

PUBLIC HEARING
For Wetlands activities associated with the rehabilitation of
JH Whittemore Bridge over Naugatuck River Maple Street (IW#09-05)
Applicant: Borough of Naugatuck
August 5, 2009

Mary Davis called this Public Hearing meeting to order at 7:25 PM with the following in attendance:

MEMBERS:

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

OTHER:

Keith Rosenfeld, Town Planner, WEO
Wayne Zirolli, Assist. Boro Engineer
Rachel Brainard, Secretary

Mary Davis placed Lars Johnson as a regular voting member in place of Jeff Hayden. Keith Rosenfeld stated the application is complete and the mailings have been sent out. He read the Public Hearing legal notice into the record. He noted the application was sent to South West Conservation District. There is also a letter from the mayor consenting to the application. Thomas Balsic, representing the Borough, stated as a result from the comments of South West Conservation District they have revised the plans which reflect those comments. He handed out copies to the Commission. He gave the Commission an excerpt from the SWCD report, a hand out on cofferdaming, and a 2008 inspection hand out. He noted the rest of the information given is supplemental information to help explain the project. Mr. Rosenfeld stated he sent the applicant a memo describing the additional items that are required for a significant activity. Mr. Balsic stated the bridge is a 3 span concrete arch with a granite facing. He said there is strong evidence of scouring of the pier foundations. There will be removal of existing channel material and the piers will receive armoring. He said there will be 3 feet of standard rip rap which will protect the material around the piers. Mr. Balsic said there will be 2 phases of the installation of protective material for the piers. He noted a portadam will be used and he described it to the Commission. He said they will enclose half of the bridge opening for the westerly pier protection and then the easterly pier. He noted the repairs will be divided into 3 phases. Thomas Balsic said there is no work proposed within the channel. He went over the notes listed on the plans that relate to environmental protection. He said they estimated .78 acres of temporary disturbed area and 1,095 cubic yards of material that will be removed. He noted the same packet that the Commission received was sent to CT DEP Fisheries. Mr. Balsic said they are addressing deficiencies that would affect the safety of the bridge. Commissioner Davis asked if there has been a report received from CT DEP Fisheries. Thomas Balsic stated they are still working on the report, but they know what they require and those notes are added on the plans. He has been told what conditions they want to see, but they have not prepared their formal letter. He noted they require an Army Corp of Engineers permit and a DEP permit. One of their conditions is within the enclosure to install a few boulders. He stated the top 12 inches of removed material will be put back into the river; the rest will be dumped off site. He said the water will also be returned after the sediment has settled out of it. Lars Johnson asked how the equipment will be brought into the

cofferdams. Mr. Balsic said it will be lowered down by an ordinary crane which is the preferred method of DEP. Joseph Bakstis asked what the time frame of the project was. Peter Perkins, engineer, said they are proposing to start the project in January 2010 and will last 2 construction seasons. He noted the bridge will be closed to inbound traffic and only outbound will be allowed. There will be only 1 lane of traffic. They will only be able to repair the half of the bridge without traffic, that is why there will be 6 stages of construction.

Public Comment:

Patrick Scully, 21 Lines Hill Street, asked if they will be replacing the railing to pre 1950.

Mr. Perkins stated the original bridge bid was to restore the bridge to its original state. They wanted the steel pipe railing to be put back as granite. What they will do is match the existing granite with colored concrete. They will also be installing architectural lights and removing the existing steel lighting. They are also going to be restoring a brick roadway on the bridge. They will be removing the power lines and putting them under the bridge itself.

Mary Davis closed the Public Hearing at 8:05 P.M.

