

**INLAND AND WETLANDS COMMISSION
SHOW CAUSE HEARING
Mary Ann Dmuchowski
45 R High Street
JANUARY 2, 2012**

Mary Davis called this meeting to order at 6:10 PM with the following in attendance:

MEMBERS:

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

OTHER:

Keith Rosenfeld, Town Planner

1. The Wetlands Commission will hold a Show Cause Hearing to provide Mary Ann Dmuchowski of 179 Jubilee Drive, Plantsville, CT 06479, regarding flooding at 45 R High Street, Naugatuck, CT 06770 an opportunity to discuss with the Commission what steps she will do that allows for the:
 - A. Creation and facilitation of a long term maintenance plan to deal with the continued buildup of silt, sand, debris and material blocking the drainage pipe headwall at the garage location and,
 - B. Elimination of future damage to surrounding residential properties due to flooding caused by the current "build up".

Commission Chair Mary Davis explained that a third notice of the hearing was sent, but with no response. Mary asked if there was anyone present at the meeting as a representative. There was no one present. Mary said the Borough Attorney gave them some advice on how to proceed and they are checking on it right now. Keith said he prepared a Notice of Citation and sent it to Attorney Fitzpatrick for his approval. He passed out a copy of the ordinance to the commissioners. Mary said the ordinance establishes a fine for wetlands violators. Mary said they will proceed with this once everything is approved through the Borough Attorney. Keith said he will pass on all information as they get it.

The Show Cause Hearing adjourned at 6:15 P.M.

**INLAND AND WETLANDS COMMISSION
PUBLIC HEARING**

6:00 P.M. PUBLIC HEARING – Commission discussion/decision regarding an application for culvert replacement at intersection of Scott Street and Andrew Avenue, Applicant: Borough of Naugatuck (IW #12-06)

Keith said the Borough has requested a postponement of the Public Hearing until March. The commission agreed to allow the Public Hearing to be continued to the March meeting. This item will stay on the agenda until then.

**REGULAR MEETING
JANUARY 2, 2012**

MEMBERS:

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

OTHER:

Keith Rosenfeld, Town Planner
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. Public comment. There was no public comment.
4. **OLD BUSINESS**

A. Storm water and drainage issues, Union City Road neighborhood

Keith said there was no report back from Wayne. He said they are waiting on several projects that are going to be coming down the line. There was no further discussion on this.

B. Long Meadow Pond Brook ERT Study

Keith said he e-mailed Elaine Sych and hasn't heard back from her. Keith said he will call her. Mary said it is coming up on a year since they began the study.

C. Commission discussion/decision regarding an application for culvert replacement at intersection of Scott Street and Andrew Avenue, Applicant: Borough of Naugatuck (IW #12-06)

There was no discussion on this item.

5. **NEW BUSINESS**

A. Commission discussion/ decision regarding Chemtura Solar Project located on a 15 acre portion of Chemtura site located between Elm Street and Cherry Street Extension, Applicant: Woodard & Curran (IW #12-07)

Mary said it looks like everything is complete as far as fees, tax forms and paperwork. Alan Benevides, from Woodard and Curran, the engineer for the project, introduced Paul Meyer, from Chemtura, Chris Clark from Nexamp, Tom Pietras from Soil Science and Environmental Services, and John

Schaefer from Naugatuck (inaudible). Alan said this is a joint venture between Nexamp, a solar company, and Chemtura to put a one megawatt solar project on the 280 Elm Street site. He said the goal of the project is to deliver power to the Chemtura site by the fall of 2013, so they are on a fast track to get the state and local permits. Alan said there are a couple of benefits to this project. He said the proposed site is a brownfield site, so there will have to be remediation to the site. The second goal is to generate energy. Alan explained that the base will be made up of gravel. The total area of the site is about 9.2 acres and about 5 acres will be used for the solar panels. A discussion ensued about the project's distance from the nearest wetland. It was determined to be about seven hundred feet away. After the grading is done, a layer of geotextile filter fabric will be put down and then a 6" layer of gravel. The solar panels will then be placed on the gravel. He said they will be using erosion control barriers along with any other necessary erosion control measures as laid out in detail in the report given to the commission. Alan explained that they will be planting new vegetation for any trees that have to be removed. A discussion ensued regarding the amount of soil that is going to be moved.

