

**DERBY INLAND WETLANDS AGENCY
DERBY, CONNECTICUT 06418**

Frederick J. Columbo, Jr. Chairman
68 Seymour Avenue
Derby, Connecticut 06418

**Philip Marcucio
Paul Dinice, Jr.
Paul Padilla
David Barboza II
David Rogers
Roger Birtwell**

January 11, 2006
(Meeting Taped)

Minutes of Derby Inland Wetlands Agency meeting of Wednesday, January 11, 2006.

This meeting was called to order at 7:10 p.m. by the Chairman Fred Columbo at the Aldermanic Chambers, New City Hall, 1 Elizabeth Street, Derby.

By roll call members present were Chairman Fred Columbo, Philip Marcucio, David Barboza, David Rogers and Paul Padilla (7:50 p.m.) Michael Joyce from Milone & MacBroom was also present.

A motion to accept the minutes of the 12/14/05 meeting was made by Mr. Barboza, and seconded by Mr. Marcucio. It was noted that the date should be changed to December 14, 2005. The motion was carried unanimously with Mr. Rogers abstaining.

Public Portion:

There was no one from the public wishing to speak.

7. Albert J. Grasso, Prestige Builders LLC-applicant. APPLICATION #05110902-seeking permission to conduct a "regulated activity", proposing to construct eight (8) single family homes on an eight (8) lot subdivision at 170 and 178 David Humphreys Road, on Lots #5 & 5A, Tax Map #4-5.

A.J. Grasso presented revised plans which were mostly Planning & Zoning issues and in response to the Milone & MacBroom review letter. Mr. Joyce stated that there is no regulated activity associated with this application and the primary review was drainage and soil and erosion controls. He stated that there was also a concern regarding the vegetation around the perimeter of the development. He stated that he consulted with the engineer regarding the drainage and there were revisions made. There will be no increase in runoff from this site. Mr. Joyce stated that another concern was the intersection which has an existing catchbasin and that is at a low point; he recommended that it be pulled off the travelway and into the subdivision. Mr. Grasso stated that he did not see any problem with doing that. Mr. Joyce stated that there is a roof leader system for each house and footing drains. They are proposing to tie into the common line and he is recommending that this system not be part of any responsibility of the City. He stated that a maintenance schedule will need to be submitted. Mr. Grasso stated that there will be sump pump chambers in

each basement. Mr. Joyce stated that the galley locations are close to the property line and he would like to review each lot as it is being constructed. Mr. Columbo stated that there are no wetlands on the site and the drainage issues have been reviewed.

Mr. Barboza moved to approve Application No. 05110902, as a declaratory ruling, as presented and shown on the following documents submitted in support of the application:

1. Plans - "Prestige Builders," David Humphrey's Road, Derby, Connecticut prepared by Nowakowski, O'Bymachow & Kane & Associates, dated October 27, 2005 and revised to December 13, 2005, including the following sheets:

1. "Site Development and Grading Plan - Sheet 1," drawn at a scale of 1" = 20'.
2. "Subdivision Map - Sheet 2," drawn at a scale of 1"= 40'.
3. "Construction Plan (Plan & Profile) - Sheet 3," drawn at a horizontal scale of 1" = 40' and a vertical scale of 1" = 4'.
4. "Construction Plan (Intersection Sight Distance) - Sheet 4," drawn at a horizontal scale of 1" = 40' and a vertical scale of 1" = 4'.
5. "Construction Plan - Details - Sheet 5," not drawn to scale.
6. "Soil Erosion and Sedimentation Control Plan (Road Grading)," drawn at a scale of 1" = 40'.

In addition to the requirements listed in Sections 11.9, 11.12 and 11.13 of the Regulations Protecting the Wetlands and Watercourses of the City of Derby, the following conditions also apply:

1. Lack of compliance with any condition of this permit approval shall constitute a violation of the Regulations Protecting the Wetlands and Watercourses of the City of Derby, and a cease and desist order shall be issued by the Wetland Enforcement Officer.
2. Any further changes or modifications to the application presented shall be submitted to the City Engineer to determine if additional review and approval is necessary by the Agency.
3. The City Engineer shall be notified a minimum of 24 hours prior to the installation of the storm water retention chambers.
4. Prior to any construction activities covered by this permit, the applicant shall have the following items both completed by a qualified party and verified as complete by the City Engineer and/or Wetland Enforcement Officer.
 - a. The proper installation of all sediment and erosion control measures indicated on the above referenced plans.

- b. Written confirmation that the deed of the property mentions the stipulated conditions of this approval.
5. All disturbed areas on the site not directly required for construction activities shall be temporarily hayed and seeded until permanent vegetation is established.
6. The Wetland Enforcement Officer, City Engineer or any other duly authorized Representative of the City of Derby shall have the authority to direct the applicant, developer and or contractor to install additional sediment and erosion control measures as conditions may warrant.
7. Applicant will be required to submit for review by the City Engineer and Corporation Counsel infiltration system maintenance agreement and footing drain maintenance agreement.
8. The Agency's decision to grant this approval makes no warranties or representations; either expressed or implied, that future regulated activities will be permitted on this site.

The motion was seconded by Mr. Marcucio and carried unanimously.

