

LITCHFIELD INLAND WETLANDS COMMISSION
Regular Meeting
August 11, 2021 ~ 7:00 p.m.
In Person at Town Hall Annex, 80 Doyle Road, Bantam

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

Members Present: Robert Blazek, Jack Healy, Barbara Brower, Abby Conroy, and Brooke Healy. Also present were Dennis Tobin, Ph.D, Wetlands Agent, and Ann Combs, Recording Secretary.

Members Absent: Anthony Paradise, Jack Hamill, Frederick Minck, Mike LoRusso

Appointment of Alternates: Chairman Blazek seated Brooke Healy as a regular voting member.

APPLICATION CONSIDERATIONS

1. Goff's Equipment Services, Inc. – 620 Torrington Road **8/11/21**

Connection to sewer in upland review area

Scott Goff recapped the proposed project. The engineering is done and DEEP approvals are in as well as approvals from both the Litchfield and Torrington WPCAs. The work touches the upland review area and does not disturb wetlands, although a small area of the trench that will be tied into the sewer lateral just touches the wetlands area. When done, the trench will be backfilled with sand. He showed the drawing and anticipated the work will take about a day. He will have an oil water separator.

Motion: A. Conroy moved to approve the application by Goff Equipment Services, Inc. of 620 Torrington Road for connection to sewer lateral in the upland review area as seen on the plan entitled "Proposed Building Addition and Site Improvements by LRC Group" dated 5/20/21.

Second: B. Healy

Vote: All voted aye and the motion passed.

2. Town of Litchfield – Marsh Road (from #274 to Campville Rd.) **8/11/21**

Drainage improvements, road reclamation, reconstruction and paving

Dennis McMorro, Berkshire Engineering and Surveying, and Raz Alexe, DPW, were present. Mr. McMorro explained the construction of Marsh Road would go from Schoolhouse & Kennedy Roads to Campville Road, about 4500 ft. The first 2100 sq. ft. they will grind up the existing asphalt (reclamation) and create more road base. In the middle (950 sq. ft.) they will be doing a full depth re-construction. The last 12 sq. ft. to Campville Rd. will be back to a reclamation. They will do drainage on both sides of the road on Schoolhouse Road and will add a catch basin there that empties into a roadside ditch. They are also replacing catch basins along Marsh Road but are not creating any new discharge points. Raz Alexe said the road is a disaster with much heaving with the original plan done by the CT DOT before Route 8 was constructed.

Motion: J. Healy moved to approve the application of Town of Litchfield for drainage improvements, road reclamation and reconstruction and paving of Marsh Road as detailed on map entitled "Road Reconstruction Plan for Marsh Road" dated 8/10/21.

Second: B. Brower

Vote: All voted aye and the motion carried.

3. Zibell - 121 Naser Road **8/11/21**

Construct dwelling addition, garage with patio and new septic system in upland review area

Dennis McMorrow, Berkshire Engineering and Surveying, showed the vicinity map for the location and reviewed the plan. There is an existing dwelling with proposed addition and screened in porch to replace the portion of the building that was removed. There is not a defined driveway so the owner wants to formalize a driveway and garage and connect with the patio. The wetlands were flagged by George Malia. There was no place for a septic below, so they went up on the hill, found suitable soil and have approval from TAHD for the design. A temporary construction driveway will be needed to get sand in for the septic. Most of the work is to the side and downhill from the wetlands. They will use silt fence to protect the wetlands. Construction materials will be left to grow in, so the base will be there if any work is ever needed on the septic.

Motion: B. Brower moved to approve the application of Chris Zibell, 121 Nasser Road, to construct a dwelling addition, garage with patio and new septic system in the upland review area per map entitled “Septic System Design prepared for Chris Zibell” dated 7/1/21.

Second: J. Healy

Vote: All voted aye and the motion carried.

