

LITCHFIELD INLAND WETLANDS COMMISSION
Regular Meeting
September 8, 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 7:02 p.m.

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

Members Absent: Anthony Paradise, Frederick Minck, and Brooke Healy

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

APPLICATION CONSIDERATIONS

1. Damasceno (Damascenos Tree Farm) – 74 Naser Road (Map 091,014,010) 9/8/21
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 represents the owners. He summarized the activity at 74 Naser Road. Civil 1 is the engineering firm of record. The third party engineer, Benesch, visited the site and submitted its report. Mr. Blazek read the Benesch Peer Review dated 8/20/21. He also read the 8/30/21 reply by Civil 1 to the Peer Review. In it Civil 1 agreed to revise the permitting set and the engineering report based on Benesch's comments and recommendations. Will Walter was present from Benesch for questions. Chairman Blazek then read the conditions of the Inland-Wetlands approval for this property that will be made part of the approval motion.

Motion: A. Conroy moved to approve the application of Damasceno, 74 Naser Road, to construct driveway in wetlands area; including wetlands filling, retaining wall, two pull-offs and a culvert, as depicted on the permitting set of plans by Civil 1 dated 8/4/21 and revised 9/2/21, and per the reviews by Benesch dated 8/20/21 and response letter by Civil 1 dated 8/30/21. Approval is also subject to the conditions of Inland Wetlands approval: 1) Upon completion of the project the applicant shall provide an AS BUILT drawing to the Land Use Administrator, and 2) The Engineer of Record shall review the AS BUILT drawing and provide certification that the driveway built in the field is substantially consistent with plans and specifications approved by the Litchfield Inland Wetlands Commission.

Second: B. Brower

Vote: All voted aye and the motion carried.

2. Lovely Development, Inc. – 13 Buell Road Extension 9/8/21
New single family dwelling with driveway crossing, septic and utilities

Mark Lovely, President of Lovely Development, reviewed the application and presented the map. They will construct a two-bedroom home and need to install a well and septic system. Silt fencing will be on both sides to protect the wetlands.

Motion: J. Healy moved to approve the application by Lovely Development Inc., 13 Buell Road Ext. per plan submitted entitled "Subsurface Sewage Disposal System Design by Lovely Development" dated 7/19/21, KJA file 221-056.

Second: A. Conroy

Vote: All voted aye and the motion carried.

3. Cappello – Lot 50 Harris Road

9/8/21

Permit transfer and construct single family dwelling and driveway

John Cappello explained this new permit with silt fencing and proper grading. It is the same as the previous permit that expired, and because it expired, Dr. Tobin corrected the description to a new permit instead of a permit transfer.

Motion: J. Hamill moved to approve the application by John Cappello and Sons to construct a single family dwelling and driveway on Harris Road Lot 50, (Map 85/59/28, acreage .459 acre).

Second: J. Healy

Vote: All voted aye and the motion carried.

4. Cappello – Lot 49 Harris Road

9/8/21

Permit transfer and construct single family dwelling and driveway

John Cappello explained this new permit as the same as the former expired permit.

Motion: B. Brower moved to approve the new application of John Cappello & Sons to construct a single family dwelling and driveway on Lot 49, Harris Road, as shown on a site plan prepared for Phil G. Pepper, Lots 49 & 50, Harris Road, Litchfield, dated 6/21/16.

Second: J. Healy

Vote: All voted aye and the motion carried.

PERMIT MODIFICATION-CONTINUATION

5. AEC Solar – 14 Plumb Hill Road (LHS)

9/8/21

Modification of permit for trimming/removal of trees near solar panels

Arthur Helmus of AEC Solar was unable to be present and sent an email asking for an extension that was read by R. Blazek. Dr. Tobin had granted the extension until the next meeting.

APPLICATION RECEPTIONS

6. ConEdison Solutions (Orsini) – 26 Scenic View Drive

9/8/21

Installation of ground mounted solar array

R. Blazek read an email from Rachel Schaeffer saying they have not yet passed the ZBA meeting, so this will be moved to the Oct. 13th meeting.

Motion: B. Brower moved to add as agenda item 7a. “Wiley, 12 Bigos Road.” J. Healy seconded, all voted aye and the motion carried.

Motion: B. Brower moved to add as agenda item 7b. “C. A. Litchfield Land, LLC, 10 Gate Post Lane.” A. Conroy seconded, all voted aye and the motion carried.

Motion: B. Brower moved to add as agenda item 7c. “C. A. Litchfield Land, LLC, 21 Gate Post Lane.” J. Healy seconded, all voted aye and the motion carried.

