

**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  
Roger Birtwell  
Nelson Cummings – Alt.  
Daniel Sexton – Alt.**

**May 9, 2012  
(Meeting Taped)**

Minutes of Derby Inland Wetlands Agency meeting of Wednesday, May 9, 2012 at Aldermanic Chambers, City Hall, 1 Elizabeth Street, Derby. This meeting was called to order at 7:00 p.m. by Chairman Fred Columbo.

By roll call members present were Chairman Fred Columbo, Paul Padilla, Paul Dinice, Philip Marcucio and Roger Birtwell. Also present was Ryan McEvoy, Milone & MacBroom.

Additions, Deletions, Corrections to the Agenda

Mr. Dinice moved to add to Item 9a Invoice #593535 and to correct Item 8 to read Singer Village, Brookside Development, LLC, Mark Nuzzolo, Applicant and Tax Map #4-3. The motion was seconded by Mr. Marcucio and carried unanimously.

Approval of Minutes

A motion to approve the minutes of the April 11, 2012 meeting was made by Mr. Birtwell, seconded by Mr. Padilla and carried.

Public Portion

There was no one from the public wishing to speak.

8. Singer Village, Brookside Development, LLC, Mark Nuzzolo, Member – Applicant, APPLICATION #12050901 – Seeking permission to conduct a regulated activity: Proposing an 8 lot subdivision, to construct 7 single family homes on Lot #40, Tax Map #4-3 on property at 401 David Humphreys Road.

Chm. Columbo reviewed the application. Mark Nuzzolo stated that this development will be a green building certified project. He stated that he has tried to position the homes to get the maximum solar use from the site. He stated that the development is planned to take into consideration the natural characteristics of the land. Chm. Columbo commended him on his goals and stated that the Agency will work with him on achieving those goals. The watercourse on the property flows into Two Mile Brook and he felt that a public hearing would be in order for this project. It was determined that this will be a significant activity and there will also be public interest. A motion to schedule this application for a public hearing at the June 13, 2012 meeting was made by Mr. Birtwell, seconded by Mr. Padilla and carried unanimously.

7. Adam Thompson – Applicant. APPLICATION #12041101 – Seeking permission to conduct a regulated activity: proposing to work in the regulated area to make corrections and improvements on a wall, fencing, plantings, and wetlands vegetation of Lot #10, Tax Map #11-8, at 22 Derby Neck Road.

Adam Thompson and Alan Shephard were present. Mr. Shephard stated that a soil scientist has flagged the area and the wetlands areas were the same as had previously been flagged for the subdivision. He also presented a color coded map. He stated that there are four different regulated activities on this property.

Chm. Columbo stated that on-site visits were made. He stated that he met on the site with Ryan McEvoy and discussed what was going on there. There appears to be much disturbance along the border of the brook, which eventually flows into the Housatonic River. He stated that because of the fact that it is a running brook and empties into the River a public hearing for this project is in order. Mr. Marcucio asked what the purpose of the public hearing would be. Mr. Columbo stated that he felt it was a major impact to the brook. Mr. Marcucio stated that he did not see the benefit of a public hearing and felt that this was something that the Agency is responsible for and could work with the applicant. Mr. Columbo stated that work has been done to disturb the wetlands area and buffer and permission is needed from the Agency to work in those areas. Mr. Marcucio stated that the Agency needs to know how the area will be restored. Mr. Columbo stated that the portable garage has to be removed. Mr. Columbo also stated that the invasive plants have to be removed which will be a significant activity. Mr. Thompson stated that he would like to add some additional plantings and felt that the work to the driveway was maintenance work since it was already existing.

Mr. Dinice stated that anytime there is an application after the work has been done then it warrants a public hearing. He felt that by having a public hearing it makes the Agency look more responsible in reviewing the project. He stated that it is not very complicated but the applicant should come up with a planting plan. He also felt if the garage is removed it will make the area better.

Mr. Marcucio stated that a complete plan is needed on how it will be restored. Mr. Shephard stated that there is an existing conditions map and they will submit a map showing how it will look when finished. Mr. Padilla felt that the applicant should work with Ryan McEvoy on this proposal.

Mr. McEvoy stated that it appears that certain aspects that are there now are unacceptable. He stated that they should suggest things that they want to do and also a planting list. He stated that they have agreed to remove the garage. Mr. Columbo felt that the turnaround area should not be extended any further.

Mr. Dinice moved that based on the fact that these are significant activities and work has already been done a public hearing should be scheduled for the June 13, 2012 meeting. The motion was seconded by Mr. Birtwell and carried by a 3 to 2 vote with Mr. Marcucio and Mr. Padilla opposed.

8a. Engineering Fees: Milone and MacBroom, Inc. for the City of Derby Invoice #59535.

Mr. Marcucio moved that the invoice from Milone and MacBroom (#59535) be paid. The motion was seconded by Mr. Padilla and carried unanimously.

A motion to adjourn was made by Mr. Padilla, seconded by Mr. Birtwell and carried unanimously. The meeting was adjourned at 7:55 p.m.

ATTEST:

Maryanne DeTullio

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