

LITCHFIELD INLAND WETLANDS COMMISSION
Regular Meeting
June 9, 2021 ~ 7:00 p.m.
Remote Meeting by Video Stream and Telephone

Call to Order: Chairman Robert Blazek called the remote meeting to order at 7:00 p.m.

Members Present: Robert Blazek, Abby Conroy, Jack Hamill, Jack Healy, and Mike LoRusso. Also present were Dennis Tobin, Ph.D, Wetlands Agent, and Ann Combs, Recording Secretary. First Selectman Denise Raap hosted Zoom.

Members Absent: Anthony Paradise, Barbara Brower, Frederick Minck, Brooke Healy

Appointment of Alternates: Chairman Blazek seated Mike LoRusso as a regular voting member.

APPLICATION CONSIDERATIONS

1. Green – 19 Little Pitch Rd.

6/9/21

Two lot re-subdivision with new lot for residential use. New lot to include house, driveway, septic system and underground utilities

Engineer Will Walter, PE, for Alfred Benesch & Co. was present and said he performed the third party review for the applicant. R. Blazek read his letter and Mr. Walter discussed the erosion and sediment control, peak flow attenuation, and stormwater quality treatment, noting he had reviewed the map entitled “Green Two-Lot Subdivision, 19 Little Pitch Road, Litchfield, CT, prepared by Dymar 4/8/21, rev. 4/30/21”, the “Drainage Report, Two-Lot Subdivision, Litchfield, CT” also prepared by Dymar, and the Greg Green Application to Conduct Activity in a Regulated Area, dated 4/5/21.

Mr. Walter noted concerns by the Commission on the slope/fill placed west of the exiting drive between the drive and the wetlands being a potential for sloughing and/or cause for potential stability issues for the proposed house. He met with the owner and engineer of record and walked the site. It was explained to him that the fill/slope had been placed and compacted in lifts, which would be the appropriate method of placing and earthen embankment. Based on his observations, it appeared it had been properly compacted.

Benesch’s comments included the following. None of the fill has been placed in the wetlands. The wetlands are sufficiently protected with a double row of silt fence. The southern portion of the fill slope has been hydroseeded and appears to be stable with very little rutting and no sloughing. The northern portion of the fill slope has not been seeded because there is drainage and septic work to take place after land use approvals are in place. He observed minor rutting but no obvious sloughing. The grading allows for rainfall accumulation on the flat portion to flow to the east away from the slope. He does not anticipate any issues with the long-term stability of the house and its potential for movement due to the fill/slope. In summary it appears that the application is complete and conforms to the erosion control, peak flow detention, and water quality treatment requirements of the regulations.

He offered two recommendations. 1) Place two rows of straw wattles, properly secured with stakes, along the unstabilized portion of the slope as an extra measure of precaution to protect the slope before it is stabilized; and 2) make design revisions if necessary to insure that there is a 25-foot separating distance from solid piping for the conveyance of surface or groundwater drainage to the septic reserve area.

Engineer Mark Lancor of Dymark and the applicant agreed with Mr. Walter's assessments and recommendations. Mr. Lancor said the Torrington Area Health District has already given approval for the concentral plans. Because they are using tight pipe, they are allowed to be 10 feet within the septic reserve area, but are about 15 feet away. They have a letter of approval from Richard Rossi of TAHD. Mr. Lancor then showed the revised plan and reviewed. The heavy activities are all outside the regulated area. The septic area in Lot 2 has gravelly and well-drained sandy soils and will not require any fill. There is .21 acres of disturbance in the upland review area that has yet to be done. There is no drainage down the slope to the west. All pitching is toward the water quality basins. After Wetlands approval they have to go to P&Z.

R. Blazek asked if there are any more truckloads of fill needed and was told material that will be put in at the septic area will be leveled to existing grade. All other grading has been done, and any more will be outside the upland review area. Dr. Tobin asked to focus what is to be approved, which site plan, which materials are included to be sure this segues into Planning and Zoning. Will there be any more work or fill needed that would alter this permit. Mark Lancor said he will bring specifically Drawing C-3 to P&Z and will only present what is on the plan.

J. Hamill asked about the time frame for construction. He was told there is a cease and desist in place now, but as soon as it is lifted they can get the wattles in place. A. Conroy confirmed that there is no proposed planting plan as part of the application, and she requested one. Will Walter said they intend to plant a meadow mix/conservation mix that should be a robust embankment after a year or two. They will oversee the rest of the area. It should be mowed twice a year once established. Mark Lancor then presented a planting plan that has been started and incorporates the ideas just presented plus trees, but he said he had not reviewed it with the client. Greg Green was concerned that with bushes and trees in the planting plan, he would not be able to maintain his slope, as he would not have enough room to maneuver his mower. A. Conroy was concerned with invasives and the wetlands edge. Chairman Blazek asked for a compromise, and Mark Lancor said they could eliminate the trees and concentrate on small shrubs and meadow mix. All other commissioners felt this was a good compromise plan. Greg Green assured Dr. Tobin he would be able to obtain the shrubs needed from nursery stock.

A. Conroy suggested three motions: 1) modify cease and desist to a cease and correct order to allow for the wattles to be put in place as recommended by Benesch; and planting plan as identified on sheet C-a less the trees; 2) approve the subdivision; and 3) approve the house site development.

Mark Lancor said planting in the dry season would be too hard to keep watered. Quentin Green said they could hydroseed with construction mix and get the bank established as a temporary stabilization measure, and then planning could take place next spring for certificate of occupancy purposes. J. Hamill agreed using conservation mix for 100% coverage, and said this should be the first phase of the planting plan and should be done as soon as possible.

