

**INLAND AND WETLANDS COMMISSION
CONTINUED PUBLIC HEARING
AUGUST 7, 2013
PROPOSED CAR DEALERSHIP LOCATED AT 38 CHERRY STREET
APPLICANT: 38 CHERRY STREET, LLC**

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, Absent
Sally MacKenzie, Secretary
Marcia Puc
Alex Olbrys
Tracy DeBarber
Lars Johnson, Alternate, Absent

OTHER:

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

Attorney Michael McVerry, 35 Porter Avenue, said he was there on behalf of the applicant, 38 Cherry Street, LLC and its principal, Thomas Baranowski. He said Mr. Turner was present to answer any questions. Mike Turner, P.E., L.S., said at the last meeting they discussed possibly relocating the stormceptor unit further away from the brook. The new location is about 10 feet off the southwest corner of the building, which is where all the runoff goes. He said they also have added a curb coming out from the southwest corner of the building and redirected the flow back. He said those were the biggest physical changes on the plan. He said they also noted some restrictions on the plans which included no outside washing and no servicing. They have also added an operation and maintenance plan for the stormceptor. He said they reviewed all the revisions with Wayne and have his concurrence. Mary said the plan should state it is for 5 vehicles on site only. Attorney McVerry said the 15 parking spaces are to show the zoning commission that there is sufficient parking on site for the zoning regulations. Mary asked if the catch basin will capture the biggest majority of water. Mr. Turner said the only spot that was to going to be caught was where they added the curb. He said he is confident that they are going to catch 100% of the sheet flow. A discussion ensued regarding marking out parking spaces in the garage. They agreed to put a notation on the plan saying interior parking would be limited to five cars. Mary said on the plan where it said "no outside storage or display of autos proposed", the word "proposed" needs to be eliminated. Another thing she would like added is "the parking lot should be paved and the stormceptor installed prior to the use of property as a wholesale auto facility". Mary would also like to add to the plan "applicant is proposing wholesale auto sales facility limited to five vehicles at a time". Mary asked if there was any public that would like to comment. There was no public comment. Mary closed the public hearing.

**INLAND AND WETLANDS COMMISSION
REGULAR MEETING
AUGUST 7, 2013**

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

MEMBERS:

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

OTHER:

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

1. Commission Chair Mary Davis called this meeting to order at 6:00 P.M. She noted there was a quorum. She made Tracy DeBarber a regular voting member in place of Joe Bakstis. She opened the meeting with the Pledge of Allegiance.
2. Executive session with Borough Attorney. There was no executive session.
3. Public comment. There was no public comment.

4. **OLD BUSINESS**

A. Long Meadow Pond Brook ERT Study

Jennifer and Mark Chartier, of 569 Rubber Avenue, said they have been waiting for months for a report from the Southwest Conservation District. She said they were given a copy from Keith. She explained that their property has been getting flooded severely since 2006, when they first moved there. She said they have had four major floods which came into their business in their basement. A conversation ensued regarding options to help them. They will speak to Wayne when he returns from vacation. Mark Chartier said the water runs down their driveway from Rubber Avenue and directly into the stream. Keith will contact Jim Stewart about putting an apron at the end of the driveway.

- B. Commission discussion/decision regarding Regulated activities within the one hundred foot (100') Upland Review Area, 38 Cherry Street, Applicants: 38 Cherry Street, LLC. (IW#13-02).

The commission made a finding that it would not be prudent or feasible to build another facility on that site and that the existing one could be used. There is no alternative, except this one, that would have less or no environmental impact to wetlands and watercourses. One of the facts for this decision is based on the stated record that the applicant will not store more than five vehicles at any time on the site, all five of the vehicles will be stored

inside the garage, no repair work or detailing or washing of vehicles will be done on site. After much discussion, the commission agreed upon the following conditions to be added to the motion to be sent to the Zoning Commission:

