as an as-of-right jurisdictional determination.

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