

INLAND AND WETLANDS COMMISSION
REGULAR MEETING
November 2, 2011

Commission Chair Mary Davis called this meeting to order at 6:10 P.M. with the following in attendance:

MEMBERS:

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

OTHER:

Keith Rosenfeld, Town Planner, WEO
Sue Goggin, Secretary
Public - 0

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

Mary read a report from Wayne Zirolli regarding the Union City Road neighborhood. Roman Mrozinski, of Southwest Soil and Conservation, and Wayne will be going on a site walk on Wednesday November 9, 2011 at 10:00 a.m. to review the Union City Road area and develop some recommendations for storm water runoff improvements in the area. Mary asked Keith to send an e-mail or letter to the commissioners with the details of the site walk and post it for the public. They will meet at Joe Savarese's on Union City Road. No other discussion took place.

- B. Commission discussion/decision regarding flooding of property on Rubber Avenue adjacent to Long Meadow Pond Brook, owned by Mrs. Shirley Anderson.

Keith read a letter from Elaine Syche with the Environmental Review Team. They are getting their team together but have no date yet for the site

plan. It's a good step that says they are serious about studying the area. Mary asked if there was anything they could do in the meantime, because she had asked to have Jim Stewart and Wayne check about getting some of the silt taken out of the corner, near the HRD. Keith said he hadn't heard back from Jim. Mary asked Keith to call or e-mail Jim Stewart and copy her on it. Mary told Shirley that there's not much else that they can do. Mrs. Anderson said that if Hank Witkoski had been allowed to clean out the brook, there would have been over 10 years to do this study. It would have eliminated the problem for at least 10 years. She said that Jim Stewart told Hank Witkoski that it was against the Inland Wetlands policy to dig out the brook. It was dug out 15 years ago and they didn't have any flooding problems for 10 years. Mary said that it isn't against the Inland Wetlands policy to dig out the brook. A discussion ensued about how the brook used to flow. Mary said they should pursue dredging. She asked Keith to contact Jim and Wayne to see how fast a little bit can get done and maybe alleviate it so it won't flood. Sally also suggested that moving the fallen tree from the brook is an easy fix. Mary said they are going to dredge and also do a professional study. The commission will keep her on the agenda. Marcia asked if they need to wait for the study to be done before they can dredge. Mary said no, they are not going to wait for the study to go ahead with the dredging. Alex asked if the commissioners could receive an e-mail with the result of the study. Keith replied yes. No other discussion took place.

C. Inland Wetland Violation occurring at 381 Rubber Avenue, A Better Way Wholesale Auto, LLC, Owner: Joseph Gorbecki.

Mary asked if they got any receipts. Keith said that they are using the Naugatuck Car Wash again. He said they gave the Land Use office one slip for \$350.00, which looks like they paid for all the cars at once. Sally asked how much this receipt encompasses. The commissioners were not happy with this form of proof of payment to the car wash. Mary asked Keith to pursue this and find out why it is coming in this fashion. Keith said he will go to the Naugatuck Car Wash and talk to them. Mary would like more accurate receipts with more detail. No other discussion took place.

D. Inland Wetland violations at 60 Gunntown Rd. Owner: William Werner.

Keith said the weather has not been suitable to do the work in. It is on plan to fill in the hole, but the ground needs to either be frozen or dry. Mary said it will stay on the agenda.

5. NEW BUSINESS

A. Commission discussion/decision regarding Housing Authority property flooding.

Keith read a report from Wayne regarding the area. Joe said he didn't see anything in the area that could be done for improvements. Usually the commissioners can offer some suggestions, but he didn't see any there. Mary thought that maybe the detention basin failed. She thought that there should be another put in to hold back more water. Wayne is looking into whether or not the detention basin was designed properly for the amount of storm water it takes in. A maintenance worker said he never saw the water come up high in the detention basin. Marcia questioned whether anyone knows if it is the brook or the detention basin overflowing. Mary said someone should be out there during a heavy rain to see what's happening. She asked Keith to suggest to Wayne that the maintenance crew should be out there during a heavy storm video taping what's occurring. Mary suggested that the sides of the brook should be built up a little to keep the water contained. Keith said that Wayne is working on the details of the detention system. Mary told Keith to ask Wayne if he thinks more rip rap will help. Sally asked if Wayne could write a letter to Kevin Knowles asking him to have the maintenance worker go out during the storm and observe. Keith said maybe they can coordinate an observation for the commission during a heavy rain. Mary asked for the Land Use office to search the files for background on the D'Arcangelo subdivision. No other discussion took place.

B. Additional items requiring a 2/3 vote.

VOTED: Unanimously on a motion by Joe Bakstis and seconded Sally MacKenzie to add the application of Mrs. Pelletier, 67 Longview Terrace to the agenda.

