

**INLAND WETLANDS COMMISSION
REGULAR MEETING
JUNE 3, 2015**

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, absent
Tracy DeBarber
Mark Bakstis

OTHER:

Sue Goggin, Town Planner/ZEO/WEO
Wayne Zirolli, Borough Engineer
Lori Rotella, Assistant ZEO
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.
There was no executive session.
3. Public comment
There was no public comment. No public present.

4. **OLD BUSINESS**

A. Long Meadow Pond Brook ERT Study

There was no new formal information on ERT Study. Jennifer Chartier from 569 Rubber Avenue did come into Land Use to talk to Sue. Jennifer's property flooded a couple of years ago in one of the bad storms. She is looking for a way to get rid of house. She previously had a hair salon on the lower level of her home that cannot be used anymore because of the flooding. Jennifer gave Sue information on a FEMA Grant which Sue will pass on to the Borough Board of Mayor and Burgesses. Maybe the Borough can acquire her property for open space through this FEMA Grant. Mary thought maybe this would be a good opportunity for the Borough to own another piece of property along Rubber Avenue. Sue directed Jennifer to Bob Neth. Bob is in charge of the building committee at the high school. Jennifer was flooded terribly and her insurance rate went up significantly because her property is located in a commercial zone instead of residential. Jennifer had people from the State looking at her property and she received no help from them. Sue gave Mary copy of the FEMA Grant paperwork to look over.

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 did inspection early today. Cars are neatly placed outside of the 100' Upland Review area and the booms are outside of that area also. Sue received an email from A Better Way's engineer that they are still working on plans

and will have a special permit application for the industrial park by next week. A Better Way was told by the NEDC that he needs to move the cars off of the current property by October 1, 2015. Mary mentioned this commission did not have any luck having the cars moved, maybe NEDC will have more luck. Sue will be keeping eye on this to keep this process moving.

- C. Commission discussion/decision regarding application for proposed adaptive rehabilitation of GDC building for mixed use housing, retail and office space (IW #15-03), Applicant: Joseph Migani, Agent for the Borough of Naugatuck

Mary Davis confirmed the missing DEEP payment of \$60.00 was paid. Sue gave Joe Migani receipt. Joseph Migani stated, as requested by a number of the commissions, the map has been revised and updated to show watercourse setback lines. The revised map shows two new strategies to address the parking lot: 1. Use the existing catch basins or 2. Install new catch basins as shown on the drawing. Joe has elected to use new catch basins which is a better engineering practice since they will be spending money on a new parking lot. Under the Brownsfield Legislation the Borough would apply for funding to mediate the soil as necessary and excavate for new catch basins. Those were the only two changes to the map. Mary confirmed with Joe that the 100' setback was on this map. Sue asked if they removed the train platform. Joe thought best to leave off the relocated rail platform entirely since it is not officially proposed at this point, just an idea, and it would be premature to add at this time. This one map will be submitted to all commissions. Commission had an extensive discussion regarding the culvert, where it is located under the building and the condition of it. Wayne has not been under there but can make arrangements with Bob Butler to have an inspection. Joe Migani expressed there was extensive environmental studies done on the integrity of the culvert in 2010.

Mary asked that the commission make a determination if this is a significant activity or not.

VOTED: 3-1-0 on a motion by Sally MacKenzie and seconded by Tracy DeBarber that GDC building, office space (IW#15-03), Applicant: Joseph Migani, Agent for the Borough of Naugatuck is not a significant activity.

FOR
Mary Davis
Sally MacKenzie
Tracy DeBarber

AGAINST
Mark Bakstis

ABSTAIN

There will not be a public hearing on this. The commission will continue to get all of the information they need and have time to review. Mary explained that by declaring not significant, it will move things along faster. Wayne will submit a report by next week and email the report to Joe Migani and the Commission so any comments can be addressed before the next meeting. Mark had question about storm water separation system or filtration system that Wayne asked for. Joe will work with Wayne to flush out list of items he still needs to provide on site plan. It was determined that Joe did not need to show erosion control on the site plan since railroad track separates the parking lot from the active water course. Continued to July 1, 2015 meeting.

5. **NEW BUSINESS**

- A. Commission discussion/decision regarding significance of activities for proposed construction of 17,000 square foot fitness facility within the 100' Upland Review Area at 1188 New Haven Road (IW#15-04), Applicant: Haynes Development

