

**LITCHFIELD INLAND WETLAND COMMISSION**  
**Regular Meeting Minutes**  
**August 12, 2015 – 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 7:03 p.m.

**Members Present:** Chairman Robert Blazek, Jack Hamill, Frederick Minck, Abby Conroy (7:13), and Dr. Frank Schildgen. Also present were Dennis Tobin, Ph.D., Wetlands Agent and Ann Combs, Recording Secretary

**Members Absent:** Linnea Healy, Barbara Brower, Carol Williams, Anthony Paradise

**Public Comment:** Betsy Glassman asked a question about filing as an in intervenor on an application.

**Appointment of Alternates:** None to appoint

**Motion:** Dr. Frank Schildgen moved to add to Application Receptions:

- 5a) Town of Litchfield – North Shore Road (Map 169, Block 68)
- 5b) William Bongiolatti – 46 Colleoni Drive (Map 187, Block 68, Lot 16)
- 5c) Rocco Gugliotti – 16 North Forty Road (Map 05, Block 030, Lot 05F)

**Second:** Jack Hamill

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

**PERMIT REVISION**

**1. Rollins – 19 Tallmadge Lane**

**8/12/15**

*Add installation of 20 ft. sanitary lateral to approved permit*

Mr. Blazek read a letter of withdrawal of this application from Dennis McMorrow, Berkshire Engineering and Surveying.

**APPLICATION CONSIDERATIONS**

**2. Ryan Schmitz - Litchfield Hollow Drive**

**8/12/15**

*Pave existing gravel common driveway*

Mr. Blazek read a letter of withdrawal of this application from Dennis McMorrow, Berkshire Engineering and Surveying. He explained Mr. Schmitz plans to reapply next month with the applicant being the Association.

**3. James Katzin – 62 Perkins Road**

**8/12/15**

*Septic system repair and house relocation in upland review area, demo existing house, and remove underground oil tank.*

Jim Katzin was present to explain the application. Information was received from Torrington Area Health as requested. Mr. Katzin explained that they will replace the gravity-fed septic with a pump system and will bring the well to the west.

**Motion:** Dr. Frank Schildgen moved to approve the application of James Katzin, 62 Perkins Road, for septic system repair, house relocation in upland review area, demolition of existing house, and removal of existing underground oil tank, per map by Kenneth Hrica dated 7/4/15.

**Second:** Jack Hamill

**Vote:** All voted aye and the motion carried. [*Abby Conroy arrived here at 7:13 p.m.*]

**4. Pullman Company – 45 Bantam Lake Road**

**8/12/15**

*Remediation of impaired soils, removing soil contaminated with metal chips/shavings, replacing with clean soil and stabilizing the area*

Cheryl Leith of HRP Associates explained they are remediating metal chips by excavation and building a temporary haul road. Trucks will go back and forth from the river to the stockpile area which will be contained on sheets and covered at night until picked up. They added silt fencing and a tracking pad to avoid tracking materials along the site. Tom Battles, HRP Director of Civil Engineering, said they will dig as deep and as vast as practical to remediate shavings. Cheryl Leith said Robin Fox of HRP will be overseeing the work as well as a DEEP licensed environmental professional, who will determine when the remediation is complete. The metal chips are primarily aluminum magnesium and are being removed as a physical hazard. They will not further impact the site once the work is done. The cofferdams will be removed every night and are built for the normal river elevation. A significant rain event may cause the water to overtop the cofferdam, which is normal and how they are designed for other projects. The Remedial Action Plan was submitted last week, along with a letter addressing all the Commission's concerns.

**Motion:** Dr. Frank Schildgen moved to approve the application of The Pullman Company, Inc. for work at 45 Bantam Lake Road including removing soil contaminated with metal chips and shavings and replacing with clean soil and stabilizing the area. This will require heavy equipment on the site, and a cofferdam will be built up to 45 ft. into the river as per design dated 6/23/15 by HRP Associates.

**Second:** Jack Hamill

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

**APPLICATION RECEPTIONS**

**5. Reihl (Divine Light Fellowship) – Pitch Road (Map 048, Block 041, Lot 038)**

**8/12/15**

*Single family home construction with portion of driveway, underground utilities and septic system in regulated area*

Gary Giordano was in attendance representing Justin Reihl. He said a soils report was submitted by George Malia with the wetlands delineated. Zero wetlands or watercourses are affected by this plan. The Town maintains the road, as there are other homes on it.

**5a. Town of Litchfield – North Shore Road (Map 169, Block 68)**

**8/12/15**

*Periodic maintenance of boat ramp. Activities include moving concrete ramp slabs and addition of gravel to fill in between slabs.*

Public Works Director Jack Healy was present to explain that this method of filling the gaps between the slabs has been done periodically in the past so truck and trailer tires do not get stuck in them, causing a safety issue. They will use appropriate erosion and sediment control measures.

