

**INLAND AND WETLANDS COMMISSION
PUBLIC HEARING
OCTOBER 1, 2014
FULLING MILL BROOK MAINTENANCE PROJECT
ADJACENT TO NORTH MAIN STREET
IW #13-07**

Mary Davis called this public hearing to order at 6:30 PM with the following in attendance:

MEMBERS:

Mary Davis, Chair
Sally MacKenzie, Secretary
Marcia Puc
Tracy DeBarber
Mark Bakstis
Lars Johnson, Alternate, Absent

OTHER:

Wayne Zirolli, Borough Engineer
Sue Goggin, Secretary
James Stewart, Director of Public Works
Edward Fitzpatrick, Borough Attorney
Public - 0

Nick Kalikowskas, with Kleinfelder, said the proposed work hasn't changed. He explained the site where the work needs to be done. He also explained how the work will be done and the reasons for the wall failing. They will be working on one side at a time to lessen impacts to the stream. He said where they will be excavating they will replace with rip rap. Mary asked about removing the stones in the wall. Nick said it is a stone rubble retaining wall and they will be removed. Mary asked how they are going to do work without going into the stream. Nick said they will access it from the shoulder of North Main Street. No equipment will be put in the stream. Nick said they will be working during the dry season, which is June, July & August. Mary asked him to check to see when the spawning of the trout happens. Nick will reach out to Trouts Unlimited. Mark asked who oversees the project. Nick said it is a category 1 special permit with the Army Corp of Engineers and they don't necessarily do a review with that kind of a permit but they will be informed of the work. Mark asked about sheeting versus sandbags. Nick said the means and methods are up to the contractor. Marcia asked how long for the project. Nick said a minimum of one month but it could be two. Work would begin in July 2015. Nick said there is a tree growing in the side of the wall that he recommends removing. The commission would like one of the "stringbean" trees (catalpa) saved. Wayne said he didn't think there was any alternate then what they have proposed. Jim Stewart said he doesn't see any significant changes that can be made. There was no public comment. Mary said she was interested in the response from Trouts Unlimited. Nick said they could make it a condition to contact them and report back to the commission. Mary closed the public hearing.

**INLAND AND WETLANDS COMMISSION
REGULAR MEETING
OCTOBER 1, 2014**

Mary Davis called this meeting to order at 6:05 PM with the following in attendance:

MEMBERS:

Mary Davis, Chair
Sally MacKenzie, Secretary
Marcia Puc
Tracy DeBarber
Mark Bakstis
Lars Johnson, Alternate, Absent

OTHER:

Wayne Zirolli, Borough Engineer
Sue Goggin, Secretary
James Stewart, Director of Public Works
Edward Fitzpatrick, Borough Attorney
Public - 0

1. Mary Davis called this meeting to order at 6:05 P.M. She noted there was a quorum. She opened the meeting with the Pledge of Allegiance.
2. Executive session with Borough Attorney.
VOTED: Unanimously on a motion by Sally MacKenzie and seconded by Marcia Puc to recess to executive session with the Borough Attorney regarding The Views at Long Meadow Brook (IW #14-04) at 6:05 P.M.
VOTED: Unanimously on a motion by Sally MacKenzie and seconded by Tracy DeBarber to go out of executive session at 6:30 P.M.
3. Public comment
There was no public comment.
4. **OLD BUSINESS**
 - A. Long Meadow Pond Brook ERT Study

Mary said this item is postponed temporarily due to lack of staffing. They will keep this on the agenda.
 - B. Commission discussion regarding an existing Commercial Outdoor Automobile Storage (IW#14-01) located at the Risdon Property, Arch Street, Scott Road, Andrew Avenue and Rubber Avenue; Applicant: A Better Way Wholesale Auto.

Sue Goggin said she visited the site when it was raining. It appears as though the booms are working fine as well as the swale. The cars are parked in the right places. This will stay on the agenda.
 - C. Commission discussion/decision regarding replacement of the existing Cumberland Farms building at 527 North Main Street (IW #14-09); Applicant: Cumberland Farms, Inc.

Attorney Dominick Thomas, 315 Main Street, Derby, said he was there representing the applicant Cumberland Farms. He said there are no regulated activities on the site. Patrick O'Leary, VHB, Wethersfield, said he had an answer to the one question from the last meeting. He clarified the directional flow of the storm water on the site. He said the site was designed like a bowl in the event of a spill. He showed them a rendering of what the new Cumberland Farms will be very similar to. He said the closest regulated area is 328 feet away from the site. Mary said she was concerned with the cement trucks cleaning their tailings into the storm sewers. Attorney Thomas suggested that the commission could go look at the site in Ansonia.