Dr. Tobin said this approval should not be linked to the C/O and suggested getting a cash bond for assurance they will plant. He suggested the engineer resubmit a new wetlands buffer area mitigation plan that is a true plan. J. Healy agreed with J. Hamill and wanted to get the slope covered and protected, agreeing also with the three motions with an assurance built in for the planting plan. Will Walter agreed that a planting plan with the removal of trees could be approved with a bond for \$5,000 that could be returned to the Green's after the plants are established.

Motion: A. Conroy moved to modify the cease and desist to a cease and correct to immediately stabilize the site with a meadow mix and implement the erosion control measures as identified by Benesch in its letter.

Second: J. Healy

Vote: All voted aye and the motion carried.

Motion: A. Conroy moved to approve the two-lot residential re-subdivision made by Green, Little Pitch Road, as identified on the submission plan set with revised sheet 3.

Second: J. Healy

Vote: All voted aye and the motion carried.

Motion: A. Conroy moved to approve a site development plan set to develop the newly created Lot 2 as depicted on submission plans including revised plan C-3, a planting plan identified as Sheet 8, with modification that the trees do not need to be planted, just the shrubs, and with the recommendations by Benesch.

Second: J. Healy

Vote: All voted aye and the motion carried.

Motion: A. Conroy moved to amend the above motion to include a bond for \$5,000 to guarantee the completion of the planting plan.

Second: J. Healy

Vote: Voting on the amendment, all voted aye and the motion carried. Voting on the original motion as amended, all voted aye and the motion carried.

2. VanOrmer – 53 Spencer St.

6/9/21

Rear house addition

Frank VanOrmer said he wants to do an addition just off the back of the house. There is a stream 50 ft. from the work, but it will not change the slope or runoff direction. They will protect the wetland with silt fencing. There are two garage bay doors in the back of the addition, but the driveway continuation is not in the plan at this time. They understood they would have to come back if they want to add the driveway. J. Healy asked that the future driveway be added in as part of the application process.

Motion: J. Healy moved to approve the application by VanOrmer at 53 Spencer Street for a rear house addition with modifications as shown on map entitled “Frank and Kathy VanOrmer Addition”. Part of the approval includes resubmitting the drawing with silt fence locations, hay bales and dimensions.

Second: A. Conroy

Vote: All voted aye and the motion carried.

3. Boehme/Davison – 110 Prospect St.

6/9/21

Reconfigure driveway

Wolf Boehme pointed out that updates reflect comments from the commission at the last meeting. Driveway materials will be ¾” crushed stone, the blacktop apron will be according to Public Works rules, and the portion of the driveway that will be retained will be widened to 12 ft. in order to avoid soil damage and erosion. Silt fence will be installed as on the plan, in the same location as when the house was built. He corrected the distance from the westernmost part of the driveway curb to the fire hydrant as 30 ft. instead of 20 ft. He will do a “call before you dig” by calling 811 per J. Healy’s advice. A. Conroy suggested he cut down on the silt fence if he doesn’t need it.

Motion: J. Hamill moved to approve the application by Boehme/Davison at 110 Prospect Street to reconfigure the driveway as detailed on updated plan 5/24/21 by John Martin and Associates.

Second: A. Conroy

Discussion: J. Healy suggested Mr. Boehme go to the Wetlands office and sign and date the drawing.

Vote: All voted aye and the motion carried.

4. Forman School – 12 Norfolk Rd.
Demo and rebuild tennis courts

6/9/21

Dennis McMorrow, Berkshire Engineering and Surveying, showed the overall plan of Forman School and pointed out the location of the tennis courts. They need to widen the courts with a cut on the west and a fill on the east. T. Donoghue, Superintendent of the Sewer Department, said the manhole was a private line and he had no comment. They submitted a revised plan changing the 2:1 slope to a 1:1 riprap slope. This will require less tree cutting and less disturbance in the regulated area, farther away from the wetlands. He also provided detail of the riprap slope. They will not need to mow the slope now, as it has been changed to riprap. Water from the courts flows to the woods on the north naturally.

Motion: J. Healy moved to approve the revised plan submitted for Forman School on Norfolk Road for modification of construction of new tennis courts showing the change in the slope to a 1:1 slope with riprap with 6/4/21 revision date, submitted by Berkshire Engineering.

Second: J. Hamill

Vote: All voted aye and the motion carried.

AGENT DETERMINATION

5. Poulas – 144 Wheeler Rd.

6/9/21

Replace 12' of rotting wooden trough which channels water into pond from roadway

Dr. Tobin explained the old wooden trough that was rotten, and Mr. Poulas replaced it with stone. He will construct a spillway so the water can spill into the pond.

6. CONSTRUCTION PERMITS: Litchfield Housing Trust (Gagarin Place) - Torrington Rd. (CC#00001197) & NERP – Tractor Supply – Torrington Rd: Dr. Tobin said both projects are coming along very well. Out of the 50 inspections, he is up to 32 with Cynthia and asked for guidance. A. Conroy suggested that when there are about 5 left, they can ask for a construction update. All agreed.

7. Approval of Minutes – May 12, 2021: There were not enough members present at this meeting to approve the minutes, so they will be considered next month.

8. Correspondence

- Iffland Pond – DEEP is recommending removal of the dam.

9. Adjournment: Motion: J. Healy moved and A. Conroy seconded a motion to adjourn at 8:40 p.m. All voted aye and the motion carried.



Ann D. Combs
Recording Secretary