

**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
Roger Birtwell**

December 8, 2010
(Meeting Taped)

Minutes of Derby Inland Wetlands Agency meeting of Wednesday, December 8, 2010 at 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, David Barboza, Phil Marcucio and Roger Birtwell. Also present was Ryan McEvoy, Milone & MacBroom.

Additions, Deletions, Corrections to the Agenda

Mr. Barboza moved to add the following items to the agenda – 8b. Application from Tony Salerno, Terra Development proposed activity at Lot 13, E. Bassett Lane, house 1; 8c. Request from Kimco for bond release for Lowe's Shopping Center and add to Item 8a three invoices dated 11/10/10. The motion was seconded by Mr. Marcucio and carried unanimously.

Approval of Minutes

A motion to table the approval of the minutes from the 11/10/10 meeting was made by Mr. Barboza, seconded by Mr. Marcucio and carried unanimously .

Public Portion

There was no one from the public wishing to speak.

8b. Tony Salerno, Terra Development, Application #10120801, Lot 13, E. Bassett Lane, House 1

Tony Salerno was present and stated that this is an alteration to the original approval. It is a modification to adjust the wetland line. Alan Shepard stated that originally it was shown differently on the plan and they did not believe that the wetlands were correctly flagged. They have now been reflagged and the line was over. It has not been adjusted. This will allow a little more of a backyard for this lot and still stay 50' from the wetlands. Mr. Salerno stated that the soil scientist looked at the wetland markings again.

James McManus, soil scientist, stated that he was asked to go out and look at one particular area. It is a very stony and overgrown area but he spent time and

investigated and found that the soils are not wetlands soils. It stated that he found it to be moderately well drained. He stated that he used an auger to do the testing and made many tests.

Mr. Columbo stated that wetland markers will have to be placed on the lot and he recommended that the members look at the site and Ryan McEvoy will need to review this as well. It will be on the January agenda.

7. Continue a PUBLIC HEARING for: Schrade Water Street LLC, George M.Schrade – applicant. APPLICATION #10101301 – seeking permission to conduct a regulated activity: Proposing to construct a canopy building, an industrial building, and detention basins for its drainage system on property at 205 Water Street on Lot #237, Tax Map #8-7 and Lot #171, Tax Map #8-58.

Alan Shepard, Jim McManus and George Schrade were present. Mr. Shepard stated that he prepared a response letter to Milone & MacBroom's letter dated 11/9/10. He also stated that they looked at alternatives in order to get the equivalent amount of water retention they would have to put in an extensive amount of galleys. It would not be prudent on this site to do that. He stated that the 50' regulated line has been placed on the plans. The plans have been modified to reflect the changes with the pipe and outlets. Mr. Shepard stated that the trees that were recently planted on the site have been added to the plans. He noted that the outside storage area is proposed to be gravel. He submitted an addendum to the drainage report and maintenance details will be added to the plans. He added to the soil and erosion control plans. He also clarified that the roadways will be paved and more details on that added to the plans. He stated that the parking area to the northwest of the building has been relocated and the driveways moved further from the wetlands. Mr. Shepard stated that between the wetlands to the north and where the berm will be they have added two 4" PVC pipes.

James McManus, soil scientist stated that he looked at the site and determined that the Army Corps of Engineers does not have to be involved in this project. He reviewed the proposal and found that there are three areas of wetlands on the site. There are two isolated areas of wetlands and another strip of wetlands, which are a ditched watercourse along Route 8. He did functional assessment ratings and found the wetlands mostly to be low quality. The direct impact is approximately 1200 s.f. which would be permanent in nature and associated with the placement of fill for the construction of an earth berm. The indirect impacts would be associated with short term construction activities. He did not feel that it will result in significant adverse indirect impacts to the wetlands. The mitigation and restoration plan will allow for the areas to be seeded and have some plantings added.

Mr. Columbo asked about the concerns expressed by the neighbors at the last meeting and Mr. Shepard felt that with the revisions to the plans they would be happy with them and also indicated that they will work with them about their concerns.

Mr. McEvoy asked about the use of the wetlands which are now used as detention. Mr. Shepard stated that the water will be pre-treated and then an easy flow into the wetlands. He stated that he feels it will be a better wetlands afterward. Mr. McEvoy stated that he needs to review the additional information submitted and requested that the public hearing be kept open. Mr. Schrade submitted a written request for a 35 day extension. Mr. Schrade indicated that the floor drains in the canopy building will be tied into the sewers.

A motion to continue the public hearing to the January 12, 2011 meeting was made by Mr. Birtwell, seconded by Mr. Marcucio and carried unanimously.

8a. Engineering Fees: Milone and MacBroom, Inc. for the City of Derby – three invoices dated November 10, 2010.

Mr. Marcucio moved that the bills from Milone and MacBroom be paid. The motion was seconded by Mr. Birtwell and carried unanimously.

8c. Bond release request from Kimco for Lowe's Shopping Center

Mr. McEvoy stated that the bond had been previously reduced and there is a \$7,000.00 bond in place. He stated that he would recommend release of that bond. Mr. Birtwell moved to approve the release of the bond to Kimco. The motion was seconded by Mr. Barboza and carried unanimously with Mr. Marcucio abstaining.

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

ATTEST:

Maryanne DeTullio

These minutes are subject to the Agency's approval at their next scheduled meeting.