

**INLAND AND WETLANDS COMMISSION  
REGULAR MEETING  
October 7, 2009**

Mary Davis called this Regular meeting to order at 6:05 PM with the following in attendance:

**MEMBERS:**

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

**OTHER:**

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

1. Mary Davis took attendance. She noted there was a quorum and opened the meeting with the Pledge of Allegiance. She placed Lars Johnson as a regular voting member.
2. **VOTED:** Unanimously on a motion by Joseph Bakstis and seconded by Sally MacKenzie to enter into executive session at 6:09 P.M. to discuss litigation between Bethline Associates LLC vs The Naugatuck Inland Wetland Commission on Lot #3 Great Hill Road, inviting Keith Rosenfeld. The Commission exited executive session at 6:28 P.M.
3. **OLD BUSINESS**
  - A. Commission discussion concerning activity at Gunntown Park.  
Wayne Zirolli reported they are still spreading top soil, and then they will rake it and seed it before the cold sets in.
  - B. Commission discussion/decision for IW violation regarding a detention pond with Pondsides Condominium Complex, Naugatuck CT. Owners: DA Rich Company, LLC.  
Keith Rosenfeld gave the Commission a detailed time line of the activities related to this item that was given to the Borough Attorney. He noted that Attorney Fitzpatrick was unable to attend the meeting tonight but will be at next months meeting. Mary Davis stated there is nothing they can do until they receive a response from Attorney Fitzpatrick. This item was tabled until next months meeting.
  - C. Report from Assistant Borough Engineer regarding storm water/drainage issues located within the Union City Road neighborhood.  
Wayne Zirolli gave the Commission an overview of the drainage area. He explained to the Commission where the watershed areas were. He noted he is still researching and hasn't completely figured out all the areas. In one detention pond, he is looking to put a throttle in the 24 inch outlet to help regulate the water flow. Mr. Zirolli stated he still needs time to study where the soil that fills the Savarese pond comes from. He said that there is existing vegetation in the detention ponds in the area which he feels helps with the filtering of water and enhances the water quality. He still needs to investigate the location of the oil separators in the park area and then send out letters to the owners requesting maintenance schedules.

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Mary Davis asked what would happen after to the ponds because they are so filled with silt. She noted that this is the main complaint of the residents. Wayne Zirolli said he doesn't have a definite answer yet, but with Jim Stewart now being in charge of the street department they will be looking into coming up with a solution to clean up the ponds and try to prevent oil and road sand from getting back into them as well. He said they are working to make the drainage system better in Naugatuck. Mary Davis said that Joe Savarase has set up a meeting with Roman Mrozinski from Southwest Conservation District on November 4<sup>th</sup>. She invited Wayne to attend the meeting.

#### **4. NEW BUSINESS**

- A.** Commission discussion/decision of proposed Naugatuck IW By-Laws.  
Keith Rosenfeld reminded the Commission that what was handed out was just a draft copy. Mary Davis stated she felt there should be a standard set of By-Laws for all Commissions on how to run a meeting. It should be called Land Use Procedural Format.
- B.** Commission discussion/decision of intervener submission form.  
Keith Rosenfeld stated the form handed out was approved by the Borough Attorney. Mary Davis felt the public should know that this form is available and they have a right to intervene. Jeff Hayden said it should be kept in the land use office so that if a resident comes in and has concerns they can be made aware of this procedure by staff. Mary Davis agreed and asked Keith to have the form available in the office. She felt it was also a good idea to include a copy of the state statute. The Commission approved the form along with the state statute attached to the back and to have it made readily available to residents.
- C.** Commission discussion/decision on proposed wetland regulation amendment to allow preliminary review of plans.  
Keith Rosenfeld noted this is agenda item is a result of the workshops. Mary Davis said she did not feel it was necessary because they are already doing this and she gave three examples.
- D.** Commission discussion of newly created tax form and amendment to Section 7.5.4 of the Naugatuck Wetland Regulations.  
Mary Davis asked that Keith check with Attorney Fitzpatrick to see if a Public Hearing is needed to accept this amended form. She also said the form should be included in the Commissions book with the ordinance.
- E.** Commission discussion/decision on proposed mixed use retail/residential development (IW#09-08) located on 1347 New Haven Road. Applicant: Scott Dudas.  
Keith Rosenfeld stated for the record that the taxes have been paid by both the owner and the applicant. He noted there was a report done on September 30, 2009 and that the application was complete. Charles Path, land surveyor located in Southbury, CT stated the applicant is proposing a mix retail use with apartments on top. He said there will be a 48 inch storage pipe to detain the water from the roof

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which would then be piped out onto New Haven Road to a detention basin. He noted there are no wetlands on the site, but that it is surrounded by CT Water Company land on both sides. They will be moving the septic from the rear of the building to the front because of a suggestion from the CT Water Company. He said there will be no increase in peak flows off the site. Keith Rosenfeld noted the site is within the aquifer protection district. He said Beacon Brook is in the back of the property, about 400 feet away. He said his submitted report shows that there are no wetlands soils on the property. He noted the applicant is here because a special permit requires a report from the IW Commission. Wayne Zirolli, said that he had gone over the plans for Zoning and as far as the wetlands the plans are fine and the layout is fine as well.

**VOTED:** Unanimously on a motion by Jeff Hayden and seconded by Lars Johnson to **APPROVE** and forward an approval to the Zoning Commission with the following conditions:

1. Prior to the creation of the driveway or other impervious surface area created, the applicant shall construct and make functional all storm water drainage improvements.
2. Prior to the commencement of any site work, the applicant shall notify the ZEO to ensure the installation of the required erosion and sedimentation controls.
3. Prior to the commencement of any site clearing and pre-construction phase, applicant shall demarcate the edge of disturbance limits.
4. Prior to the receipt of a building permit, a Sediment and Erosion Control Bond shall be submitted to the Borough of Naugatuck.

5. **CORRESPONDENCE**

There was no correspondence.

6. **WEO REPORT**

Keith Rosenfeld gave the Commission of report of all the tasks completed in the past month. He stated he is still waiting for Joseph Savarese to come in for his wetland permit. He let the Commission know that the Planning Commission approved the Westover Hills modification on Monday. Joseph Bakstis said that he like this report and thought it was a good thing.

7. **VOTED:** Unanimously on a motion by Joseph Bakstis and seconded by Jeff Hayden to **APPROVE** September 2, 2009 meeting minutes with corrections.

8. **ADMINISTRATIVE BUSINESS**

Mary Davis asked that the Commissioners put the Public Act regarding the extension of land use permits be put in their books.

Joseph Bakstis asked about the Cherry Street Bridge and if it ever came before this wetland Commission for approval. Wayne Zirolli said it goes through the State DEP. Keith Rosenfeld said there is no local hearing on it but he will research it and get back to them.

9. **ADJOURNMENT**

**VOTED:** Unanimously on a motion by Joseph Bakstis and seconded by Jeff Hayden to **ADJOURN** the meeting at 8:00 P.M.

RESPECTFULLY SUBMITTED

Sally MacKenzie, Secretary /rb