

## **LITCHFIELD INLAND WETLAND COMMISSION**

### **Regular Meeting Minutes**

**May 9, 2018 – 7:00 p.m.**

**Town Hall Annex, 80 Doyle Rd. Bantam, CT**

**Call to Order:** Chairman Robert Blazek called the regular meeting to order at 7:04 p.m.

**Members Present:** Chairman Robert Blazek, Anthony Paradise, Frederick Minck, Jack Hamill. Also present were Dennis Tobin, Ph.D, Wetlands Agent, and Ann Combs, Recording Secretary.

**Members Absent:** Barbara Brower, Jack Healy

**Public Comment:** None

**Appointment of Alternates:** None available

**Motion:** J. Hamill moved to add to the agenda as 5a, "Litchfield Land Trust, 381 Torrington Road, reactivate wood road and hiking trail."

**Second:** A. Paradise

**Vote:** All voted aye and the motion carried.

**Motion:** F. Minck moved to add to the agenda as 5b, "Maple Ridge LLC, 49 Old Farm Road, selective timber harvest of 71 acres of upland forest."

**Second:** A. Paradise

**Vote:** All voted aye and the motion carried.

### **APPLICATION CONSIDERATIONS**

#### **1. Forman School – 12 Norfolk Road**

**5/9/18**

*Pave existing gravel parking lot, replace existing drain and a new catch basin*

Dennis McMorrow, Berkshire Engineering and Surveying, noted changes made to the plan. They will reshape the parking lot and line stripe after paving. They added a wood beam guide rail on the slope, curbing, two more stone level spreaders and erosion control fabric on the slope. There will be more of a flared end to the riprap swale, and it will be brought down into the existing ditch. The dumpster location will have a paved area with a light pole.

**Motion:** F. Minck moved to approve the application of Forman School, 12 Norfolk Road, to pave the existing gravel parking lot, replace the existing drain and add a new catch basin per map dated 5/9/18.

**Second:** J. Hamill

**Vote:** All voted aye and the motion carried.

#### **2. Saunders – 74 Old Forge Hollow Road**

**5/9/18**

*Construct detached garage with driveway in upland review area*

Dennis McMorrow, Berkshire Engineering and Surveying, reviewed the plan saying the driveway to be used had previously been built but never top-dressed. The Saunders want to build a new garage with fitness room above, using this driveway. They will continue to use the other driveway.

**Motion:** J. Hamill moved to approve the application for Saunders, 74 Old Forge Hollow Road, for construction of a detached garage with driveway in the upland review area per site plan revision dated 4/2/18.

**Second:** A. Paradise

**Vote:** All voted aye and the motion carried.

### **AGENT DETERMINATION**

#### **3. Bard (Agent for Gill) – 61 Fenn Road**

**5/9/18**

*Agent determination to drill domestic water well*

Dr. Tobin explained that Torrington Area Health instructed them where to drill for water. It is in the new home's lawn in the regulated area. There were no questions.

### **APPLICATION RECEPTIONS**

#### **4. Torrant – 346 Goshen Road**

**5/9/18**

*Septic repair*

William Torrant was present to explain they need to replace the 50-year-old septic system. Dennis McMorro will do the design and pointed out on the map that they chose the best area, rerouting the drain and moving it farther up in the back yard. No trees need to come down. The old septic trenches will be abandoned.

**Motion:** A. Paradise moved to approve the application of Torrant, 346 Goshen Road, to construct septic repair on 1/10 acre per map dated 4/18/18.

**Second:** F. Minck

**Vote:** All voted aye and the motion carried.

### **APPLICATION RECEPTIONS**

#### **5. Friends of Litchfield Community Greenway, Inc.**

**5/9/18**

*Bissell Road to Northshore Road – construct greenway*

Dennis McMorro, Berkshire Engineering and Surveying, and Matthew Blasavage of the Greenway were present. Mr. McMorro outlined the features of this section of trail, 2,800 linear feet, focusing on the proposed foot bridge over the Butternut Brook, which will be nearby to the existing DOT bridge on Bantam Road. He explained the bottom cord of the footbridge has to be higher than the DOT's to prevent the impoundment of water and is planned for one foot above the 100-year flood. Dr. Tobin said after getting a wetland permit for this, they would then get a flood plain permit, zoning permit, and a building permit. Mr. McMorro explained the bridge is 8 ft. wide and 55 ft. long. When asked for a flood plain certification by Dr. Tobin, he said the bridge would have to first be built and then he could shoot it for the flood certification. No material will be deposited into the Butternut Brook.

