

LITCHFIELD INLAND WETLANDS COMMISSION
Regular Meeting
May 12, 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, Barbara Brower, Abby Conroy, Frederick Minck, Jack Hamill and Brooke Healy. Also present were Dennis Tobin, Ph.D, Wetlands Agent, and Ann Combs, Recording Secretary. First Selectman Denise Raap hosted Zoom.

Members Absent: Anthony Paradise, Jack Healy

Appointment of Alternates: Chairman Blazek appointed Brooke Healy to be seated as a regular member.

APPLICATION CONSIDERATIONS

1. Whitehall Construction, LLC – (CA Litchfield) – 314 Old Mount Tom Road **5/12/21**
Construction of septic and curtain drain for new house

Dennis McMorrow, Berkshire Engineering and Surveying, reviewed this application as part of the Shepaug Crossing subdivision done in 2007. It is the first property on the left off Route 202. It is similar to what was approved in the original application. The biggest change is the curtain drain behind the house that discharges into an open meadow on the west side that goes into a swamp. It is in the regulated area but 50 ft. away from the wetlands. The house is flagged and a sign saying Lot 1 is on the property. The septic is going within 7 ft. of the original subdivision. In answer to Mr. Healy's question, there was a drainage Addendum #2 in May of 2009 where they added a detention basin in the back of Lot 4 to offset drainage.

Motion: A. Conroy moved to approve the application by Whitehall Construction, LLC for 314 Old Mount Tom Road, construction of septic and curtain drain for new house.

Second: B. Healy

Vote: All voted aye and the motion carried.

2. Rogers – 18 Dingwell Drive **5/12/21**
Demolish existing dwelling, construct new dwelling, well and septic tank

Dennis McMorrow, Berkshire Engineering and Surveying, reviewed this application from the last meeting and showed the map. A lawn drain is needed to collect water. They are in the regulated area, but no direct wetland impact. The house is unsafe and will be taken down. The existing septic is near Rogers Drive. The new house will be within the setback lines and in the regulated area. They will be setting a new septic tank and drilling a new well. It is a tight fit, but all will work.

Motion: B. Brower moved to approve the application of Rogers, 18 Dingwell Drive, to demolish the existing house, construct a new one as well as a well and septic tank per the site plan presented, dated 3/8/21.

Second: F. Minck

Vote: All voted aye and the motion carried.

3. KSHII, LLC – 618 Torrington Road

5/12/21

Construction of 2100 sf office building, 576 sf garage, paved parking area, driveway and bio filtration basin for stormwater renovation

Kenneth Hrica, Professional Engineer and Licensed Land Surveyor, said he is representing himself on this project. He missed the deadline on the last permit, so he is filing a new application. The only difference on the plan that was presented first in 2016 is that the owner's name on the property has changed since he bought it, and it has a street address. The building will be in the center of the property with office and garage. The slope to the south will receive drainage to a bio swale. The wetlands were flagged, and the plan was reviewed by Sean Hayden and Land Tech Consultants.

Motion: J. Hamill moved to approve the application of KSHII, LLC, 618 Torrington Road, for construction of 2100 sf office building, 576 sf garage, paved parking area, driveway and bio filtration basin for stormwater renovation.

Second: B. Brower

Vote: All voted aye and the motion carried.

4. Braga (195 E. Litchfield Rd., LLC) – 195 E. Litchfield Rd.

5/12/21

Single family driveway construction

Kenneth Hrica was present on behalf of Sayles Braga and explained the property is located off East Litchfield Road, just off Clark Rd. The driveway plans were designed by Mr. Hrica in 2007 for the prior owner, but they missed the five year permit deadline. There are no changes to the plan other than the entrance and culvert at the entrance that has been installed. The driveway will come in off Route 118, will be paved, and is based on historic use of the property.

Motion: F. Minck moved to approve the application of Sayles Braga, 195 E. Litchfield Rd., for a single family driveway construction.

Second: A. Conroy

Vote: All voted aye and the motion carried.

5. Green – 19 Little Pitch Road

5/12/21

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

Greg Green was present and explained that he has filled in the property with about 800 – 900 yards of fill without getting a permit. This is for his son to build a house. He has also cut down about 40 trees. He said he is the only one putting fill there, and it is all clean fill. The entire property has ledge below the fill. He will use a hydraulic hammer to cut through the ledge. His Engineer, Mark Lancor of Dymar, explained a drawing of the plan. The house is 2800 sf, and the septic has a sediment basin. Torrington Area Health had approved the septic. There were no wetlands delineations done prior to the filling, but it has since been flagged. There is an infiltration system and a bio detention basin. Their soil scientist has not identified the wetland area as a vernal pool. Mr. Blazek would feel more comfortable having an engineering firm review the fill area to make sure it is stable and to comment on any further drainage. Mr. Lancor expressed his comfort with the stability of the slope and the work area of the house. There is a 2:1 slope on the west to the wetland, but nothing will drain in that direction. He also said he provided a landscape plan for restoration that would buffer the entire area. A. Conroy said the drawing does not quantify the amount of work that has been done in the upland review area without review or a permit. Mr. Blazek asked again for an independent review. Dr. Tobin had secured an estimate of \$2,500 from an engineering firm. All Commissioners agreed to secure this engineer's application review with report. Mr.

Blazek asked for a bond from the applicant.

Motion: B. Brower moved to ask for a \$2,500 bond from the applicant and secure the engineering firm for an application review.

Second: A. Conroy

Vote: All voted aye and the motion carried.

APPLICATION RECEPTIONS

6. VanOrmer – 53 Spencer St.

5/12/21

Rear house addition

Dr. Tobin said they applied for a zoning permit. When he went out to visit, he noticed a stream on the right side of the house. Mr. VanOrmer has submitted a wetlands application but was not present.

