

INLAND AND WETLANDS COMMISSION  
REGULAR MEETING  
January 4, 2012

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, Absent  
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.

Wayne said he had not yet completed the plans. In speaking with Joe Savarese, a beaver has taken up residence in the pond, so nothing can be done right now. Mary said it should stay on the agenda and asked Wayne to have a report in March or April. No further 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.

Mary began by telling Mrs. Anderson that they left off last month with Jim Stewart explaining that they can't do anything in the brook. They contacted the Army Corp of Engineers to do a study. Jim Stewart said that there are sandbags available for her use if there is a chance of flooding.

Mary asked Mrs. Anderson if she would like to say anything. She said she was wondering about all the studies. She also asked about the study that Kingsmark was supposed to be doing. Mary said that they are still putting a team together. Keith said he will send Elaine Syche an e-mail to find out how it's coming along. Mrs. Anderson said that the silt is building up in the brook and it's flooding faster. Mary said that her best bet is sandbagging. Mrs. Anderson didn't think it would be effective at the property where the town filled in. Joe said that at last month's meeting, Jim Stewart gave the commission an outline of the entire flood zone. Mary said Keith can send the information from last month's meeting to Mrs. Anderson. Mrs. Anderson said she would like to know what's going on with Roman and Southwest. She said he walked her property and the length of the brook more than a month ago and she hasn't heard anything. Mary said he will make the recommendations to the property owner. She asked who's contacting the Army Corp of Engineers. Wayne said he will contact the DEEP and the Army Corp again, once he gets the ERT report. Mrs. Anderson said there are a lot of businesses being affected. Mary said a plan is in the works. Mary said she should consider sandbagging to protect her assets. Wayne said it would have to be extensive sandbagging. He felt that the culvert replacement would help the flow of the river. There is still work to be done, though. Mary suggested that she move things out if there is a chance of flooding. Joe said that this is a vast problem. He said that at the last meeting he had asked for a history of the frequency of flooding. Keith said he didn't know where to find that information. Mary said they could start a log with the events of this year. Mary asked Keith to check with Jim Stewart on a history of flooding in that area. No further discussion took place.

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

Paul Grenier, a representative for A Better Way Auto, stated his name for the record. He showed the commission receipts for the Naugatuck Car Wash, comprised of Joe Gorbecki's American Express bill showing each date that he was charged \$350 for each 100 cars washed. Mary said the commission wanted something that spelled it out, but they will accept what he showed them. Paul said he can get those statements on a regular basis. Mary said they should stay on the agenda for a few more months. Mary asked them to send copies of the statements to Keith in the Land Use office. No further discussion took place.

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

Wayne said that the ground is frozen and he indicated so to foreman Mike Walsh and asked him to get someone out there. He said he will check on it. No further discussion took place.

- E. Commission discussion/decision regarding Housing Authority property flooding.

Wayne said they haven't done anything more with the brook. He said he will call Kevin Knowles and see if they are going to get Kevin Lawlor to shore up the banks. Mary said they will keep it on the agenda for now.

- F. Commission discussion/decision and determination of Significant Activities associated with proposed regulated activities involving a Special Permit application removal of more than 350 cubic yards of earth material from the property of Applicant: Donham Craft, 15 East Waterbury Road.

Paul Bunevich, of Land Data Engineers, representing the applicant, Unimetal, began by saying that he referred this application to Roman, but hasn't heard back yet. Mary asked if he had complete maps. She said the application is incomplete. Keith said what Paul had provided them was an erosion control narrative, but it doesn't say when the phases will take place. Keith said they need a site plan that says what they are doing. Joe asked if Paul was given the letter that Keith sent to the commissioners with a list of what was missing. Keith said he had sent that to Paul. Mary said there are no wetlands boundaries or soil and erosion plan on the map. Usually the commission is given 8-10 maps in a complete set with the application. Mary said there is a lot missing from this map. They need to know where the wetlands are and where the soil is to be removed. Paul said the wetlands are on the property as flagged by Henry Molnar and located by us. Mary said that it's not on this map. Paul said it was omitted. Keith said they also need to show the Upland Review Area. Mary said they were expecting a complete set of maps. Paul agreed that more was needed. He thought that the commission would set the public hearing, even if it's a month or two out. He said he didn't have a chance to do a lot of what the commission is looking for. He thought that he would still have time to work on the plan after the public hearing date was set. Mary asked if he would consider withdrawing his plans without prejudice and resubmitting when he had everything they need to consider this application, without paying the fees again. Paul submitted to the commission a letter withdrawing his application. Mary said that normally they get an alternative plan when someone is going to disturb the wetlands. She said they would like to know if there's something feasible other than this. Mary said they are aware that Unimetal is pumping water out of the brook and it's been going on for some time. The commission wants to see proof that they have a diversion permit. They also would like a record of what went on in regard to all the contaminants on site. Paul said he would find out that information. No further discussion took place.