4. Fairchild (Mastropietro) – 150 Campville Road

8/11/21

New 3-bedroom home construction with activities in upland review area

Ken Hrica, Hrica Associates Surveying and Engineering, showed the proposed modest house on an R-80 lot that was approved in 1995. The wetlands system was an old skating rink that has become a wetlands. A portion of the driveway cuts through the wetland. An old concrete foundation will be removed and they will run footings and roof drain through that area and backfill. The driveway location has changed to allow a nice approach to the garage. They have TAHD approval. The septic is far from the house away from the wetlands. The plan is similar to the one approved in 1995.

Motion: A. Conroy moved to approve the application of Fairchild (Mastropietro), 150 Campville Road, for a new three-bedroom home construction with activities in the upland review area, per map entitled “Septic System Design and Site Plan Prepared for Mark Fairchild” dated 7/9/21, revised 7/29/21.

Second: B. Brower

Vote: All voted aye and the motion carried.

5. Parent – 50 North Shore Road

8/11/21

Installation of new holding tank on site wastewater retention system

Ken Hrica explained that this lot is where the Bantam Fire Co. keeps its emergency rescue boat. The lot has an outhouse located in a shed. They are replacing the shed with an outhouse and wall built around it. Flow line will be kept as high as possible. A tank cover for cleaning is above the 100-yr. flood plain. They got a 2000 gal. tank in there and will pump out once or twice a year. They are also creating a parking space to get cars off the road. They have full approval from State of CT Dept. of Health.

Motion: B. Healy moved to approve the application of Parent, 50 North Shore Road, for installation of a new holding tank on site wastewater retention system, as shown on the map entitled “Holding Tank Design Plan Prepared for Dale Smith & Susan Parent” dated 7/9/21 and revised 7/19/21.

Second: J. Healy

Vote: All voted aye and the motion carried.

6. Pasquarelli/Pels – 102 Cathole Road

8/11/21

Install replacement septic system, cabana, pool equipment pad, portion of pool terrace, perform grading, landscaping and install fencing for proposed pool

Ron Wolfe, P.E., representing the applicants, amended the application to show a small area of pool inside the regulated area. This is an ozone pool, so there is no discharge.

Motion: B. Brower moved to approve the application of Pasquarelli/Pels at 102 Cathole Road to install a replacement septic system, cabana, pool equipment pad, portion of pool terrace, perform grading, landscaping and install fencing for the proposed pool per map entitled "Subsurface Sewage Disposal Plan" dated 7/7/21.

Second: J. Healy

Vote: All voted aye and the motion passed.

7. Damasceno (Damascenos Tree Farm) – 74 Naser Road (Map 091,014,010)

8/11/21

Construct driveway in wetlands area; including wetlands filling, retaining wall, two pull-offs and a culvert

Ian Cole, Professional Soil Scientist and Wetland Scientist, was present as well as Bill Buckley, Licensed P.E. registered in CT. Mr. Buckley explained the proposal, where the Damascenos would like to build a house on a 61-acre parcel, but they need to get to the 14-acre area that is outside the regulated and wetland areas. To do this they need to cross the wetlands 3 times. There are 500 wetlands flags placed on the property. The plan constructs five rain gardens. Civil 1 is the design engineering firm. Crossing Jefferson Hill Brook, which flows into Spruce Brook to the Naugatuck, is the most challenging. They are trying to stay within the historic footprint of what was previously disturbed and will be installing retaining walls to minimize the footprint. There will be underground drainage and rain gardens to renovate the stormwater. A 30 ft. precast span will cross Jefferson Hill Brook. It yields the least impact and maintains the stream bottom integrity. Other crossings have subsurface drainage pipes that go to rain gardens. The owner will install plantings. A. Conroy did not feel comfortable without a 3rd party review from an engineer, as there are significant amounts of activity involved in a super technical site. Were there historical approvals connected to the site? Any other alternatives? [JH stepped out of the room 7:58 p.m., back 7:59] Mr. Cole said any alternatives to this plan would be worse. They will need to fill in wetlands to have access to the property, needing 4700 sq. ft. of wetland fill, which is under the 5,000 threshold. B. Brower noted it is still a lot of wetlands fill. J. Healy and B. Healy were comfortable with the plan. R. Blazek said it wouldn't hurt to ask our engineering firm, Benesch, to take a look at it with cost born by the applicant. He suggested using Benesch at \$2,500 with any overage returned to the applicant. The applicant was agreeable. Mr. Buckley will submit plans electronically to Dr. Tobin, who will forward to Benesch.

