

INLAND AND WETLANDS COMMISSION
REGULAR MEETING

August 3, 2011

Commission Chair Mary Davis called this meeting to order at 6:00 P.M. with the following in attendance:

MEMBERS:

Mary Davis, Chair
Joseph Bakstis, Vice Chair
Sally MacKenzie, Secretary
Marcia Puc
Alex Olbrys, Absent
Lars Johnson, Alternate, Absent

OTHER:

Keith Rosenfeld, Town Planner, WEO
Sue Goggin, Secretary

1. Commissioner Davis took attendance and noted there was a quorum. She opened the meeting with the Pledge of Allegiance.
2. Executive Session with Borough Attorney. There was no Executive Session.
3. There was no public comment.
4. OLD BUSINESS
 - A. Commission discussion for activities at 815 Maple Hill Rd., Owner: Matthew and Tracy DeBarber.

Mary noted that Mrs. DeBarber was not present. Mary asked Keith if he did a recent inspection. Keith replied yes, that everything is pretty much done except for the plantings. He reported that the water bars are in and functioning well, mulch has been laid down and is holding back the bank and the weeds are starting to fill in the disturbed areas. Joe asked why the plantings haven't been installed yet. Keith said that they are still viable and that it's better to plant them in the fall. Mary told Keith that he needs to send her a letter that she is still on the agenda and that she needs to attend the next meeting.

Tracey DeBarber arrived and identified herself and Mary told her she's late and that the commission already discussed her activity, but since she's there, they will tell her what they decided. Mary said she had hoped that Mrs. DeBarber would have started the plantings soon. Mary asked Mrs. DeBarber to stand and state her name and address for the record. Then, Tracey said that on advice from some nurseries, they had decided to hold off planting until the fall. Mary asked if she was thinking September or October. Tracey replied yes. Mary said they kept her on the agenda for another month because it's not done. Tracey said that

everything's stabilized between the weeds, the natural grasses, the stone and the mulch. Mary said then the commission will see her next month.

B Report from Borough Engineer regarding storm water/drainage issues located within the Union City Road neighborhood.

Keith Rosenfeld said that Wayne left a report to update the commission. Mary said she heard that Mr. Savarese was not pleased with the grate. She said they will continue this to next month.

Mary notes that Mr. Savarese is now at the meeting and asked if they can now bring back item B about the Union City neighborhood. Mr. Savarese, 145 Union City Rd, stated his name and address for the record. Mr. Savarese said he has been working with the street department to make improvements. Originally, they were considering putting an oil and sand separator across from Gail Drive in addition to an outlet from the pond. Currently they have a storm grate which is not doing the job. Also, there is a plastic pipe that was installed deeper than it should have been, to prevent flooding. The pipe is collapsing and the water is running under it, not through it. Wayne and Jim Stewart came up with the solution of digging around the pipe about 8-10' in from where the outlet ends and putting a concrete collar around it. Mr. Savarese said he is concerned about the pipe collapsing and the homes below flooding. The pipe is loaded with debris. There is still water flowing into the pond, but the pond has gone below the pipe level. There are compound problems in the area. Joe Bakstis commented that to replace a pipe buried 24' deep would be tremendous to replace. Mary asked why it needed to be 24' deep. Mr. Savarese replied that was where the water level was. A discussion ensued regarding the amount of sand and silt washing into the pond from Gail Drive. Mr. Savarese said that there is a minimum of 4' of sand at the bottom of the pond. Originally the depth of the water was 10', now it is as low as 4' in some spots. It also impacts the pond downstream. Jim and Wayne have been very cooperative, but it's a matter of manpower and money. Mr. Savarese said it's a safety issue. Mary asked if the town was aware of the safety issue. Mr. Savarese said he sent an e-mail to Jim Stewart. Mr. Savarese felt that the repair job was rushed due to bad weather. Mary asked if there was a list of neighborhoods with a lot of water issues. Mr. Savarese said that this goes beyond water issues and that this is a flooding problem dating back to 1981. Mary said this should be a matter of priority. Keith read from Wayne's report, where Jim Stewart said that with all the high priority work the street department must complete, it will take time to tackle the improvement projects. Joe Savarese said the priority is the pipe not the separator. Mary asked that this be passed along to Keith and Wayne. Mary asked why it is being called an improvement project when it most likely is a safety issue. Mary thought they need to pose that question to Jim & Wayne & Keith and for them to go out there and look at it again. Mary said we need an answer on what can be done as far as repairing or replacing the pipe. This needs to be done.

Mary said that Keith, Wayne and Jim Stewart will keep Mr. Savarese apprised of what's going on.