**INLAND AND WETLANDS COMMISSION
REGULAR MEETING
August 5, 2009**

Mary Davis called this Regular meeting to order at 6:00 PM with the following in attendance:

MEMBERS:

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

OTHER:

Keith Rosenfeld, Town Planner, WEO
Wayne Zirolli, Boro Engineer
Rachel Brainard, Secretary

1. Mary Davis took attendance; she placed Lars Johnson as a regular voting member in place of Jeff Hayden. She noted there was a quorum and opened the meeting with the Pledge of Allegiance.
2. **VOTED:** Unanimously on a motion by Joseph Bakstis and seconded by Lars Johnson to enter into executive session at 6:00 P.M. inviting Borough Attorney Fitzpatrick to discuss litigation regarding Preta vs Inland Wetland Commission. Attorney Fitzpatrick left executive session at 6:55 P.M. The Commission had discussion regarding litigation regarding Bethline Associates, LLC vs Inland Wetland Commission. The Commission exited executive session at 7:20 P.M. Commissioner Davis reconvened the regular meeting at 7:25 P.M.

3. OLD BUSINESS

- A. Commission discussion/decision for wetlands activities associated with the rehabilitation of JH Whittemore Bridge over Naugatuck River Maple Street (IW #09-05). Applicant: Borough of Naugatuck.

This item was tabled until the September meeting.

- B. Commission discussion concerning activity at Gunntown Park.

Wayne Zirolli stated himself, Jim Stewart, and Keith Rosenfeld went to the site yesterday and the activities are being closed out. He noted they are leveling the piles of fill and blending it. There are no problems with the sediment and erosion controls and the natural plants are doing well. Keith Rosenfeld stated the disturbed areas are now grown over. Mr. Zirolli said there is good natural protection to the site.

Mary Davis called for a 5 minute break at the request of Joseph Bakstis at 8:10 P.M.

The meeting was reconvened at 8:20 P.M.

- C. Commission discussion/decision for IW violation regarding a detention pond with Pondside Condominium Complex, Naugatuck CT. Owners: DA Rich Company, LLC.

Keith Rosenfeld stated that at the request of the Commission at last months meeting he has sent a letter to DA Rich Company as well as Mr. Baummer. To date he has not heard from either party. He noted he has done inspections to the property over the past month and they have followed through with the plan to clean the pipe area and to keep it clean of debris and functioning properly. Joseph Bakstis stated that is what they were looking for. Mr. Rosenfeld would prepare a report for next month.

4. NEW BUSINESS

- A. Commissioner discussion/decision for wetlands activities associated with brook side improvements at Long Meadow Brook (IW#09-06) located at 110 Rubber Avenue. Applicant: Borough of Naugatuck

Wayne Zirolli, Assistant Borough Engineer, stated last month the Borough submitted modified plans which are a radical reduction of what was originally proposed for the site. He read a synopsis of his comments into the record. He said they felt it was better to scale back the project. He went over the plans. He stated he feels that brush cutting should be maintained through out Naugatuck. Mr. Zirolli noted there were no wetland plants or wetland soil. He said he flagged the top of the wall as wetlands. Mary Davis asked why they are cutting at the base of the wall. Mr. Zirolli said to maintain the wall. He feels this will allow them to beautify this section of the river. He said they will be clearing the stone decorative wall and constructing a stone masonry wall. They will be constructing 120ft of stone masonry wall. They are proposing 3 dry well catch basins which will collect water from the parking lot and infiltrate into the ground instead of directly discharging into the stream as it is now. Mary Davis asked about oil on the driveway. Wayne Zirolli said the Commission could request oil separators and noted they were on the previous plans, but they will need to maintain them and he feels the catch basins are a natural separator. Joseph

Bakstis asked if the Portuguese Club agreed to maintain the oil separator on the last application. Mr. Zirolli said yes they did. He noted they are proposing to plant new trees on top of the wall. He said they will be cutting by hand and no machines will be allowed. Joseph Bakstis asked how big the dogwood trees they are proposing to plant are. Wayne said 3-4 inch caliper and 10-12 feet in height. Keith Rosenfeld said they are looking to amend the previous application. Joseph Bakstis asked if they needed a public hearing for this. Keith Rosenfeld said they did not unless they wanted it. Mary Davis said it is less of an impact and she doesn't see the need. Joseph Bakstis agreed. Keith Rosenfeld recommended having Wayne make the changes the Commission requested to the plans and bring them back in next month. Commissioner Bakstis said he would like to see the oil separators in all the catch basins. Wayne Zirolli said he would like to see one oil separator installed and instead of creating the proposed patio they will replace it with a swale. Commissioner Davis and Bakstis said they liked that better.

