LITCHFIELD INLAND WETLANDS COMMISSION
Regular Meeting
November 10, 2021 ~ 7:00 p.m.
In Person at Town Hall Annex, 80 Doyle Road, Bantam

Call to Order: Chairman Robert Blazek called the meeting to order at 7:00 p.m.
Members Present: Robert Blazek, Jack Hamill, Mike LoRusso, and Abby Conroy. Also present were Dennis Tobin, Ph.D, Wetlands Agent, and Ann Combs, Recording Secretary.

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

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

APPLICATION CONSIDERATIONS

1. ConEdison Solutions (Orsini) – 26 Scenic View Drive 11/10/21
   Installation of ground mounted solar array

Jim Olimpieri of ConEdison Solutions was present to explain the ground mounted solar array of 60 panels. ZBA denied the original plan, and this is the revised plan dated 3/3/21, revised 11/3/21. They will be using helical piles for the racks. The detention pond is the wetland, 199 ft. away. There are only shrubs and high grass to remove in the array area.

Motion: A. Conroy moved to approve the application of ConEdison Solutions for Donato Orsini at 26 Scenic View Drive for the installation of a ground mounted solar array as depicted on the plan by ConEdison Solutions dated 3/3/21, rev. 11/3/21, prepared by Engineer James C. Douglas.
Second: M. LoRusso
Vote: All voted aye and the motion passed.

2. Lintner/Forest Works LLC (Schaffel) – 345 North Lake Street 11/10/21
   Selective timber thinning

Jamie Lintner, Licensed Forester, was present to propose a timber thinning of less than 40 acres on the east and west side of the road, with the majority of work on the west side and northern part of property. There is a small finger of wetlands soil area drawn from the beaver pond. There is no running water, but seasonal saturation. He needs to cross it to forward the wood. Will corduroy or slash it if damp. If wet, they will not work. He would like to do the work in the winter.

Motion: J. Hamill moved to approve the application by J. Lintner of Forest Works LLC for Schaffel at 345 North Lake Street for selective timber thinning in wetland and review area with wetland crossings as conditions are most favorable.
Second: A. Conroy
Vote: All voted aye and the motion carried.

3. Wiley – 12 Bigos Road 11/10/21
   Proposed drainage culvert and portion of riding ring in upland review area

Dennis Mc Morrow, Berkshire Engineering and Surveying, showed the vicinity map. It lies at the corner of Bigos and Town Farm Roads. The barn is outside the regulated area and the riding area is inside. There is a Town culvert under Bigos Rd. and the owner would like to fill in the drainage ditch and pipe the water into her property so she could create a riding ring 80’X110’ with a sand base. Raz Alexe was fine with the pipe extension. There is no defined Town easement, but there is a note that the Town has the right to drain
that culvert on that private property. There will be a formalized document for the pipe that the owner will maintain, and the Town will have the right to go on the property if it’s not maintained. There will be very little grading as it is very flat ground. The riding ring will be process with sand over top.

**Motion:** M. LoRusso moved to approve the application of Wiley, 12 Bigos Road, for proposed drainage culvert and portion of riding ring in the upland review area per map by Berkshire Engineering dated 9/3/21.
**Second:** A Conroy
**Vote:** All voted aye and the motion carried.

4. **C. A. Litchfield Land, LLC – 10 Gate Post Lane**

*New single family dwelling and septic*

Dennis Mc Morrow, Berkshire Engineering and Surveying, said this is Lot 14 of the Shepaug Crossing subdivision, with C. A. Litchfield as the developer. It is the first lot on the right of the common driveway constructed as part of the subdivision. 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, and it leaches to the west. 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. It is the same size house as on the subdivision plan but in further. He got rid of the big circular driveway.

**Motion:** A. Conroy moved to approve the application by C. A. Litchfield Land for 10 Gate Post Lane for a new single family dwelling and septic in the upland review area, as per Map 40/81/6Q and depicted on a plan by Berkshire Engineering and Surveying dated 9/2/21.
**Second:** M. LoRusso
**Vote:** All voted aye and the motion carried.

5. **C. A. Litchfield Land, LLC – 21 Gate Post Lane**

*Flush cut 11 trees in upland review area; no stumps to be removed*

Dennis Mc Morrow, Berkshire Engineering and Surveying, said this is two lots down on Gate Post Lane to Lot 12. Trees (11) were identified by Matt Davison of Davison Environmental, and D. Mc Morrow surveyed them to add to the plan. He named the trees to come down and said the stumps will remain. Mr. Davison’s report noted in part that trees will be removed by cutting the tops first before felling trees to prevent damage to mid-canopy trees. Care will be taken in removing timber and woody debris to prevent damage to the residual land. At least one cavity tree should remain for wildlife. A. Conroy asked that abiding by the conditions of the forester be a condition of approval. Dr. Tobin said they have a man on site who will oversee the operation. Mr. Mc Morrow gave A. Conroy Matt Davison’s report.

**Motion:** A. Conroy moved to approve the application of C. A. Litchfield Land, LLC for 21 Gate Post Lane, to flush cut 11 trees in the upland review area with no stumps to be removed, and the cutting to be done in accordance with a report done by Davison Environmental dated 9/8/21, and to have the site superintendent contact the Land Use office when they anticipate beginning the work.
**Second:** J. Hamill
**Vote:** All voted aye and the motion carried.