VOTED: Unanimously on a motion by Marcia Puc and seconded by Alex Olbrys to **ACCEPT** the application for the Chemtura Solar Project on the 15 acre portion of Chemtura site located between Elm Street and Cherry Street Extension, Applicant: Woodard and Curran (IW # 12-07).

VOTED: Unanimously on a motion by Alex Olbrys and seconded by Marcia Puc that the Chemtura Solar Project located on the 15 acre portion of the Chemtura site located between Elm Street and Cherry Street Extension, Applicant: Woodard & Curran (IW #12-07) is **NOT** a significant activity.

The commission agreed that they do not need to go on a site walk. A discussion ensued regarding stockpiling materials.

The meeting recessed for 5 minutes at 6:45 P.M.

The meeting was called back to order at 6:50 P.M.

VOTED: Unanimously on a motion by Marcia Puc and seconded by Alex Olbrys that the commission **APPROVE** the Chemtura Solar Project located on 15 acres of Chemtura site on Elm Street and Cherry Street Extension, Applicant: Woodard & Curran (IW #12-07) with the addition of the Upland Review Boundary added to the site plan.

B. Commission discussion/decision regarding a Special Permit for a proposed interior lot at 68 Arch Street, Applicant: ALX Ventures, LLC

Attorney Michael McVerry, of 35 Porter Avenue, said that he was there on behalf of ALX Ventures, the owner and co-developer of the property. At the present time there are two homes on the property in deteriorated condition. He said they are in the process of proposing a six lot subdivision on the property, one of which would be an interior lot. He said that the closest

wetland is Long Meadow Brook, which is about 400 feet away. Attorney McVerry said they will provide tax clearance to the commission.

VOTED: Unanimously on a motion by Marcia Puc and seconded by Alex Olbrys to **ACCEPT** a Special Permit for a proposed interior lot at 68 Arch Street, Applicant: ALX Ventures, LLC (IW #12-08).

VOTED: Unanimously on a motion by Marcia Puc and seconded by Alex Olbrys that the commission find that this Special Permit is **NOT** a significant activity within the 100' Upland Review Area and that the commission should review the Special Permit should it come before the them again.

6. **CORRESPONDENCE**

There was no correspondence.

7. **WEO REPORT**

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

Keith said he, Mary and Attorney Fitzpatrick had a meeting today. The attorney is looking at the role the commission in the ordinances, in order to utilize the fine system. Keith said he put together a citation letter and forwarded it to the attorney to look over. Keith said they are going to work with the town attorney to see if fines will get him to take some action.

B. 83 Prospect Street, Lagasse Apartments

Keith said everything is done on the property except for the fencing around the dumpster. Mary said she looked at the property and it looked good except for the missing fencing. Keith said he thinks they have to wait for the ground to thaw. He will send them a letter reminding them.

C. Dmuchowski Property, 45 High Street

Keith and Mary also met with Attorney Fitzpatrick on this item and they are looking at using the same citation system that they are working on for Autohaus. Keith will update the commission next month on how it's going to be handled.

8. **Review/Approval** of the December 5, 2012 Regular Meeting Minutes and December 12, 2012 Site Walk Minutes.

The minutes could not be approved due to a lack of quorum.

9. **ADMINISTRATIVE BUSINESS**

A. Discussion for better language for amendments and modifications on plans, Section 7.9 and set Public Hearing, if necessary.

Mary said this should be taken off the agenda until the April agenda.

10. **ADJOURNMENT**

VOTED: Unanimously on a motion by Alex Olbrys and seconded by Marcia Puc to **ADJOURN** the meeting at 7:25 P.M.

Respectfully Submitted,

Sally MacKenzie, Secretary /sg