- B.** Commission discussion on renewal of IW #04-06 application for Rehabilitation of Bridge #03713 located at Rubber Avenue over Long Meadow Pond Brook. Peter Perkins, Engineer with CHA, stated this application was approved several years ago. He gave the Commission a brief history of the project and the reason for the delay. Sally MacKenzie stated she didn't understand how the Inland Wetland Commission at the time declared this activity not significant. Keith Rosenfeld told her it was the call of the Commission at that time. Mary Davis noted that the minutes that pertained to this application were incorrect because they say that the person who made the motion was absent. Keith Rosenfeld said the application has come to the board for an extension of the permit. Mr. Perkins stated the plans have not changed. Mr. Rosenfeld said they are asking for an extension of 5 years. Commissioner Davis noted this should have been submitted to the Commission within 65 days of the expiration date. Keith Rosenfeld said they had just become aware of this. He noted the Commission could vote and waive the requirement or make them re-submit a new application. Joseph Bakstis stated 5 years has passed and they know nothing about this application. Mary Davis said she felt they should submit a new application. Mr. Perkins said they are not asking the Commission to waive any technical requirements in their regulations. He noted they did get the request in; it's just not the full 65 day period and asked that they take that into consideration. He said there is exposed bedrock on the stream bottom. He said there are no wetlands on the site and they will be re-pointing the stone. There will just be men in the water. Mary Davis read the minutes of the previous approval into the record. Patrick Scully, Burgess Liaison asked the Chairwomen if he could speak on behalf of the Borough. Chairwomen Davis answered no. Per the request of Commissioner Bakstis, Keith Rosenfeld recommended that the Commission allow Jim Stewart to come in front of the Commission and lead them through the steps so they can understand the application and determine whether to allow the extension. Lars Johnson said that if the project was explained to them then they could decide at that point if they would need to submit a new application. He said it doesn't look like there's a lot going on there. Joseph Bakstis said he would like a description of the project to know what's going on. Sally MacKenzie agreed with the WEO's recommendation and thought that Jim Stewart should come before the board and explain the project. The Chair stated that there was a consensus regarding this issue and to keep it on the agenda.

5. **CORRESPONDENCE**

There was no correspondence.

6. **WEO REPORT**

Keith Rosenfeld handed the Commission copies of revised plans for Westover Hills Subdivision detention pond. He noted this issue is before the Planning Commission. He asked the Commission to review the plans and then they will discuss it at next months meeting. He stated they have modified the grading plan, the proposed landscaping along the pond and added a decorative fence which is different from what the Commission approved. It will increase public safety. It will be a new impact and is a new proposal for the wetlands. Mr. Rosenfeld said this Commission will have to decide if it's a greater impact. He said he will send the Commission copies of the previously approved plans so they can see the difference.

7. **VOTED:** Unanimously on a motion by Joseph Bakstis and seconded by Sally MacKenzie to **APPROVE** July 1, 2009 minutes with corrections.

8. **ADMINISTRATIVE BUSINESS**

Mary Davis wanted to point out that the approval letter sent to Capital Heavy Hauling for proposed industrial park application needed the general condition #1 corrected to 5 years instead of 3 years.

9. **ADJOURNMENT**

VOTED: Unanimously on a motion by Sally MacKenzie and seconded by Lars Johnson to **ADJOURN** the meeting at 9:41 P.M.

RESPECTFULLY SUBMITTED

Sally MacKenzie, Secretary /rb