6. **Kimely-Horn – 55 Village Green Drive**

*Installation of two electric vehicle (EV) charging station fixtures in existing curbed island areas*

Dino Postilus of Kimely-Horn, was present to explain they want to install two EV charging stations, level 2 (slower), in the two landscape islands existing, with power run from Stop & Shop via an underground conduit. They will dig two 3’x3’ bore pits to lower their boring machine into in order to drill the conduits to the building. No trenching or tearing up asphalt will be done, with minimal impacts. Units have power cable and display screens. They will be installing sign posts also. There is adequate electric power from
Stop & Shop. A. Conroy asked where the catch basins are located, as they were not sited on the map. They would of course check for underground utilities before planning the path. Dr. Tobin would like to review the patch work of the concrete after the work is done. They agreed to notify him. They would like to get this done before the ground freezes if possible.

**Motion:** J. Hamill moved to approve the application by Kimely-Horn, 55 Village Green Drive, for installation of two electric vehicle (EV) charging station fixtures in the existing curved island areas for cars with feed emanating from Stop & Shop to the two boring pits. They will contact the Land Use office upon start and finish.
**Second:** A. Conroy
**Vote:** All voted aye and the motion carried.

7. Aliboza – 475 South Street

_Dredge existing pond, plunge pool and repair eroded outlet channel; regrade existing driveway and add drainage; proposed pool and patio_

Dennis McMorro & Mitch Aliboza, 475 South Street, were present. Dennis explained the map with Bantam River and small brook going into the pond. Eric Davison did the wetlands flagging. The house is the only thing not in the regulated area. There is ponding on the west side of the existing gravel driveway, so he is putting in 3 lawn drains. They will re-gravel and pave the driveway. He wants to put a trench drain in front of the garage, and landscape balls along the driveway. There is a proposed pool and patio off the back of the house. The existing septic is just downhill of the proposed pool. The existing stone wall will be moved back out of the State right of way. Pond flow comes from the north with runoff from Rt. 63 going into the pond. He will get the depth to 10’ or 12’ and add a plunge pool as a forebay for sediment that he can clean out. They will work on the south side of the pond with stockpile area to the south and west of the pond. They will shape the erosion to the east with a riprap swale toward Bantam River. They will be paving the driveway, doing yard drains and moving the stone wall first.

**Motion:** A. Conroy moved to approve the application of Aliboza, 475 South Street, to dredge the existing pond, plunge pool and repair eroded outlet channel; and to regrade the existing driveway and add drainage with proposed pool and patio, as shown on site plan by Berkshire Engineering dated 10/11/21 and revised 11/10/21.
**Second:** J. Hamill
**Vote:** All voted aye and the motion carried.

**PERMIT MODIFICATION-CONTINUATION**

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

_Modification of permit for trimming/removal of trees near solar panels_

Arthur Helmus of AEC Solar reminded them of the trees casting shade on the solar array. Two are already dead and the other three living will have to be removed. Trees will be replanted in the area by the Town.

**Motion:** A. Conroy moved to approve the cutting of trees for modification of permit of AEC Solar.
**Second:** J. Hamill
**Discussion:** There was much discussion about the replanting plan.
**Vote:** All voted aye except R. Blazek, who voted nay, and the motion carried.

**APPLICATION RECEPTIONS**

9. Schlumberger – 116 Blue Swamp Road

_Construct new septic to replace failed system_

11/10/21
Dennis McMorrow, Berkshire Engineering and Surveying, presented a vicinity map showing the septic repair. Wetlands were flagged by George Malia. There is very good soil and a pond. The house is a 4 bedroom dwelling, and the cottage is one open room with full bath existing, counted as a 5th bedroom. The new septic system accommodates 5 bedrooms. There is no overdesign in this system.

**Motion:** J. Hamill moved to approve the application of Schlumberger, 116 Blue Swamp Road, to approve a failed septic system repair.  
**Second:** R. Blazek  
**Vote:** R. Blazek, M. LoRusso and J. Hamill voted aye; A. Conroy voted nay, and the motion carried.

**10. Macary – 69 Newton Road**  
*Construct new septic to replace failed system*  
11/10/21

Dennis McMorrow, Berkshire Engineering and Surveying, for Mr. Macary, who had to leave the meeting. Mr. McMorrow explained the system that has failed. He has designed a new system that is sandwiched in between wetlands and on poor soil. It was a hard one to design. It is 53 ft. to the wetlands in one area, 79 ft. to the pond and 47 ft. to the water.

**Motion:** M. LoRusso moved to approve the application of Macary, 60 Newton Road, to construct a new septic to replace the failed system, with map presented by Berkshire Engineering, revised 11/8/21.  
**Second:** J. Hamill  
**Vote:** All voted aye except A. Conroy, who voted nay, and the motion carried.

**11. Construction Permits**

- **Litchfield Housing Trust (Gagarin Place) – Torrington Rd. (CC#00001197):** Dr. Tobin said the Housing Trust was instructed to respond in writing to take care of problems.

- **NERP – Tractor Supply - Torrington Rd:** Dr. Tobin said he signed off. Detention basins are in place. They will do plantings in the spring.

**12. Approval of 2022 Meeting Schedule: Motion:** J. Hamill moved to approve the 2022 meeting schedule as presented. A. Conroy seconded, all voted aye and the motion passed.

**13. Approval of Minutes of September 8, 2021:** Approval was moved to next month.

**14. Correspondence:** Three-lot proposed subdivision at 31 Pumping Station Road with notification by City of Torrington.

**15. Adjournment: Motion:** A. Conroy moved to adjourn at 9:01 p.m. and J. Hamill seconded. All voted aye and the motion carried.

[Signature]

Ann D. Combs, Recording Secretary