7. Oskwarek – 578 Torrington Road

5/12/21

Maintenance shed (10'X12') on gravel base

Joseph Oskwarek said he wants to put the prefab utility shed on new property he has. It is a flat spot back about 10 ft. from the edge of a dropoff. There will be no hazardous material stored there.

Motion: B. Brower moved to approve the application of Joseph Oskwarek to put a shed on his property as shown on map.

Second: A. Conroy

Vote: All voted aye and the motion carried.

8. Bohme/Davison – 110 Prospect Street

5/12/21

Reconfigure driveway

Wolfe Bohme was present to explain he is on the north side of Prospect Street and would like to make a U-shaped gravel driveway with extension. It has been staked. The unused portion will become grass. There is a minimum of 30 ft. between the brook and the western side of the driveway. Commissioners may take a look at the property.

9. Town of Litchfield – Goodwin Hill Road

5/12/21

Replacement of an existing culvert with a CMPA

Raz Alexe, Town Engineer, explained drawings including the Humiston Brook. They are replacing the culvert in kind with another cross section pipe and will use riprap. Impact to the environment is minimal, and the project will take 8 weeks. This project was approved last year and is in the Capital Improvement Program.

Motion: J. Hamill moved to approve the application by Town of Litchfield for Goodwin Hill Road, replacement of an existing culvert with a CMPA.

Second: B. Brower

Vote: All voted aye and the motion carried.

10. Town of Litchfield – North Lake Street (Community Field)

5/12/21

Regrade existing ballfields and install additional drainage system

Dennis McMorrow, engineer of record, showed a map where the only regulated activity on the upper field is the curtain drain outflow. They will regrade the infield and add some underdrains that will connect to other drains on the property. The curtain drain is the only part that is within 150 ft. of Tannery Brook. They will add another pipe for an underdrain that will empty into Tannery Brook. It is not surface water coming from the underdrain. B. Brower was concerned about fertilizers that may be used contaminating the Hamill well field. R. Alexe will check with Village Green Maintenance for the list of chemicals used. He said the work will take about two to three weeks. R. Alexe and Park & Recreation Coordinator Colleen Kinkade said they would look into what fertilizers are being used and report to the Commission.

Motion: J. Hamill moved to regrade the existing ballfield and install an additional drainage system with addendum that there will be a submission of list of materials within 48 hours that are applied to the fields.

Second: F. Minck

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

11. Town of Litchfield – North Lake Street (Community Field)

5/12/21

Install riprap swale and pave corner of parking area

Dennis McMorrow showed a map of the main site plan. To the south of the lower ball field, water is running from the parking area to property behind the ball field. There is some erosion and an eroded swale that will be shaped and have riprap added. They will box out the gravel driveway and pave it with a lip to prevent water in the parking lot and direct it toward the riprap.

Motion: B. Healy moved to approve the site plan prepared for Town of Litchfield, Community Field, south parking lot, dated 5/6/21 presented by Berkshire Engineering.

Second: B. Brower

Vote: All voted aye except A. Conroy, who abstained, and the motion passed.

12. Forman School – 12 Norfolk Road

5/12/21

Demo and rebuild tennis courts

Dennis McMorrow showed a map of Forman School. The site plan shows the four courts with existing chain link fence. The existing courts do not meet regulations and it poses a safety issue for the students. The proposal is to construct the courts in an east-west orientation and add ten feet on the east side. They are using silt fence on the west side of the driveway and another row of silt fence on the east side. They will cut trees on the east side but leave the stumps. They will reclaim the asphalt on the court surface, create a gravel, and use it on the east side slope. There will be an erosion control blanket that will remain in place for about a year until grass can establish on the slope. Dr. Tobin suggested getting a letter from the WPCA with permission. Commissioners have permission to view the site.

13. Douglass – 293 Torrington Road

5/12/21

Pole barn (20'x24')

Dr. Tobin made an agent determination for this barn intended for two horse stalls. The site is just outside the 100-yr. flood plain. Commissioners had no questions.

14. Construction Permits

Litchfield Housing Trust (Gagarin Place) – Torrington Rd. (CC#00001197): Dr. Tobin reported good progress. He is watching money allotted for inspections.

NERP – Tractor Supply, Torrington Road: Dr. Tobin said work has begun and stormwater reports are

coming in.

15. Approval of Minutes of April 14, 2021: Motion: B. Brower moved to approve the 4/14/21 minutes, and J. Hamill seconded. All voted aye except A. Conroy, who abstained, and the motion carried.

16. Discuss Application Fees: R. Blazek said perhaps fees should be increased to deter some after-the-fact activities. A. Conroy explained the reasoning for not issuing after-the-fact applications and said mechanisms that can be used include a cease and correct, cease and restore, and a cease and desist, but we should still have an expert look at it. We do not have a citation ordinance. J. Hamill said we should have our Town Engineer review on our behalf. Perhaps we should look into drafting a citation ordinance. Further, there should be a larger legal budget in order to conduct effective enforcement.

17. Interview Michael LoRusso for Appointment to Commission: Mr. LoRusso said he was a Waterbury middle school principal and before that a teacher, and he is now working at Ed Advance as Director of Transportation, living in Litchfield for the past five years. He is interested in preserving the land and would be willing to take a course for new members. A. Conroy referred him to the CT General Statutes, Chapter 440.

18. Correspondence: None

19. Adjournment: Motion: B. Brower moved to adjourn at 9:28 p.m. and J. Hamill seconded. All voted aye and the motion carried.

Ann D. Combs, Recording Secretary