VOTED: Unanimously on a motion by Tracy DeBarber and seconded by Sally MacKenzie that there is no regulated activity associated with IW #14-09, Applicant: Cumberland Farms, Inc.

The commission would like the report sent with the recommendation that the zoning commission take into consideration that no cement trucks should be washing and emptying their cement trucks out into the sewers or into any wetland area that might be in the vicinity.

- D. Commission discussion/decision of regulated activities associated with IW #13-07, Fulling Mill Brook Maintenance Project located within a watercourse and within a 100' Upland Review Area, adjacent to North Main Street; Applicant: Borough of Naugatuck

Mary said they are going to wait for the information from Trouts Unlimited before they make a decision. Wayne will write a report.

5. **NEW BUSINESS**

- A. Commission discussion/decision regarding an extension to IW #05-08, Daneric Estates, Dorman Drive Lot 1A, Applicant: James Albright

This item was withdrawn.

- B. Commission discussion/decision regarding earth excavation of more than 1,000 cubic yards of material (IW #14-12) at 527 North Main Street, Applicant: Cumberland Farms, Inc.

Attorney Thomas said the figures will be changing as they move forward with the project. Mary asked Wayne if he had any thoughts on this. Wayne said during construction they need to protect any of the existing drainage structures and that erosion controls be maintained during the construction period. Patrick O'Leary, VHB, Wethersfield, said that they have a soil & erosion control plan and a maintenance schedule. He explained that this is a special permit for earth excavation of over 1,000 cubic yards of material on less than 3 acres. He clarified that the total amount of imported/exported material is 2700 +/- cubic yards. He said the bulk of this is the oil tanks. Mary asked if they will be shutting down during construction. Patrick said they will be.

Mark asked about cleaning the truck tires and a tracking pad. Mary said they can send a recommendation to zoning for that.

VOTED: Unanimously on a motion by Marcia Puc and seconded by Sally MacKenzie that there is no regulated activity associated with IW #14-12 at 527 North Main Street, Applicant: Cumberland Farms, Inc.

The commission would like to send a recommendation to the zoning commission that truck tires be washed during excavation to avoid silt going into the storm drains.

- C. Commission discussion/decision regarding administrative approval for renovation of office space to a fourth apartment, 174 Meadow Street, Applicant: 174 Meadow Street, LLC

Mary said this item should be done as an administrative decision because there is no regulated activity. Mary said it has been checked out by Wayne and Sue, as well as herself, and there are no wetlands. Mary said this is a house being renovated and there is no work being done on the house. Sue explained that there were a couple of mistakes on the original site plan that have been corrected.

VOTED: Unanimously on a motion by Tracy DeBarber and seconded by Sally MacKenzie to grant an administrative approval for the renovation at 174 Meadow Street, Applicant: 174 Meadow Street, LLC

- D. 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)

They are still waiting to appoint citation hearing officers. This will stay on the agenda.

- B. Dmuchowski Property, 45 High Street

There is nothing new to report.

- C. Naugatuck HS Renovation (IW#12-04)

Mary asked if everyone had received a copy of the water sampling report. Sue said the water testing was done in May and the results are good. There will be one more sampling in November 2014, then 2 more in 2015 and then once a

year for the following 3 years. Wayne said the rain garden near the tennis courts has been fixed and looks good.

D. 1177 New Haven Road (IW#12-01)

Sue Goggin said as of last week the fencing has not been installed. She will reach out to their engineer to find out when it's going to be done.

E. Chemical spraying of brush by street department.

Jim Stewart said they haven't worked on the map yet, but they don't plan on spraying until early next year. Mary said she was concerned over the spraying. Jim said they will mark the map and report to the commission in the next couple of months. This will stay on the agenda. There was a discussion over the salt that the Borough uses on the roads for snow and ice. Mary expressed concerns over the spray going into the catch basins.

F. Notice of Violation, Nardelli's Maple Street.

Mary read the response letter from Nardelli's into the record. It appears as though they will not dump dirty water from floor washing into the storm drain any more. This will come off the agenda.

8. **Review/Approval** of September 3, 2014 Regular Meeting Minutes.

VOTED: 4-0-1 on a motion by Marcia Puc and seconded by Sally MacKenzie to **APPROVE** the September 3, 2014 Regular Meeting Minutes with changes noted.

FOR

Mary Davis
Sally MacKenzie
Marcia Puc
Mark Bakstis

AGAINST

ABSTAIN

Tracy DeBarber

9. **ADMINISTRATIVE BUSINESS**

There was no administrative business.

10. **ADJOURNMENT**

VOTED: Unanimously on a motion Sally MacKenzie by and seconded by Tracy DeBarber to **ADJOURN** the meeting at 7:50 P.M.

Respectfully Submitted,
Sally MacKenzie, Secretary /sg