

**INLAND AND WETLANDS COMMISSION
CONTINUED PUBLIC HEARING FOR
Inland Wetland Application for Highwood Hills Estate Subdivision
Located on 45 High Street (IW #07-09)
Applicant: MaryAnn Dmuchowski
March 5, 2008**

Joseph Bakstis opened the Public Hearing at 6:35 P.M with the following in attendance:

MEMBERS:

Mary Davis, Chair- Absent
Joseph Bakstis, Vice Chair
Sally MacKenzie, Secretary-Absent
Rosemary Bertotti – Absent
Jeff Hayden
Lars Johnson, Alternate

OTHERS:

Public: 4
Keith D. Rosenfeld, WEO
Jim Stewart, Borough Engineer
Rachel Brainard

Keith Rosenfeld asked the applicant if they were willing to extend the Public Hearing until April. Attorney McVerry stated he would like to have a full Commission present before he agrees to any extension and noted that the Engineer's Office had received drainage calculations today and, representing the applicant, explained the proposed plans. Mr. Rosenfeld noted they received drainage calculations today. Attorney Michael McVerry, representing the applicant explained the proposed plans. He noted at the last meeting there was a discussion of the culvert going under the garage. He stated that Roland Desrosiers met with the property owners. Attorney McVerry handed the Commission a copy of a draft easement which addressed the issue. He also said at the last meeting there was discussion of an alternate design. He submitted a letter into the record that states there is no other alternate access to the site. He read the letter into the record. He noted that Mr. Moeller, soil scientist submitted his report prior to the February meeting. He was present tonight if the Commission had any questions. Joe Bakstis stated for the sake of the garage you are rerouting the pipe, and asked if it would be easier to take the garage out. Attorney McVerry stated it is a viable building that is in good condition. Roland Desrosiers noted that they would still need to replace the pipe, regardless if the garage stayed or was torn down. Commissioner Bakstis said he felt they were incorrect about the t.v.ing of the pipe. He said that he is an expert and thinks they can do it. He said it could be done. Roland said they only passed on the information from the company they had contacted. Mr. Bakstis said it could be done. Roland Desrosiers noted there may be a company that could do it. Jim Stewart said he preferred getting the calculations to prove the pipe is adequate. Joe Bakstis asked Mr. Stewart if he had received the calculations. Jim answered yes. He stated there would be maintenance to the pipe. He noted the pipe was 1 ½ ft off the property line. He said they could not maintain it without an easement on the property. He questioned if it was a town pipe. Roland asked if it was a town pipe now. Jim Stewart said he would have to say no. He asked if the Commission is in favor of letting them pipe this. Commissioner Bakstis said there are a lot of questions raised by this. It started with the stream running under the garage. He said he didn't feel the Commission was holding anything up. He asked what this pipe would do to the wetlands. He asked if they would

dry up. He said he didn't want to see it go away. Roland Desrosiers said they are not going to drain the wetlands. Jim Stewart said this has to go before the Planning Commission. He had some questions on the calculations and noted there was no full review done. He asked why they used a 25 year storm when they should have used a 50 year storm. Roland Desrosiers said they ask for a 25 year storm in the regulations. Jim Stewart also noted that he can't tell if the drainage area is correctly sized because of the map. Joe Bakstis asked Jim Stewart if his opinion would be to re-pipe. Jim Stewart answered yes. Roland Desrosiers stated the concept of the pipe is adequate, but that Mr. Stewart said it was too close to the property line. Jim said he thought the new pipe is adequate and felt they could potentially make it work with the easements. Joe Bakstis noted that Jim Stewart would like to have more detail of the construction easement. Roland said they are not in the wetlands at all. The proposed grades are on the grading plan. He noted that he had a meeting with Jim Stewart and Michelle Ryan. Commissioner Bakstis stated at this time they have to give Jim Stewart time, and in order to do that the applicant could withdraw the application or grant an extension. He noted the Commission can not do anything without these answers. Attorney McVerry said they will give an extension to the next meeting. Roland pointed out they made extensive changes to the soil and erosion plan. They made changes to the drainage in the driveway and added curbing to both sides. Mr. Desrosiers went over the changes with the Commission. Keith Rosenfeld reminded the Commission about the debris they saw on the site walk, and noted they wanted to make a clean up process part of the application. Joe Bakstis noted they had asked for that on other projects. Roland said he didn't see it as a problem, and they could put a note on the plan to clean up the lots before the final sign off. Jim Stewart asked about the retaining walls and the amount of excavation that would be needed to install them. He said the general layout looks good, but that it is showing once the road is in and the layers are all set up. He asked how they are going to get there. They will be grading the area and taking out fill. During this time period there will be nothing in between the fill area and down stream except for the traking pad, berms, and the temporary silt trap. Roland Desrosiers said the wall is going to get built first, and then they will go up above that and do the work. He noted that everything will be left undisturbed and unexcavated until they build the wall. He said they might dig 10 ft beyond the wall. He said if there is ledge there then they might not even need the wall, they haven't done the test pits as of yet. Lars Johnson asked if there would be a lot of ground water. Roland said there might be seepage, but he didn't think it would be an issue because the drainage will be in at that point. Commissioner Johnson asked if the wall will come directly on the road. Roland said no, there will be a shoulder there. Jim Stewart asked if the soil was erosive. Henry Moeller, soil scientist, said it was somewhat, moderate, stony soil, with a coarse texture. Mr. Stewart asked if it was well drained. Mr. Moeller answered yes the upland soil is well drained and that most of the water is going through the wetlands and it won't be disturbed. He noted the pipe wouldn't impact any wetlands. There was no public comment. The Public Hearing was continued to April 9th at 6:30 P.M. with receipt of an extension from the applicant.