Sue started by letting commission know that she received the fees and has receipts and a tax sign off. Sue will make copies for the commission since they were not in the packets. John Plant, Professional Engineer with Langan Engineering representing Haynes Development for the proposed project on a previously developed site off route 63. There are two parcels of land there. One is currently a retail building which is approximately 10,000 square feet. The other parcel has the driving range. The work will primarily be on 1186 New Haven Road. There is currently a very antiquated and outdated drainage system not up to today's standards. They are proposing to build a new 17,000 square foot retail building with Planet Fitness moving into this building. This will be a multi-phase project with anticipation for future development. The proposed work is primarily within the existing disturbed area. They have done a number of different things to balance a number of things: potential future development, zoning requirements, and how to improve the impact of this area on water quality as it leaves the site through drainage. John explained the existing drainage system and how it does not function properly and the new proposed system and how the new system will decrease runoff by 10% or so and reduce impact on wetlands in the area. Mary thought a site walk should be scheduled before deciding if this is a significant activity or not. Sue explained to John that the commission will not vote at the site walk if this is a significant activity. John explained they have a schedule constraint and would like to advance this project along as soon as possible. Mary's thoughts were this is a significant activity due to the work in the proposed wetlands and asked the commission if they would like to vote on that tonight. The commission agreed. Site walk scheduled for June 10, 2015 at 6:00 p.m. A Public Hearing is set for July 1, 2015 at 6:30 p.m.

Mary asked that the commission make a determination if this is a significant activity or not.

VOTED: Unanimously on a motion by Tracy DeBarber and seconded by Sally MacKenzie that (IW#15-04) construction of 17,000 square foot fitness facility within the 100' Upland Review Area at 1188 New Haven Road, Applicant: Haynes Development is a significant activity.

John Plant proposed to the commission to have a wetlands scientist present for site walk. The site is already flagged. Mary liked the idea. Mary asked Sue to forward plans to Southwest Soil and Conservation District for their review. It is possible they will be present for site walk (Roman Mrozinski). Sue will forward Roman's comments to John Plant.

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

VOTED: Unanimously on a motion by Sally MacKenzie and seconded by Tracy DeBarber to **ADD** a discussion on the water main bridge crossing over Long Meadow Pond Brook on Rubber Avenue by the Connecticut Water Company to the agenda.

Anthony Divirgilio, Connecticut Water Company, explained that he came in last month to propose crossing Long Meadow Pond Brook on the opposite side of the bridge and after further review determined it would be more beneficial for the water company to come on the other side of the bridge. There is already two crossings there on the downstream side. It is better if there was any flooding, the structure will be protected by the bridge. All of the same erosion control methods would be in place, the only thing changing is the side of the bridge they are crossing. Commission determined ok to put water main on opposite side of bridge.

6. **CORRESPONDENCE**

There was no correspondence.

7. **WEO REPORT**

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

Sue has not received a response back from letter sent out on May 1, 2015. It was determined that since 30 days have passed with no response to letter, Sue needs to call to schedule an inspection. Mary would like Sue to make a report to the commission with what Autohaus' intentions are about cleaning up the rest of the property. Mary said the commission has been nice for a number of years. Mary will call DEEP to ask them to do inspection if need be. A drastic next move would be a cease and desist but commission does not want to hurt a business in town. Another option is to call the State and get them involved – might be more effective. Commission has a few options, call the State, get our ordinance into action, and get a Wetlands hearing officer, possibly Melissa Leonard, received her name from the Mayor.

B. Dmuchowski Property, 45 High Street

Back in December 2014 property transferred to Primo Enterprises, Carlos Santos new owner of property. Wayne and Sue went and took pictures, clogged up but not overflowing. Carlos doing work on house to the right. Sue or Wayne will write letter to have it cleaned out and then decide what to do. Wayne did not receive any complaints about washouts from recent heavy storms.

C. Naugatuck HS Renovation (IW#12-04) (Water quality testing results)

Nothing new. Mary asked about wetlands plantings. Wayne said a little water in the rain garden but was right after dry spell. Mary asked for them to check again next time doing inspection in the area.

D. Chemical spraying of brush by street department.

Mayor said no to spraying of brush by street department. Commission did not hear about no spraying. Sue heard from Jim Stewart that Mayor told them they could not spray. Mary is asking Jim to send letter letting commission know that they will not be spraying any more. Mark saw article in newspaper regarding cost of spraying and that his assumption was that the town was going forward with spraying. Mary had asked paper to print letter Wetlands Commission directed to Burgesses to make it public knowledge. They did not want that printed so paper would do own report. Commission very happy with this news. They were not going to give up on this issue. Mary had a lot of ammunition to work with. Wayne confirmed no spraying. Commission will send letter to Mayor and Burgesses and Jim to thank them for listening to their request.

8. **Review/Approval** of the May 6, 2015 Regular Meeting Minutes.

VOTED: Unanimously on a motion by Tracey DeBarber and seconded by Mark Bakstis to **APPROVE** the May 6, 2015 Meeting Minutes as amended.

9. **ADMINISTRATIVE BUSINESS**

There was none.

10. **ADJOURNMENT**

VOTED: Unanimously on a motion by Tracy DeBarber and seconded by Mark Bakstis to **ADJOURN** the meeting at 8:00 P.M.

Respectfully Submitted,
Sally MacKenzie, Secretary /lr