- C. Commission discussion/decision regarding flooding of property on Rubber Avenue adjacent to Long Meadow Pond Brook, owned by Mrs. Shirley Anderson. Mary noted that Mrs. Anderson was present. Mrs. Anderson stated that she was unable to be at the July meeting and was wondering if anything had transpired that she was unaware of. Keith told her that they had put in an application to Kingsmark Group to do a flood study of the area. Keith and Jim Stewart will be meeting next week to walk the site where we walked with Wayne Zirolli, the Borough Engineer. Mrs. Anderson wondered if they were talking about doing something with the pond by the high school. Mary said they are doing a study on the whole brook. Keith said that it will be part of the study. Keith explained the Kingmark study to Mrs. Anderson and gave her a copy. Mary said that on a local level, Keith, Wayne and Jim Stewart were supposed to go down and review it all together and start checking into cleaning the one little area down by the high school. Mrs. Anderson asked if they are going to go as far down as HRD. Keith said they are going to rely on Jim Stewart's expertise as an engineer. Mary said that the commission felt that there are parts that need to be cleaned. There is a lot of silt and branches. Mrs. Anderson said there is a carpet in it. Mary said that the commission walked a lot of the brook. Mrs. Anderson asked if they were going to go as far as HRD. He said he doesn't know how far they will go, that it's up to Jim Stewart. He said they will work with the commission. Mrs. Anderson asked if they were aware of where it had been filled in at HRD. Keith replied yes. The Land Use office will send Mrs. Anderson a copy of the Site Walk minutes once they are approved. Mary said that this matter will stay on the agenda and that the commission is going to try to resolve it. Keith said he is going to set up a meeting for this week or the middle of next week with Jim Stewart. Mary said that the commission really wants to see something done right away. She said it should really be done during a low water season.
- D. Mary said that 60 Gunntown Road, Owner, William Werner, should have been on the agenda. She asked to have it put on the agenda for the future. Mary asked Keith if he knew if anything happened. Keith replied no. Joe Bakstis said he thought the town went up and fixed it. Mary said she hadn't heard. Keith said a price was set, but wasn't sure if the work was ever done. He said he would check into that. Mary said it was supposed to be fixed during the dry season and to her knowledge it hasn't been yet. Mary said it needs to be on the agenda until it's fixed. Mary said she also wants to see receipts, showing the bill was paid.

5. NEW BUSINESS

- A. Additional items require a 2/3 vote.

There were no additional items.

6. CORRESPONDENCE

There was no new correspondence.

7. WEO REPORT

- A. Autohaus Property Progress, IW #08-08, 393 Rubber Avenue: Keith said that he met with Mr. Kosloski and that he wanted it stressed that he is working as fast as he can. He's ordered shelving systems to hold the remaining car parts and is bringing in a dumpster to get rid of the materials. He thinks in the next three months he will have gotten everything off of the site, including the trailers. Mary said that he's supposed to be building a rain garden, which he can't do in the winter or until all the junk gets cleaned up, so he must stay on the agenda. Keith said that he's trying as hard as he can. Joe Bakstis said that the trailers were supposed to be gone a year ago. Joe wanted it indicated to Mr. Kosloski that the commission is losing their patience. Keith said that he had already indicated that to him. Mary asked who gave him permission to put the big trailers there. Keith said that a permit for that would come from the zoning office, but he didn't know if a permit was obtained. Keith said the regulation of commercial property in town could be better. Mary said they are counting on the trailers being gone in three months. Marcia pointed out that there is a trailer on the side of the garage. Keith said he had already made the ZEO aware of it.
- B. Property of M.Dmuchowski Inspection, 45 High Street: Keith reported that the brook is running and the pipe is clear. There is no flooding reported. No mattresses or tires- everything's fine. Mary confirmed with Keith that he was there on July 28th. She asked if there were any calls due to the big storm they had recently. Keith replied no.
- C. Pondsides Condominiums Inspection, Mill Street: Keith reports that the water is flowing and that no water is running on Mr. Baummer's property. A discussion ensued regarding how long to keep this on the agenda. The commission agreed to keep it on the agenda through the fall.
- D. Potential Inland Wetland Violations at Mountview Plaza: Mary reads a letter from Attorney Pat Salvatore in which he asked that they table this item until the next regularly scheduled meeting. They are still working on a plan to resolve the issue. Mary said that they will be put on the agenda for next month.

8. **VOTED:** Unanimously on a motion by Joe Bakstis and seconded by Sally MacKenzie to **APPROVE** the **May 4, 2011** Meeting Minutes with corrections.
VOTED: Unanimously on a motion by Sally MacKenzie and seconded by Joe Bakstis to **APPROVE** the **June 1, 2011** Meeting Minutes with corrections.

VOTED: Unanimously on a motion by Joe Bakstis and seconded by Marcia Puc to **APPROVE** the **June 8, 2011** Show Cause Hearing Minutes with corrections.

VOTED: Unanimously on a motion by Sally MacKenzie and seconded by Marcia Puc to **APPROVE** the **June 8, 2011** Site Walk Minutes.

VOTED: 3-0-1 on a motion by Marcia Puc and seconded by Sally MacKenzie to **APPROVE** the **July 6, 2011** Meeting Minutes with corrections.

VOTED: 3-0-1 on a motion by Marcia Puc and seconded by Sally MacKenzie to **APPROVE** the **July 21, 2011** Special Meeting Minutes with corrections.

9. ADMINISTRATIVE BUSINESS

Mary noticed that in a set of minutes, after the fact, that during the Mancinone application, there was a contradiction to comments by Mr. Meyers, which may have been caught if they had their minutes to preview. Mary asked the land use secretary to be sure to e-mail the commission a copy once they are done for FOIA and sent to Town Hall. A discussion ensued regarding the revised permit for the proposed repairs to the culvert at Mountview Plaza. Keith said any revisions were going to be written on the plans. Mary said that she wanted the Werner file added to the agenda under OLD BUSINESS.

10. ADJOURNMENT

VOTED: Unanimously on a motion by Joe Bakstis and seconded by Sally MacKenzie to ADJOURN the meeting at 7:35 P.M.

Respectfully Submitted

Sally MacKenzie, Secretary /sg