1. The application is for approval for up to five vehicles only, as stated by the applicant and agreed upon by the IWC and recorded in the minutes of the public hearing. This is due to the close proximity to Long Meadow Brook.
2. No repair work, auto detailing or washing or rinsing of vehicles to be done on site.
3. An oil and grit separator to be installed as per the map revised to 8/7/13 as agreed upon by the applicant. Site grading should direct all surface water runoff away from the brook. Upon completion, work must be inspected and approved by the Borough Engineer. All the work to be done prior to the use of this property.
4. A maintenance schedule for the cleaning of the oil and grit separator. Applicant/owner of property to do maintenance of the stormceptor unit as required quarterly and report to be sent to the Land Use staff. Staff to keep a record in a binder and give report to the IWC.
5. Prior to recording of the Special Permit documents in the Naugatuck Land Use Records, a Sediment and Erosion Control Bond shall be submitted to the Borough of Naugatuck (including the stormceptor system), as recommended by the Borough Engineer and a report sent to the IWC.
6. Prior to the creation of any impervious surface area, the applicant shall construct and make functional all storm water drainage improvements.
7. Per Naugatuck IWC regulation #11.9.1, the commission has relied in part on information provided by the applicant, and if such information subsequently proves to be false, deceptive, incomplete or inaccurate, the permit may be modified, suspended or revoked.
8. Also, all general conditions of approval that are added on to every application.

VOTED: Unanimously on a motion by Alex Olbrys and seconded by Sally MacKenzie to **APPROVE** the application IW #13-02, 38 Cherry Street, LLC with the conditions and the changes on the map previously discussed as well as the standard conditions.

5. **NEW BUSINESS**

- A. Commission discussion/decision regarding a modification to Wetlands Permit #08-03 for a watercourse crossing on Prospect Street; Applicant: Capital Heavy Hauling (Now Fulling Mills Development, LLC)

Paul Bunevich, P.E. with Land Data Engineers, representing the applicant, Mr. Warren. He said they have a report from Mr. Zirolli, dated August 1, 2013 regarding the application. He said Wayne's bottom line is the proposed revision to the channel width is nominal and the velocity increase is being handled by additional rip rap outlet protection. Paul said they are waiting to

hear from Mr. Mrozinski from Southwest. He said he brought the overall plan which Mr. Bakstis had asked to see. Mary read part of Wayne's report. This item was continued until next month's meeting.

B. Additional items require a 2/3 vote of the Commission.

There were no additional items.

6. **CORRESPONDENCE**

There was no correspondence.

7. **WEO REPORT**

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

Keith said one trailer is gone and another is being moved. There is a third trailer that needs to go. Keith said they cannot get their CO until all the trailers are gone because they are not on the approved site plan. Mary said they are in violation of their wetlands permit because they have not installed a rain garden. Keith said the trailers were a violation, but not building the rain gardens means they are not in compliance and can't get their CO. Keith suggested they keep this on the agenda and pursue it. Per the citation, Keith said he has sent the Mayor several letters with no response. He suggested that Mary send a letter.

B. Dmuchowski Property, 45 High Street

Keith said they received the citation letter back unclaimed. There was a discussion on how to contact her. Keith said they are pursuing her. He said the neighbor is clearing stuff out to prevent the flooding. Mary suggested that they put a lien. Keith will look into that.

C. Naugatuck HS Renovation

Keith said they are working on the rain gardens right now. He said two of the three separators are complete. He said they are working on the drainage on the lower field. All of the erosion controls are functioning properly. Mary asked if they could ask O & G to dredge a little further into Long Meadow Brook while the equipment is still out there. Keith said they meet out there every Tuesday between 1:45 and 2:00 if anyone wanted to join them for a visit.

8. **Review/Approval** of July 10, 2013 Meeting Minutes.

VOTED: Unanimously on a motion by Marcia Puc and seconded by Sally MacKenzie to **APPROVE** the July 10, 2013 Public Hearing Minutes as written.

9. **ADMINISTRATIVE BUSINESS**

Marcia asked about work being done at 1177 New Haven Road. Keith said everything looks good. He has received erosion control reports from David Hughes. Mary said there is a lot of brush going down the side. Keith said he will look into it.

Keith showed the commission pictures of the construction on the Greenway that's being done.

10. **ADJOURNMENT**

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

Respectfully Submitted,

Sally MacKenzie, Secretary /sg