**Motion:** Jack Hamill moved to approve the application of Town of Litchfield for moving concrete ramp slabs and adding gravel to fill in between a couple times a year to stabilize the boat ramp and make sure safety is maintained.

**Second:** Dr. Frank Schildgen

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

**5b. William Bongiolatti – 46 Colleoni Drive (Map 187, Block 68, Lot 16)**

**8/12/15**

*Excavate a trench to install underground electrical service*

In this after-the-fact application, Mr. Bongiolatti said the trench is almost done and he will finish it according to the directions provided. The purpose of the trench is to get utilities to his barn. He was not aware he needed a permit.

**Motion:** Fred Minck moved to approve the after-the-fact application of William Bongiolatti of 82 Hickory Road, Torrington, for 46 Colleoni Drive to excavate a trench to install underground electrical service.

**Second:** Dr. Frank Schildgen

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

**5c. Rocco Gugliotti – 16 North Forty Road (Map 05, Block 030, Lot 05F)**

**8/12/15**

*Pond enlargement, ½ acre on stream*

In this after-the-fact application, Mr. Gugliotti explained that there is an existing pond that has filled in with silt. There is a stream that feeds the pond and exits the pond. He said he used a sump pump to take preventive measures. He spoke to the Army Corps of Engineers and will get in touch with Bob Gilmore of the State. He will return next month to discuss. Dennis Tobin and Sean Hayden will visit the site.

**6. Litchfield Housing Trust – Torrington Road (Map 145, Block 020, Lot 005)**

**8/12/15**

*Eight-unit affordable housing development*

Peter Herbst, Attorney for the Litchfield Housing Trust, was present and read a letter dated 8/12/15 from Ken Hrica. He would like the Commission to waive the application fee, as it is a Litchfield Housing Trust project. He also noted a 7/2/15 letter from the Army Corps to the Litchfield Housing Trust saying they reviewed the application and they authorize activities under the CT General Permit. The permit's issuance date is 7/15/05. There are conditions of conservation restrictions listed for the permittee, including protecting the property in perpetuity for plant and aquatic resources, and mowing three years apart at certain times of the year. All conditions are listed in the "Conservation Restriction Area Management Plan" and a "Declaration of Conservation Restriction" that will be filed on the land records.

Chairman Blazek said this project will be in the public's interest and may have impact on the wetlands, so he recommended moving it to public hearing on 9/9/15 at 7:30 p.m. at the Bantam Annex. Mr. Herbst said if that happens, he will ask for a continuance of the public hearing to 10/14/15, as Ken Hrica will not be available.

**Motion:** Dr. Frank Schildgen moved to set the public hearing for September 9, 2015 at 7:30 p.m. at the Bantam Annex.

**Second:** Fred Minck

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

Dr. Tobin then said Benesch Engineering has agreed to consult on this at estimated fees of \$4800. Mr. Blazek asked for an engineering bond of \$5,000 as agreed upon by the Commissioners, as long as the bond can be increased if needed.

**Motion:** Dr. Frank Schildgen moved to approve a legal bond of \$5,000 to cover the cost of the application review fee including engineering and other issues that may arise.

**Second:** Abby Conroy

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

D. Tobin said there will be intervenors, easements and a conservation restriction, so he recommended a legal bond. Dr. Schildgen spoke about the pale green orchid and the expertise of the Army Corps, hoping they can all be very careful in dealings with the Army Corps and its authority.

**Motion:** Jack Hamill moved to receive a bond in the amount of \$3,000 for legal representation for the Town of Litchfield on this subject.

**Second:** Dr. Frank Schildgen

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

Mr. Herbst then requested a waiver of the application fees requested by Ken Hrica, as they had on December 12, 2012, for the Litchfield Housing Trust. Mr. Blazek said he would look into that and address it at the next meeting. R. Blazek then read the Statute Sec. 22a-19 that addresses and explains rules for intervenors for the benefit of members of the public who were in attendance and planning to be intervenors.

## **7. Approval of Minutes of July 8, 2015**

**Motion:** Dr. Frank Schildgen moved to approve the minutes of the regular 8/8/15 meeting.

**Second:** J. Hamill

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

## **8. Correspondence**

- DEEP letter approving Torrington Water Company's application to increase transfer of potable water to Aquarion Water Company's Litchfield system.
- The Habitat, Summer 2015
- Client update of case studies from Atty. Steven E. Byrne, dated 7/6/15

## **9. Possible Executive Session to Discuss Pending Litigation: None**

## **10. Adjournment**

**Motion:** Fred Minck moved to adjourn at 8:20 p.m.

**Second:** Abby Conroy

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

Respectfully submitted,

Ann D. Combs, Recording Secretary