

DRAFT

INLAND WETLANDS COMMISSION
Regular Meeting Minutes
February 13, 2013 ~ 7:00 p.m.
Litchfield Firehouse
258 West Street, Litchfield, CT 06759

Call to Order: Chairman Robert Blazek called the regular meeting to order at 7:02 p.m.

Members Present: Chairman Robert Blazek, Jack Hamill, Carol Williams, Barbara Brower, Frederick Minck, Abby Conroy, Dr. Frank Schildgen

Members Absent: None

Also present were Recording Secretary Ann Combs and Inland Wetlands Agent Dennis Tobin, Ph.D. There were consultants and an attorney present, as well as 20 members of the public.

1. Public Comment: None

2. Appointment of Alternates: None

Motion: Carol Williams moved to add approval of the 12/12/12 meeting minutes to Item 8a.

Second: Barbara Brower

Vote: All voted aye and the motion carried.

APPLICATION RECEPTIONS

3. Putnam – Fern Road & Clark Road (Map 127, 021,004 & 05a) 2/13/13
Logging and logging road with stream crossings

The application was received, but no one was there to represent the applicant.

APPLICATION CONSIDERATIONS

4. Town of Litchfield - Blue Swamp Road Bridge over East Branch of Shepaug River 2/13/13
Replace existing 26' single span bridge along with reconstruction of roadway approaches. The proposed replacement is a 46' single span bridge.

Jack Healy, Director of Public Works for the Town of Litchfield and Lauren Pippen, Design Engineer from GM2 Associates and consultant for the Town were present to describe the project and its urgency. Mr. Healy said failure of the south end bridge abutments caused the DOT to recommend closing the bridge. Because of the low traffic flow, they have closed only the south side of bridge, allowing one lane only. GM2 has done the design of the bridge, and they have held two public hearings in Milton. The design is a longer bridge, but with less impacts to the water, and with the construction being done out of the water. Rip rap will be put on the fringes. The road will be raised about 10" at the bridge. Now there are many permits to obtain. R. Blazek read the 2/12/13 letter from Anthony Pangaro, 53 Blue Swamp Road, into the record. He owns adjacent land and noted four concerns, adding his suggestions for wetlands protection. Mr. Healy said they have worked with him, taking several precautions and trying to

meet his requests, but they must also meet the DOT requirements. There are sedimentation and erosion controls in place.

Motion: Dr. Frank Schildgen moved to approve the plan for Blue Swamp Road Bridge over the east branch of the Shepaug River, with noted precautions being taken in the 100 sq. ft. area.

Second: Abby Conroy

Vote: All voted aye and the motion carried.

5. Friendship Baptist Church – 441 Torrington Road

2/13/13

After-the-fact activity for placement of wood chips

Donald Boesch, Friendship Baptist Church, appeared and said they would remove the wood chips and brush pile in the spring. Dr. Frank Schildgen thought they should not strip all the wood chips in order to avoid disturbing the bank. B. Brower thought they should return with a plan for the bank. J. Hamill and A. Conroy agreed that a thin layer of chips should remain to prevent a destabilized bank. Mr. Blazek suggested they consult with Northwest Conservation District and plant a few bushes on the bank for stabilization.

Motion: Abby Conroy moved to approve the application from Friendship Baptist Church, 441 Torrington Road, for an after-the-fact activity for placement of wood chips where they agree to remove the brush pile and all but 3-4" of wood chips from the bank, and that they go to Northwest Conservation District for advice on plantings for the bank.

Second: Carol Williams

Vote: Upon voting, all voted aye except Fred Minck who voted nay and Barbara Brower who abstained. Chairman Blazek announced the motion carried.

6. Turner (Cropsey, Inc.) – 116 Blue Swamp Road

2/13/13

Logging and logging road with stream crossing

Bruce Turner, Turner Logging, reviewed the application, highlighting the Lowenthal's issue with the property line. He said the Lowenthals walked the property line and are satisfied with the iron pins and property lines delineated. They did not want him to cross the corner of their property, so he will cut a few trees and have the skid road go around the corner without disturbing the wetlands. A. Conroy cited the possibility of endangered species Eastern Brook Floaters (mussels) in this area, but Mr. Turner said they are working in a higher and drier area. R. Blazek read a letter dated 2/13/13 from Susan Lowenthal saying she does not give permission for the skid road to cross her property.

Motion: Jack Hamill moved to approve the application by Bruce Turner for a logging operation at 116 Blue Swamp Road, with the condition of no tree harvesting within 50 ft. of the stream for adequate protection of the crossing and with periodic inspections by Dennis Tobin, Land Use Administrator.

Second: Carol Williams

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

PUBLIC HEARINGS

7. Stop & Shop Supermarket Company, LLC – Village Green Drive

2/13/13

Redevelopment of portion of shopping center to remove three existing buildings and construct one new building and parking lot

Chairman Blazek opened the public hearing at 7:55 p.m. Thomas P. Cody, Attorney for Robinson & Cole, LLC spoke on behalf of the Stop & Shop Co. He read his letter dated 2/13/13 requesting a continuation of the public hearing to enable the applicant to complete its response to the peer review submitted by the Commission's consultant, Milone & MacBroom, Inc. He said he would be willing to come to the next meeting or to a special meeting before that.

Matthew Sanford, Milone & MacBroom, Inc. read his letter discussing their professional fees to date and additional fees and services anticipated totaling \$9,075, and requested an additional \$10,000 bond to the Town from the applicant to complete the application. Mr. Cody agreed and said the check would be processed.

Intervenors

Joan Spear, member of PLAN Litchfield, summarized Steve Trinkaus's concerns from the last meeting. He felt there were too many problems with the application to make it reparable. In view of his comments, she felt the property should not be developed.

Commission's Comments

Dr. Frank Schildgen questioned whether Mr. Trinkaus addressed the DOT requirements.

Chairman Blazek ended the public hearing at 8:10 p.m. and said it would be continued to 3/13/13. The following items were received and entered into the file:

- 2/13/13 letter from Thomas P. Cody, Robinson & Cole, LLC requesting public hearing continuation

8. Approval of Minutes of January 9, 2013

Motion: Barbara Brower moved to approve the January 9, 2013 meeting minutes.

Second: Carol Williams

Vote: All voted aye and the motion carried.

8a. Approval of Minutes of December 12, 2012

Motion: Barbara Brower moved to approve the December 12, 2012 meeting minutes.

Second: Carol Williams

Vote: All voted aye except Dr. Schildgen who abstained because of absence and the motion carried.

9. Correspondence: Byrne & Byrne billing charges letter will be in the file.

11. Adjournment

Motion: Barbara Brower moved to adjourn the meeting at 8:12 p.m.

Second: Carol Williams

Vote: All voted aye and the motion carried.

Respectfully submitted,



Ann D. Combs, Recording Secretary