Motion: B. Brower moved to ask for a \$2,500 bond of the applicant and contact our engineering firm for a review.

Second: A. Conway

Vote: All voted aye and the motion carried.

D. Tobin asked to have Civil 1 Engineering attend the next meeting. Bill Buckley can provide a site walk. This application will be continued next month.

8. ACV Environmental Services, Inc. – (BSCI, Inc.) - 28 Russell Street

8/11/21

Demo and removal of 210,000 gallon above ground oil storage tank, containment wall and concrete pad

Kimberly Neville, Project Manager for ACV Environmental and the attorney from BSCI were present. The report requested has been received. BSCI could not find documentation of the tank being cleaned, and upon inspection of the tank found one inch of No. 2 heating oil inside. They then vacuumed it out and cleaned it and presented photos. If they find any issues with contamination under the tanks, it would be reported to DEEP and soil samples would be taken. A Phase I study has been done but no Phase 2. There is a concrete retaining wall around the property and they would put erosion control around the exterior to prevent anything going into Tannery Brook. The tank will be cut and loaded into a roll-off container and taken to a recycling plant to recycle the steel. They will not obstruct the roadway and will take only a couple days. For restoration they will put in topsoil and seed the area. R. Blazek said this is a significant activity; and since it is near Tannery Brook and the Hamill well field, he would like an environmental consultant to take a look at it. J. Healy is very comfortable since the tank is already emptied. A. Conroy was concerned about

a leak in the tank, but there were no indicators of such. They will only do sampling if there is visible evidence in the ground. B. Brower said she felt better and B. Healy was comfortable.

Motion: J. Healy moved to approve the application of ACV Environmental Services, Inc. (BSCI, Inc.) to remove a 210,000 gallon above ground oil storage tank, containment wall and concrete pad at 28 Russell Street and to conduct any further investigation based on DEEP guidelines.

Second: A. Conroy

Vote: All voted aye except R. Blazek, who voted nay, and the motion carried.

9. Wilson (Baker) – Shear Shop Rd. (Map 154, 75, 16A)

8/11/21

Improve existing farm road for lot development

David R. Wilson, Registered Engineer in CT, reviewed this property at 101 Shear Shop Road. This is 28 acres of undeveloped land. The driveway is not the shortest access across the wetlands, but it does follow previously disturbed land. The shortest access would travel through mature forest. They will not raise the driveway, and there is very little slope to it. There will be a culvert at two low wetlands points.

Motion: B. Healy moved to approve the application of Wilson (Baker) at 101 Shear Shop Road to improve the existing farm road for lot development as per map entitled “Farm Road Improvements” dated 7/20/21, revised 8/8/21.

Second: B. Brower

Vote: All voted aye and the motion carried.

APPLICATION RECEPTIONS

10. Town of Litchfield – Moosehorn Rd. (north, over unnamed tributary of Turner Brook)

8/11/21

Replacement of existing culvert

Raz Alexe, Public Works, needs approval for LOTCIP. His is saving quite a bit of money in combining projects and wants to do it now. There is money left from Milton Road bridge to fund this.

Motion: B. Brower moved to approve the application by Town of Litchfield for replacement of existing culvert on Moosehorn Road.

Second: J. Healy

Vote: All voted aye except A. Conroy, who voted nay, and the motion carried.

11. Lovely Development, Inc. – 13 Buell Road Extension

8/11/21

New single family dwelling with driveway crossing, septic and utilities

Mark Lovely, Licensed Builder with the State of CT, represented the owners and said the development was previously approved in 2004 on 13 Buell Road South. The lot has been cleared and power has been extended. They will construct a one-bedroom home and need to install a well and septic system. They will use an electric heat pump system. The driveway has already been constructed with gravel. A section of septic system is in the buffer zone. He has an application in with TAHD. Commissioners have permission to visit the property.