Motion: B. Brower moved to add as agenda item 8a. “Barhydt, 57 Spencer Street.” A. Conroy seconded, all voted aye and the motion carried.

7. Lintner/Forest Works LLC (Schaffel) – 345 North Lake Street

9/8/21

Selective timber thinning

Jamie Lintner, Licensed Forester, was present to propose a timber thinning of less than 40 acres including ash on 206 acres in the north section of the property. The regulated area is north from the pond to the property boundary. It is not a stream channel, but rather a finger of land with classified soils. He may corduroy that section with poles 6” – 10” in diameter laid perpendicular to the skid trail. He may move the landing depending on conditions, but neither site is in the regulated area. They will take a mix of different trees, planning a canopy thinning for growth of residual trees. He will ask for permission from the owner in writing for commissioners to see the property.

7a. Wiley – 12 Bigos Road

9/8/21

Proposed drainage culvert and portion of riding ring in upland review area

Dennis McMorrow, Berkshire Engineering and Surveying, showed the vicinity map. This lies within 500 ft. of the Torrington town line, so he also sent the notice to the Wetlands Agency there. Julia Wiley would like a small home barn outside the regulated area. There is a culvert under Bigos Road and drainage ditch to be piped so she could create a riding ring 80’X110’ with a sand base. Water would go around the ring and go into the pipe. It empties into the Town culvert, so he will ask for a permit and if there is an easement.

7b. C. A. Litchfield Land, LLC – 10 Gate Post Lane

9/8/21

Proposed new house and septic located on approved subdivision lot

Dennis McMorrow, Berkshire Engineering and Surveying, explained this property as Lot 14 of the Shepaug Crossing subdivision, with C. A. Litchfield as the developer. A certified letter was sent to Washington as it is within 500 ft. Since the owner does not want to be too close to the neighbor, he has moved the septic and house a bit down the hill. The wetlands are to the side. There will be no resulting drainage problems. There is a water quality basin that empties into a level spreader and is functional. The drainage patterns are no different from the previous site.

7c. C. A. Litchfield Land, LLC – 21 Gate Post Lane

9/8/21

Flush cut 11 trees in upland review area

Dennis McMorrow, Berkshire Engineering and Surveying, showed the vicinity map and explained this property, Lot 12 on 21 Gate Post Lane, as a flush cut of 11 trees in the upland review area of Lot 12. The stumps will not be removed. Davison Environmental looked at the trees and sent a report dated 9/8/21 from Matt Davison that commissioners will review prior to the next meeting. D. McMorrow gave an overview of the report. Commissioners have permission to visit the property.

AGENT DETERMINATIONS

8. Litchfield Historical Society – 82 South Street

9/8/21

Construct 6’ x 8’ maintenance shed

Dr. Tobin explained that he did an agent determination, as the Tapping Reeve property needs a shed in a wetlands area.

8a. Barhydt – 57 Spencer Street

9/8/21

Dr. Tobin said the Barhydts will demolish an existing shed with agent determination issued by Dr. Tobin.

PERMIT TRANSFER

9. Marullo (Baker) – Shear Shop Road (Map 154/75/16A)

9/8/21

Transfer permit #CC00001480 to new owner Jessica Marullo

Jessica Marullo was present to say she and her husband have purchased the property on Shear Shop Road and want to build a small cottage. They have already secured Wetlands approval and approval of the transfer from Baker to Marullo, but her name had been left off.

Motion: J. Healy moved to approve the transfer permit #CC00001480 from Baker to new owner Jessica Marullo on Shear Shop Road.

Second: B. Brower

Vote: All voted aye and the motion carried.

10. Construction Permits

- **Litchfield Housing Trust (Gagarin Place)** – Torrington Rd. (CC#00001197): Dr. Tobin said all is well, and they took the 6” rainfall very well.

- **NERP – Tractor Supply** - Torrington Rd: Dr. Tobin said all is going well, and they took the 6” rainfall very well.

11. Approval of Minutes

a) Regular July 14, 2021

Motion: B. Brower moved to adopt the 7/14/21 meeting minutes.

Second: J. Healy

Vote: All voted aye except A. Conroy, who abstained because of absence, and the motion carried.

b) Regular August 11, 2021

Motion: J. Healy moved to adopt the meeting minutes of 8/11/21.

Second: B. Brower

Vote: All voted aye except J. Hamill and M. LoRusso, who abstained because of absence, and the motion carried.

12. Correspondence: None

13. Adjournment: **Motion:** J. Healy moved to adjourn at 8:20 p.m. and B. Brower seconded. All voted aye and the motion carried.



Ann D. Combs, Recording Secretary