Regarding permits Mr. McMorro said there is a general permit in place from 2016 from Army Corps and DEEP and they want local approvals first. R. Blazek said he thought they would need Army Corps and DEEP approvals first as in past approvals, and he might have to check with the attorney on this at the applicant's cost. Dennis McMorro said they would be going to Army Corps and DEEP again. Mr. Blazek

said he wanted to see a written document from both the DEEP and Army Corps that they approve before Inland Wetlands approves. Within the General Permit, D. McMorrow said the self-verification form he needs to fill out for the Army Corps asks for the local permit first. He offered to contact the Corps to get the steps in order. The possibility of withdrawing the application was also discussed. R. Blazek held firm for attorney review to protect the Town's liability, and all commissioners agreed. Dr. Tobin asked for a motion for a review fee of \$2,500 from the applicant. Mr. McMorrow asked to be able to contact the Army Corp and DEEP authorities before getting a legal opinion, but Mr. Blazek said the legal opinion would be necessary.

Continuing with description of the rest of the trail in this application, Mr. McMorrow said that past the crossing they will be adding fabric and processed gravel along the old rail bed. Wetlands have been flagged. The owners of property in this section are Eversource, DOT, White Memorial and Town of Litchfield. The WPCA also has its sewer running along the rail bed. The Greenway will put down processed gravel on the existing bed with no excavation, as it is prohibited by Eversource.

A. Paradise said he needs to understand the legal standing of this application regarding order of approvals before moving forward. The attorney will advise if we need the services of a professional engineer as well. Dr. Tobin said the lawyer could review easements and the Army Corps, addressing all four owners. They would also need flood plain requirements, and amount of fill. Mr. McMorrow said it is available in square footage, not volume, but he said he could get the calculation. Dr. Tobin and Chairman Blazek were concerned about the timeline on the clock with the application, but will not move forward until there is a letter from the Army Corps and DEEP. They agreed on an application review fee of \$2,500, but discussion reverted to the application timeline. Mr. Paradise said that once the clock starts the process is in motion, and if they miss the deadline by one day, all is lost. They discussed withdrawing the application or going forward with the \$2,500 review, which would have to be approved by the Greenway Committee. If they withdraw they lose the \$300 application fee. As a result of all consideration, Mr. McMorrow decided to wait and come back next month with their plan of action.

**Motion:** F. Minck moved to continue this application to next month's meeting.

**Second:** A. Paradise

**Vote:** All voted aye and the motion carried.

#### **5a. Litchfield Land Trust – 381 Torrington Road**

**5/9/18**

*Reactivate wood road and hiking trail*

Peter Litwin and Dean Birdsall of the Land Trust were present. Peter said they are proposing two new walking trails on the west side of Route 202 on the top of Toll Gate Hill with 20 ft. of access on Route 202. The property extends to an interior parcel of 65 acres of land. Trails will be 2 ft. wide, with trail cut 4 ft. wide and blazes on trees. Cutting of dead trees and brush will be done by hand. Bog bridges will traverse wet areas. They will not impede wildlife. They will have to add gravel to a parking area in the upland area. Commissioners will walk the trail with Dean Birdsall. A. Paradise said he is looking for steep slopes and access for emergencies. There are also steep slopes near the river that could cause erosion, and he would like a soil scientist to walk it. R. Blazek said that would cost money, and the area has not been flagged. He also questioned the presence of vernal pools. D. Tobin asked for contact numbers from Dean and Peter. Dean is 860-567-5999 & 860-459-5587. Peter 860-567-5980 & 860-459-0144.

#### **5b. Maple Ridge LLC – 49 Old Farm Road**

**5/9/18**

*Selective timber harvest of 71 acres of upland forest*

Forrest Turner, and Dan Lawrence, CT certified forester, is proposing this timber harvest for land owner Sharon Sahl. There is one main stream that runs from one wetland to another. There are two existing

crossings on that stream. The crossings over the intermittent streams are by temporary bridges and hay bales. It is gradual sloping, dry, rocky, well drained terrain. A. Paradise said he is looking for board feet, cords of wood, yards of chips, making sure it is part of the application. They will mark the area so R. Blazek knows where to walk it. The landing will be in the open field. A. Paradise said Dan needs to get the contract set with the trees marked. Trees will be marked in blue or orange paint and perimeter flagged with pink.

**6. New Business: Docks:** R. Blazek spoke with Connie Trolle who has data from Morris on docks. She will be here for the June meeting. Then we can move forward to have a policy to regulate docks.

**7. Approval of Minutes**

- a) **July 12, 2017:** unable to approve with members present
- b) **February 14, 2017:** unable to approve with members present
- c) **March 14, 2018:** unable to approve with members present
- d) **April 11, 2018:** unable to approve with members present

**8. Correspondence:** None

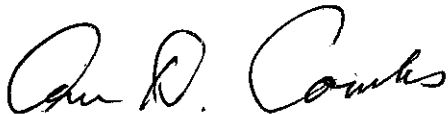
**9. Possible Executive Session:** None

**10. Adjournment**

**Motion:** J. Hamill moved to adjourn at 8:43 p.m.

**Second:** A. Paradise

**Vote:** All voted aye and the motion carried.

A handwritten signature in black ink, appearing to read "Ann D. Combs". The signature is fluid and cursive, with the first name "Ann" and last name "Combs" being the most prominent parts.

Ann D. Combs, Recording Secretary