12. Cappello – Lot 50 Harris Road

8/11/21

Permit transfer and construct single family dwelling and driveway

John Cappello noted the permit from 2016 ran out for the building lots and he wants to reapply. He wants to transfer the name, since it is still in Phil Pepper’s name. There are wetlands. A. Conroy and J. Healy thought it best to wait until next month instead of moving this application through.

13. Cappello – Lot 49 Harris Road **8/11/21**
Permit transfer and construct single family dwelling and driveway

This is a similar application as Lot 50, so they will address it at the next meeting.

PERMIT MODIFICATIONS

14. Boehme – 110 Prospect Street **8/11/21**
Modification of permit #CC00001463 to pave entire driveway

Mr. Boehme said now he is going to pave the driveway.

Motion: A. Conroy moved to approve the modification of Permit CC00001463 by Boehme at 110 Prospect Street to pave the entire driveway.

Second: B. Brower

Vote: All voted aye and the motion carried.

15. AEC Solar – 35 Plumb Hill Road (LIS) **8/11/21**
Modification of permit for trimming/removal of trees near solar panels

Arthur Helmus, AEC Solar, would like to top trees to allow more sunlight for increased energy savings. This is beyond the upland review area. He would like to take 10 ft. off so the trees are even with the adjacent trees. There was no immediate data on savings initially, as there is no way to measure commissioning until they see how the shading impacts the panels. Mr. Helmus said white pines will regenerate after being topped. Raz Alexe, acting as Tree Warden, had an arborist analysis on this and asked for a software analysis that shows that this will work. Initially we get a projection and a year later the reality.

Motion: A. Conroy moved to approve the permit modification for trimming of trees near solar panels at 35 Plumb Hill Road as depicted on Site Plan of Litchfield Intermediate School dated and initialed 8/11/21.

Second: B. Healy

Vote: All voted aye except B. Brower, who abstained, and the motion carried.

16. AEC Solar – 14 Plumb Hill Road (LHS) **8/11/21**
Modification of permit for trimming/removal of trees near solar panels

Arthur Helmus of AEC Solar was present to propose removal of some trees within the 150 ft. wetland area. There are maples there that will not survive topping. All are within the upland review area and 2 out of 6 are in the wetlands area. Raz Alexe said there are two dead trees, but the other 4 are live. R. Blazek said he would like to look at them and how they affect the regulated area. After much discussion, commissioners agreed to visit the site.

AGENT DETERMINATIONS

17. Johnson – 493 Goshen Road **8/11/21**
Demolition of 320 sq. ft. barn

D. Tobin said this was a big demo project next to a brook.

18. Clock – 10 Brush Hill Road **8/11/21**
Construct two accessory buildings: pool shed (16'x12') and woodshed (16'x8')

D. Tobin explained that Mr. Clock wants to put wood in one shed and add another shed for the pool.

19. Construction Permits:

Litchfield Housing Trust (Gagarin Place) – Torrington Rd. (CC#00001197): Extension plus transfer of \$7,500. Performance cast bond to NWCD for inspection of project for an additional 50 weeks.

Dr. Tobin said he asked the Housing Trust for a letter so we can transfer another \$7,500 for additional inspections, and R. Blazek read the response letter dated 7/28/21 giving permission and signed by Jill Musselman, Executive Director, Litchfield Housing Trust.

Motion: A. Conroy moved to approve the extension of an addition 50 weeks of inspections by NWCD and an additional \$7,500 to be drawn from the \$75,000 cash bond for Gagarin Place.

Second: J. Healy

Vote: All voted aye and the motion carried.

NERP – Tractor Supply - Torrington Rd: Dr. Tobin said they will be done 9/27/21.

20. Approval of Minutes July 14, 2021: These minutes could not be approved because there was not a quorum of those present at that meeting who could vote. They will be addressed at the next meeting.

21. Correspondence: None

22. Adjournment

Motion: A. Conroy moved to adjourn at 9:25 p.m.

Second: J. Healy

Vote: All voted aye and the motion passed.



Ann D. Combs, Recording Secretary