8. Lou DiMeo-application for Louise Baltes. APPLICATION #05121401-seeking permission to conduct a "regulated activity" proposing to construct one (1) single family house at 31 Grandview Blvd., Lot #6, Tax Map #5-6.

Mr. Joyce stated that they met on site with the applicant and looked at a preliminary plan. The City of Derby Public Works Department will be doing drainage work on Grandview Boulevard and the applicant should coordinate with the City in doing the work of tying into the system.

Mr. Marcucio moved to approve Application No. 05121401 as a summary ruling as presented and shown on the following documents submitted in support of the application.

1. "Site Development Plan - Property of Louise Felice" prepared by D'Amico Associates, dated 9/30/05 and revised to 12/6/05, drawn at a scale of 1" = 20'.

In addition to the requirements listed in Sections 11.9, 11.12 and 11.13 of the Regulations Protecting the Wetlands and Watercourses of the City of Derby, the following conditions also apply:

1. Lack of compliance with any condition of this permit approval shall constitute a violation of the Regulations Protecting the Wetlands and Watercourses of the

City of Derby, and a cease and desist order shall be issued by the Wetland Enforcement Officer.

2. Any further changes or modifications to the application presented shall be submitted to the City Engineer to determine if additional review and approval is necessary by the Agency.
3. The City Engineer shall be notified a minimum of 24 hours prior to the installation of the storm water retention chambers.
4. The footing drain and emergency overflow pipes shall discharge to a storm drainage structure in Grandview Boulevard. Drainage improvements to Grandview Boulevard are anticipated. The applicant shall coordinate this work with the City of Derby DPW. Direct connections to the existing 12" rcp will not be permitted and each pipe shall be installed with a backflow prevention device (i.e. flap gate or check valve) to prevent City storm water from entering the private system.
5. Prior to any construction activities covered by this permit, the applicant shall have the following items both completed by a qualified party and verified as complete by the City Engineer and/or Wetland Enforcement Officer.
 - c. The proper installation of all sediment and erosion control measures indicated on the above referenced plans.
 - d. Written confirmation that the deed of the property mentions the stipulated conditions of this approval.
6. All disturbed areas on the site not directly required for construction activities shall be temporarily hayed and seeded until permanent vegetation is established.
7. The Wetland Enforcement Officer, City Engineer or any other duly authorized Representative of the City of Derby shall have the authority to direct the applicant, developer and or contractor to install additional sediment and erosion control measures as conditions may warrant.
8. The Agency's decision to grant this approval makes no warranties or representations; either expressed or implied, that future regulated activities will be permitted on this site.

The motion was seconded by Mr. Barboza and carried unanimously.

9. Primrose Development, LLC, John N. Guedes - applicant, Joe Pereira - Engineer. APPLICATION #06011101 - seeking permission to conduct a "Regulated Activity"; proposing to convert an existing industrial building into a hotel containing thirty-two (32) suites, a swimming pool, pool house, tennis court, playground and a breakfast room at 253 Roosevelt Drive, Lot #154, Tax Map #10-3.

Joe Pereira and Atty. Pete Gelderman were presented and the DEP form submitted. Mr. Pereira stated that the site fronts on Roosevelt Drive and the closest point to the Housatonic River is 180'. The site currently contains an industrial building and some wooden structures. The wooden structures will be demolished and replaced with parking. The hotel will contain 32 suites. The existing storm drainage system will be completely replaced. There will be a detention system on site with drywells and pipe storage. They are taking the existing building and cleaning it up and converting into another use. Mr. Marcucio asked about soil testing and Mr. Pereira stated that it has not been done at this time but is sure that it will be done. Mr. Joyce stated that some excavation work will be done and his concern was with the water quality. There will be two 8' catchbasins/drywells and infiltrate as much as possible. There will be oil/water separators with hooded outlets at all catchbasins. A maintenance schedule was submitted in the drainage report. Mr. Columbo stated that the members should do on site inspection of the site and then the Agency can determine the impact of the application. Mr. Joyce also stated that information on the storage and maintenance of the pool chemicals needs to be submitted. The item will be on the agenda next month.

10a. Engineering Fees - Milone & MacBroom - Mr. Marcucio moved to pay the bills from Milone & MacBroom in the amount of \$332.50. The motion was seconded by Mr. Rogers and carried unanimously.

10b. Witek Park Report.

Mr. Joyce stated that a meeting is scheduled for next week to discuss the Park in general and he should be able to present a more thorough report at the next meeting.

10c. John O'Neill, Deerfield Building, 1 New Haven Avenue, Lot #1, Tax Map #7-63, signed off for Site Plan on October 14, 2005.

Mr. Columbo stated that he signed off on this application.

10d. Sodom Lane/David Humphreys Road, Brook/Spillway Emergency work.

Mr. Columbo stated that there is a small dam with pipes on the Onopiak property on Sodom Lane and David Humphreys Road which has become clogged and has at times flooded the road. There is some concern with the stability of the manholes. Emergency repairs will be

done at the site and they will be preparing a plan for working in and around the wetlands and an

official application will be filed.

A motion to adjourn was made by Mr. Marcucio, seconded by Mr. Padilla and carried unanimously.
The meeting was adjourned at 8:25 p.m.

ATTEST:

Maryanne DeTullio