**INLAND AND WETLANDS COMMISSION
REGULAR MEETING MARCH 5, 2008**

Joseph Bakstis called this meeting to order at 6:05 PM with the following in attendance:

MEMBERS:

Mary Davis, Chair - Absent
Joseph Bakstis, Vice Chair
Sally MacKenzie, Secretary-Absent
Rosemary Bertotti - Absent
Jeff Hayden
Lars Johnson, alternate

OTHER:

Keith Rosenfeld, WEO
Jim Stewart, Borough Engineer
Rachel Brainard

1. Joseph Bakstis took attendance, and opened the meeting with the Pledge of Allegiance. Commissioner Bakstis appointed Lars Johnson a regular voting member in place of Mary Davis and Jeff Hayden a regular voting member in place of Sally MacKenzie.
2. There was no Executive Session.
3. **OLD BUSINESS**
 - A. Discussion of Inland Wetland Violation for Autohaus, Inc. located at 393 Rubber Avenue.
Keith Rosenfeld noted the applicant had received a variance from ZBA for the building. Attorney McVerry said they will be going before the Zoning Commission with the site plan next, then they will proceed with the application. He stated he will keep Keith Rosenfeld informed on the status of the application.
 - B. Commission discussion of fine ordinance.
Keith Rosenfeld said the ordinance may be addressed by the Borough Board in April, but it has not yet been scheduled. He said he will speak with the Borough Clerk and see if it will be placed on the Borough Board April 1st agenda.
 - C. Commission discussion/decision on Inland Wetland Application for Highwood Hills Estate Subdivision located on 45 High Street (IW #07-09), Naugatuck, CT. Applicant: MaryAnn Dmuchowski.
The Public Hearing was continued to April 9th at 6:30 P.M.
 - D. Commission discussion/decision on Inland Wetland Application for Commercial Site located on 1 Risdon Street (IW #08-01), Naugatuck, CT. Applicant: First Hartford Capital LLC.

Attorney Fitzpatrick, representing First Hartford Capital Reality stated they are back in front of the Commission with their suggested changes. He noted they were here informally and they did not have a formal application as of yet. He told the Commission the old Risdon building has been demolished and the lot is flat now. He noted that Long Meadow Brook goes right through the property. On the newer plans they are showing a fence along the brook, it will be more detailed on the final plans. They are also showing curbing, catch basins, and the removal of a small building out of the flood plain along with a drainage tank. These were all suggestions of the Commission. They have not developed a landscape plan yet due to lack of time. He pointed out this will be the first proposed development in the new Rubber Avenue design district. He noted the Zoning Commission will now determine how many parking spaces they will be required to have. He asked the Commission if there were any suggestions on how they could make the development more pleasant. He said the Zoning Commission had suggested putting in a walking area along the brook, but stated if they did this they would come before the Wetland Commission. He stated they are about six weeks away from submitting their plans. Jim Stewart asked if they have done a traffic study. Attorney Fitzpatrick said they have one that is about six months old. Lars Johnson stated there are two 4ft concrete pipes that were under the old Risdon building that connects into the brook on the other side of Arch Street. Jim Stewart noted that less than 1 year ago they had flooding in that area. He suggested they do sizing calculations because they might have to build around it. He suggested that if they re-pipe they should go around the building. Attorney Fitzpatrick said he appreciated their thoughts and felt it was very helpful. Jim Stewart also suggested they think about reversing the curbing on the handicap parking area. Keith told the Commission they should think about whether this is a significant activity. Joseph Bakstis said the pipes that are running under the building are definitely a concern.

4. NEW BUSINESS

No new business.

5. CORRESPONDENCE

No Correspondence.

6. WEO REPORT

Keith Rosenfeld stated he had spoken with Jim Warren after he received a call from the Prospect Inland Wetland Officer. Keith asked him to attend the meeting and explain to the Commission what he has been doing on the property and maybe to set a site walk. Jim Warren, Capital Heavy Hauling stated he purchased the property on Route 68, from the blue house across the street from the industrial park up into Prospect. He said he feels he is here prematurely. He said Prospect had called to find out what he was doing in Naugatuck. He brought in a map to show the Commission. He stated he has only been doing test pits. Mr. Rosenfeld said he just wanted him to clarify the information. Jim Warren noted he will be

coming in front of the Commission and apologized for bringing a map that's not laid out. He said he is planning on doing pipe crossing. Keith Rosenfeld asked if he has cleared brush. Mr. Warren answered yes, trees and brush. Keith asked if he has been keeping the work away from the brook. Jim Warren answered yes. He stated they will be looking to get a zone change to a B-2, because it is all industrial now. He noted he owns the access way and has legal access to the road. He has done preliminary testing. Jim Stewart asked if a soil scientist has gone out. Jim Warren answered yes. Joe Bakstis asked why the Inland Wetland officer from Prospect called. Keith Rosenfeld said he was concerned with the 50ft of wetlands and he wanted to make us aware. He stated he has not gone out there himself yet. Commissioner Bakstis said he would want Keith to go out to the property and report back to the Commission. Jim Warren guessed he would be back with in 60-90 days with an application for the brook crossing. Keith noted there had been problems with Dr. August. Mr. Warren said that was in Prospect. He stated he had built a 10ft wide berm for him on his property.

7. The February meeting minutes were tabled until next month's meeting.

8. ADJOURNMENT

On a motion by Lars Johnson and seconded by Jeff Hayden the meeting was adjourned at 7:30 PM.

RESPECTFULLY SUBMITTED

Sally MacKenzie, Secretary /rb/md