- G. Commission discussion/decision regarding flooding and erosion at 34 Fairfield Court. Owners: Eileen and Mike Bronko

Wayne read his inspection report from 12/29/2011. Mary said on the site walk that the commission observed erosion. Mary said that this is not a wetlands issue. She said maybe if erosion continued that it could become a wetlands issue, but right now it's not. Wayne suggested that each property owner could take care of their own property. Mr. Finlay could install a swale and top soiling and seeding and mulching the bank are inexpensive fixes for both parties, but unfortunately it's a neighbor's dispute. Mary asked Keith to find out exactly how far away the wetlands are. She also asked him to send a letter to the zoning commission letting them know that this is not a wetlands issue. The commission asked Keith to put in the letter to the zoning commission a suggestion that they add back in to the zoning regulations a section regarding changing the elevation of a property by 2 feet within 10 feet of the property line. Joe asked that the letter also be sent to the Bronko's. No further discussion occurred.

5. NEW BUSINESS

- A. Referral from the zoning commission regarding construction of addition within the 100' Upland Review Area. Lot 15, Naugatuck Industrial Park.

Keith read a letter from Wayne regarding engineering reports for Schmidt's Electric Lot 15, proposing the addition of 2440 square feet to the existing building. Keith said that they are asking for approval based on the fact that they are in the 100' Upland Review area. Roland briefed the commission on the property. He said that Keith suggested that they go before the commission because they want to work within the 100' Upland Review Area. A site walk was set for Thursday January 12 at 11 AM at the end of the cul de sac on Naugatuck Drive. Roland said he will get more copies of the plans to Keith. Then he showed the building plans to the commission. No further discussion took place.

- B. Additional items requiring a 2/3 vote.

6. CORRESPONDENCE

Keith said that Mary had sent him an e-mail regarding debris behind the Portugese Club and Friendly's. He sent a letter to Anthony Crow, owner of Friendly's who responded that it was mainly debris from the Portugese Club. The two businesses got together and cleaned it up. Mary asked Keith to double check that it was cleaned up.

Mary asked about the property on Prospect Street that she asked him about. Keith said he didn't know, but he would drive out there. Mary asked Keith to e-mail her with what he found out.

7. WEO REPORT

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

Keith said that as of last Friday, no trailer had been removed. Mary asked Keith to send them a letter reminding them it needs to be removed.

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

Keith said he has inspected this property on a regular basis and everything is still clear. Mary said to keep them on the agenda through the winter.

C. Pondside Condominiums Inspection, Mill Street

Keith said he also inspected this property and no problems. Mary said this should stay on the agenda through the winter also.

D. Potential Inland Wetland Violations at Mountview Plaza

Attorney Salvatore said that he was there regarding the work taking place at Mountview Plaza. There has been a delay which was the result of an issue with Yankee Gas. He said as of today, the culverts are operating. He showed the commission pictures of the culvert. Mary asked if the work is completed. Attorney Salvatore said they are just placing the rocks around the entryway to the culvert. Wayne asked if the old culvert got paved. Attorney Salvatore said that Mr. Pope indicated that they will pave now, not in the spring. Mary asked about the old culvert and whether or not they had paved it as the commission had stipulated. Attorney Salvatore said as of last Thursday the boulder had been removed which caused it to buckle. He wasn't sure what had been done to the base of it. Keith said that on Friday they had placed a dam to divert the water solely into the new culvert, so maybe it was done then. Wayne said he was out there last week and the diversion was done, but he hasn't been out there this week and would stop out to see how they are making out rehabilitating the culvert. Joe asked why they put the headwall around the new culvert and not the old. Wayne said because it is higher. Mary said the real issue is making sure the old culvert is cemented. Marcia asked when the driveway is going to be repaired. Attorney Salvatore said when the area is stabilized. Mary said they will keep this on the agenda, but Attorney Salvatore doesn't need to come back unless he is notified by Keith. It will be moved to Old Business.

8. **Review/Approval** of December 7, 2011 meeting minutes.

**VOTED:** Unanimously on a motion by Alex Olbrys and seconded by Joe Bakstis to **ACCEPT** the December 7, 2011 meeting minutes with corrections.

9. ADMINISTRATIVE BUSINESS

Mary asked Keith to give the commission the revised copy of the Building Department clean up checklist.

Mary asked Keith if Attorney Fitzpatrick responded to Keith regarding expiration dates and extensions of permits. Keith said he had not heard from him, but he will resend the e-mail.

10. ADJOURNMENT

**VOTED:** Unanimously on a motion by Joe Bakstis and seconded by Alex Olbrys to **ADJOURN** the meeting at 8:55 P.M.

Respectfully Submitted

Sally MacKenzie, Secretary /sg