

**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**

May 10, 2006
(Meeting Taped)

Minutes of Derby Inland Wetlands Agency meeting of Wednesday, May 10, 2006. Chairman Fred Columbo at the Aldermanic Chambers, New City Hall, 1 Elizabeth Street, Derby. This meeting was called to order at 7:05 p.m. by Chairman Fred Columbo.

By roll call members present were Chairman Fred Columbo, Philip Marcucio and David Barboza. Michael Joyce from Milone & MacBroom was also present.

Additions, Deletions, Corrections to the Agenda:

Mr. Columbo stated that he would like to add as Item 8d a letter from the State of Connecticut DEP regarding Tentative Determination Intent to Review permit.

Public Portion:

Dan Waleski, 21 Elm Street stated that the Oxford Inland Wetlands Agency adopted new regulations that there can be no activity within 100' of a brook or watercourse. He felt that this was good protection of the wetlands and was in keeping with State regulations. Mr. Columbo stated that Derby had revised their regulations in the '90s and took into consideration the fact that Derby is the smallest city in the State and felt that 50' was adequate. He stated that they did not want to hinder the landowner too much.

Acceptance of Minutes

A motion to accept the minutes of the April 12, 2006 meeting was made by Mr. Marcucio, seconded by Mr. Barboza and carried unanimously.

7. John Pawlowski - Applicant, Michael O'Bymachow - Agent. APPLICATION #060551001 - Seeking permission to conduct a "Regulated Activity" proposing a three (3) lot subdivision and construction of two (2) single-family homes at 23 Clark Street Extension, Lot #4, Tax Map #6-11.

John Pawlowski, 21 Jonathan Lane, Shelton stated that this will be a there lot subdivision with one existing home and two new ones. The lots will be serviced by city water and sewer and there are no wetlands on the site. There will be a catchbasin on the property which will go into a galley system. There will be a small berm along hte property lines to

help control runoff. They will try and maintain the stone wall along the front of the property as much as possible. Mr. Joyce asked about test pits and stated that the Commission will need to see those. He also stated that there is a presence of rock in that area. Mr. Pawlowski stated that he will stake out the property and also he should be receiving a letter from WPCA shortly regarding their approval of the project.

Lawrence Wypj, 20 Clark Street stated that there has been a definite runoff problem in that area. He stated that there is a drainage system at the top of the hill and he had to install curtain drains on his property because of the runoff. He was concerned about possible runoff from this site affecting his property. Mr. Columbo stated that the city engineer will review the plans and members will walk the site. The item will be on the agenda for the June meeting.

8c. Walter Hine, Hine Terrace - Discussion of "Proposed Activity".

Walter Hine stated that they would like to make more farm land on their property. They are proposing to clear out wooded area and make fields behind the kennels on Krakow Street and behind the condominiums. The entire project would comprise approximately 18 to 20 acres but they would do 2 or 3 acres at a time. The State regulations allow for agricultural use. Mr. Columbo felt that a formal application should be filed so that the Agency would have something on file of what is being planned.

Mr. Joyce stated that under the proposed plan they are looking to clear trees and some small soil excavation work; they are not proposing to remove any materials. Mr. Joyce stated that the Agency would have concerns with any impacts to Two Mile Brook and he can meet with them on site and identify where the fields would be. Mr. Marcucio stated that the area is more than 50' away and he has the right to do this work. He did not think an application was necessary and this was more of a courtesy to the Agency as to what will be done there. Mr. Hine stated that they have no plans to go near the Brook. Mr. Marcucio felt that the main concern would be the protection of the Brook and as long as the Agency is notified of the work and someone can monitor that would be sufficient. Mr. Columbo stated that he would like to see the site identified and a proposal of what will be happening there. Mr. Joyce stated that it would be good to be able to track what is going on there. Mr. Columbo stated that he will view the site and determine whether an application is necessary. He asked that they do submit a statement of what will be happening and proposed soil and erosion control measures as well as a map showing the areas for the fields marked.

a. Engineering Fees - Milone & MacBroom, Inc. For the City of Derby; Statement of Account, April 12, 2006.

Mr. Marcucio moved to approve the payment of the Milone & MacBrom, Inc. statement of account dated 4/12/06 in the amount of \$242.25. The motion was seconded by Mr. Barbozal and carried unanimously.

9b. Witek Park Report.

Mr. Joyce stated that the application of fertilizers has been completed. Mr. Marcucio stated that he received a report on the soil testing and there still are some issues at the Park. He stated that there has been improvement over the last several months. The irrigation system is up and running. Ken Hughes has been appointed as interim administrator of the Park.

8d. State of Connecticut DEP Letter - Mr. Columbo stated that he received a letter from the State of Connecticut DEP regarding Notice of Tentative Determination Intent to Renew Permit for discharge into the Housatonic River.

A motion to add the following item to the agenda was made by Mr. Marcucio, seconded by Mr. Barboza and carried unanimously.

Onopiak Property, Sodom Lane. Mr. Joyce stated that there is a sewer easement on this property and the City will be looking to do some repairs in this area. He stated that more information will be received on this.

A motion to adjourn was made by Mr. Marcucio, seconded by Mr. Barboza and carried unanimously. The meeting was adjourned at 8:20 p.m.

ATTEST:

Maryanne DeTullio