Keith said he worked with Mrs. Pelletier to set up an application to do a permitted use as a right to maintain her property. They would like the commission to review or approve the application tonight. Keith came to the conclusion that she qualified for permitted use as a right #4. Keith read and explained the construction sequence that the commission requested and was received by the Land Use Office on November 2. Mary said she wasn't sure that it falls under permitted use as a right. Keith said in his opinion the amount of material being brought in isn't going to affect the wetlands. Joe said he would like to know how far she is going with the buildup. Keith said she is just going to fix the area where the driveway collapsed, so it doesn't collapse any further. Joe asked if it would hold during another storm with these materials. Mary asked how they will know if it's going to hold voiced concern about being so close to the wetlands. Keith said the construction will separate the wetlands from the work area with hay bales. The commission wanted Wayne to write a

report on this. Joe said that if Wayne feels that it will withstand the water, then the commission should go along with the application. Mary said the commission cannot give an approval until Wayne gives his approval. Keith will call Mrs. Pelletier tomorrow to let her know what's happening. No further discussion took place.

6. CORRESPONDENCE

The only correspondence was the CACIWIC newsletter, which went out in your packets.

7. WEO REPORT

A. Autohaus Property Progress, IW #08-08, 393 Rubber Avenue

Keith said there has been no activity as of today. Mary said that they were supposed to have the structures out of there by the third month. Keith said he will write them a letter reminding them that they need to come to the next meeting.

B. Property of M. Dmuchowski Inspection, 45 High Street

Keith said that although it floods out, they have not had the situation that they have had in the past. There is a neighbor and her brother who are cleaning out the pipe when they see debris. Keith said it is doing well.

C. Pondside Condominiums Inspection, Mill Street

Keith reported that they have been very active in cleaning the pond and keeping the pipe clean. There has been no flooding in the pond area or Mr. Baummer's property. Mary said that is thanks to the commission, Keith, Wayne and everyone who's involved that this has worked out.

D. Potential Inland Wetland Violations at Mountview Plaza

Keith said that they have started work. He received a plan that has a culvert Longmeadow Brook maintenance schedule on it and it has all the items for the culvert as well as the berm and the schedules for all areas of work. They still need to do the curbing and finish up the bridge and then then re-arch the culvert and proceed with cleaning up the property. Sally asked what they've done so far. Keith said they have reestablished the old pipe and once that is flowing they can create the second pipe. Mary asked if they did anything to the bottom of the old pipe. Keith said they will install concrete on the bottom as per Wayne's instruction. The pinched opening of the old pipe was opened up. They also removed some of the trees that were blocking the entrance from the flooding. Mary asked if

Keith was doing the inspections. He said he inspects all the work around the pipe, not the pipe itself. Mary asked for him to continue to give the commission updates. No further discussion took place.

E. McDonald's, 718 Rubber Avenue

Keith received a call from Mary that a cement truck working in McDonald's parking lot, washed their cement truck and the cement was washing down into the catch basin which leads into the brook. Keith went down there but saw nothing. He wrote a letter to the president of the company that owns that McDonald's to let them know that they are on notice that it was a violation and they are not to do it again. Sally asked why they were not fined. Keith replied that there was no proof, that there was nothing to take pictures of. Mary asked Keith to write up something to give to the building inspector to hand out with every construction permit about not dumping into the storm drains.

8. **Review/Approval** of August 3, 2011 meeting minutes and October 5, 2011 meeting minutes.

VOTED: Unanimously on a motion by Sally MacKenzie and seconded by Marcia Puc to **APPROVE**, as corrected, the August 3, 2011 Meeting Minutes.

VOTED: Unanimously on a motion by Sally MacKenzie and seconded by Marcia Puc to **APPROVE** the August 3, 2011 Show Cause Hearing Minutes.

VOTED: Unanimously on a motion by Marcia Puc and seconded by Sally MacKenzie to **APPROVE**, as corrected, the October 5, 2011 Meeting Minutes.

9. **Review/Approval** of 2012 Naugatuck Inland Wetlands and Watercourses Commission Regular Meeting Dates.

VOTED: Unanimously on a motion by Alex Olbrys and seconded by Joe Bakstis to **ACCEPT**, as amended, the 2012 Naugatuck Inland Wetlands and Watercourses Commission Regular Meeting Dates.

10. ADMINISTRATIVE BUSINESS

Mary had a question on the permit status of Fox Hollow. She would like Keith to check with the Borough Attorney about whether or not the new law applies to extensions on permits. Mary would like Keith to send her an e-mail when he hears back.

Mary hands out booklets, Best Care Practices for Horses, from Roman Mrozinski, of Southwest Conservation. Roman would like to know the number of people with horses in town so he can contact them. Keith said he will contact Animal Control to find out.

11. ADJOURNMENT

VOTED: Unanimously on a motion by Joe Bakstis and seconded by Sally MacKenzie to **ADJOURN** the meeting at 7:37 P.M.

Respectfully Submitted

Sally MacKenzie, Secretary /sg