

**INLAND WETLANDS COMMISSION  
SPECIAL MEETING  
September 9, 2015**

**MEMBERS:**

Mary Davis, Chair  
Sally MacKenzie, Secretary  
Marcia Puc – 6:10 p.m.  
Tracy DeBarber, absent  
Mark Bakstis

**OTHER:**

Sue Goggin, Town Planner/ZEO/WEO  
Jim Stewart, Director of Public Works  
Lori Rotella, Assistant ZEO  
Public - 0

**SPECIAL MEETING**

1. Mary Davis called this special meeting to order at 6:10 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 none.
3. Public comment  
There was no public comment.
4. **OLD BUSINESS**
  - A. Commission discussion/decision regarding proposed construction of a fitness facility within the 100' Upland Review Area at 1188 New Haven Road (IW #15-04), Applicant: 1224 New Haven Road, LLC

Mary Davis made note that the public hearing was closed and that the commission will be making a decision tonight. She also noted if anyone of the commissioners missed the previous meeting, they will need to listen to the tape and state to the record that they are prepared to vote. Mary pointed out that the conservation easement was on the new map. There was also a conservation easement document prepared. Mary commented that there were a few misspelled words and that one sentence needed to be corrected. Attorney McVerry will correct the wording on the conservation easement. The commission discussed their concerns regarding the maintenance of the conservation easement and proposed additional verbiage to clarify how to handle this. There was also discussion about having a fence installed behind the old Planet Fitness building but the commission came to the conclusion that this was not needed due to an 8 foot high berm that will protect the detention basin. Mary also noted that Southwest Soils ideas were incorporated into the conservation easement and it appears to be a very good plan to protect the brook. A report will be sent to the Zoning Commission with all of the conditions of the approval.

**VOTED:** On a motion by Marcia Puc and seconded by Mark Bakstis to approve construction of a fitness facility within the 100' Upland Review Area at 1188 New Haven Road (IW #15-04), Applicant: 1224 New Haven Road, LLC with a finding that there is no feasible improvement alternative and with the following conditions for map dated September 3, 2015:

1. Maintenance of detention basins including clean up around basins and the conservation easement area with a report to be sent to the Inland Wetlands Commission.
2. Supply a maintenance schedule with inspections to be done seasonally.
3. Conservation signage to be maintained and replaced if necessary.
4. Conservation easement as submitted by applicant to be part of the conditions of approval.

**For**

Mary Davis  
Marcia Puc  
Mark Bakstis

**Against**

**Abstain**

Sally MacKenzie

- B. Commission discussion/decision regarding application for construction of expanded loading dock within 100' Upland Review Area at 1372 New Haven Road (IW #15-07), Applicant: Sperry Automatics Co., Inc.

Attorney Michael McVerry, 35 Porter Avenue, Naugatuck on behalf of the applicant Charles Pugliese and Sperry Automatics summarized for the commission the application for expanding the loading dock. He explained they were before the commission last month. It was decided that this was not a significant activity. They responded to Wayne Zirolli's comments to the construction details. Jim Stewart reviewed the plan for Wayne Zirolli. Mary Davis suggested putting in hay bales along with the silt fence. After Jim Stewart and Sue Goggin's review of the plan, they would like to see a silt sack installed in the catch basin in the middle of the parking lot, during construction.

**VOTED:** On a motion by Marcia Puc and seconded by Mark Bakstis to approve construction of expanded loading dock within 100' Upland Review Area at 1372 New Haven Road (IW #15-07), Applicant: Sperry Automatics Co., Inc. with the conditions that silt sack be installed during construction around the catch basin and hay bales be added next to the silt fence along the brook and maintained.

**For**

Mary Davis  
Marcia Puc  
Mark Bakstis

**Against**

**Abstain**

Sally MacKenzie

- C. Commission discussion/decision regarding application for gas station with convenience store with two additional retail stores at 1198, 1202 and 1204 New Haven Road (IW #15-06), Applicant: HZM Petroleum Corp.

Mary Davis noted for the record that the commission voted during the last meeting that this is not a significant activity and that all fees and taxes are paid. Michael H. Horbal, Registered Land Surveyor, 52 Main Street, Seymour. Edward Leavy, Professional Engineer and Iftikhar Ahmad, owner of HZM Petroleum was also present. Since the last meeting the applicant had meetings with the Zoning and Planning Commissions and with Connecticut Department of Transportation (DOT) and they dictated some small changes to the plan with regards to the location of the driveway. The easterly driveway will be an enter only and the westerly driveway will be an exit only. Due to that change they had to move the fuel storage tanks. DOT also required the applicant to prove they had sufficient stacking of cars using the drive up window. They changes were made and reviewed with the DOT as well as with Wayne Zirolli and Susan Goggin. DOT gave them a verbal approval. Mike reiterated they are approximately 165 feet away from any wetlands. Jim Stewart has no concern of any run off to the brook. Mary received the updated report dated September 4, 2015 from Wayne and she noted all updates and requirements were done. Mary confirmed that they will be bringing in soil, not removing any. The commission reviewed the map and had some questions regarding temporary erosion control. Mike explained how this works and that it is a DEEP construction technique. Jim Stewart had some questions regarding the storm water plan. Mike confirmed it was sized for a 100 year storm. Mark Bakstis questioned how much fill was being brought in. Mike responded with 8,100 cubic yards. Mary explained the commission will be using the same map for this item and the next item on the agenda. They will be making two separate votes, one for the construction of the building and one for the earth excavation. They also discussed measures to use to keep the catch basins clean during construction. After reviewing the plans, Mary felt the wetlands are being protected quite well. Mary also emphasized that everything that Wayne requested to be added to the plan has been done. Jim asked if there is a maintenance plan. Mike confirmed there is one.

**VOTED:** Unanimously on a motion by Mark Bakstis and seconded by Marcia Puc to approve the application for a gas station with convenience store with two additional retail stores at 1198, 1202 & 1204 New Haven Road (IW #15-06), Applicant: HZM Petroleum Corp. with the conditions that they install a temporary construction fence at the easterly designated entrance in addition to seeking DOT approval to install silt sacks in the adjacent catch basins in the proximity of 1192 New Haven Road.

5. **NEW BUSINESS**

- A. Commission discussion/decision regarding application for earth excavation/fill at 1198, 1202 & 1204 New Haven Road (IW #15-08), Applicant: HZM Petroleum Corp.

Mary Davis pointed out that they discussed this in the previous item on the agenda. Mark Bakstis expressed a concern about the fill being brought in regarding contaminants. The commission communicated to the applicant their concern with possibly having contaminated fill. Mary suggested that they will state in their report to zoning that only clean fill be brought in as a condition.

**VOTED:** Unanimously on a motion by Mark Bakstis and seconded by Marcia Puc to approve the application for earth excavation/fill at 1198, 1202 & 1204 New Haven Road (IW #15-08), Applicant: HZM Petroleum Corp. with the condition that the fill is clean, uncontaminated fill.

6. **ADJOURNMENT**

**VOTED:** Unanimously on a motion by Marcia Puc and seconded by Sally MacKenzie to **ADJOURN** the meeting at 7:40 P.M.

Respectfully Submitted,  
Sally MacKenzie, Secretary /lr