

**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**

October 11, 2006
(Meeting Taped)

Minutes of Derby Inland Wetlands Agency meeting of Wednesday, October 11, 2006. Chairman Fred Columbo at conference room, New 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, David Rogers and Roger Birtwell. Michael Joyce from Milone & MacBroom was also present.

Additions, Deletions, Corrections to the Agenda:

Mr. Columbo stated that Item #9b and Item #12c should be deleted from the agenda. Item #9b was approved last month and Item #12c is a duplicate item.

Public Portion:

There was no one from the public wishing to speak.

12b. Witek Park Report

Ken Hughes stated that the City held the official opening of the fields. The Police Department is now responsible for opening and closing the Park. He stated that the fields are doing well and there was some small problem with a fungus but it should grow itself out.

Mr. Hughes stated that Dr. Dwight Smith from Southern Connecticut State University will complete the report for the entire Park by July, 2007. He was given copies of the stipulations placed on the approval. Mr. Hughes also stated that nothing has been applied to the fields since the last meeting. It was noted that the drainage culvert near the entrance at the gates seems to be filling up with sand. Mr. Hughes stated that it was cleaned out last year and is done on a yearly basis. It is there so that all the sand does not go into the reservoir.

Acceptance of Minutes

Mr. Birtwell moved that the minutes of the September 13, 2006 meeting be accepted. The motion was seconded by Mr. Paidlla and carried unanimously.

8. Detention Basin LLC - Applicant. APPLICATION #06101101, seeking permission to conduct a "Regulated Activity" - Proposing to conduct maintenance of her detention basin on Lanzieri Court.

Mr. Columbo read a letter from the DEP dated 10/2/06. He also reviewed the application submitted. Atty. Michael Bologna representing the applicant stated that they have no intention of going on to anyone's property but their own to remove any trees. There is a row of evergreen trees on the property and they will determine the ownership of the trees before doing any work. He stated that they will put up a fence on the property line. Atty. Bologna stated with in reference to the DEP letter they will take the trees down in the area of th slope where not regulated and grind down to 2". In the regulated area they will follow the direction of the DEP and comply with their conditions. He stated that they will register the dam and get a licensed professional to do the work.

Atty. Bologna stated that there is an intermittent watercourse which has created a habitat in the floor of the basin. He stated that in the immediate area of the basin the only thing they want to do is what DEP is asking be done. They will clean out all vegetation and then replant with mowable materials. They will put in soil and erosion controls around the toe of the slope so that work can be done on the slope and dame. They will stack haybales around the area that has already been cleared and then as they clear, stack haybales. They propose to remove all woody vegetation within the line of the bottom of the slope. Atty. Bologna stated that on the dam itself almost all the trees are less than 6" in diameter. They will remove all woody vegetation to the point where they can mow, the stumps that are less than 6" in diameter, grind to 2" below the surface, toopsoil and seed. Any stumps that are greater than 6" in diameter they will get a professional engineer to work with the DEP on how to handle that.

Atty. Bologna stated that on the eastern side the DEP is requiring that it go down to 20" at the toe of the slope and they will do that and may go a little further. There will be soil and erosion controls around the outlet pipe.

He stated that is what they are asking permission to do. Mr. Columbo asked if this was presented to the City Engineer and Atty. Bologna stated that a lot of this was recommended by Mr. Joyce.

Mr. Birtwell asked if the neighbors received a copy of the letter from the DEP so that they would be aware of what will be going on. He felt that it would be a good idea so that they will know that the work has been recommended by the DEP. Atty. Bologna stated that they would be happy to share the letter with the neighbors. Mr. Birtwell also stated that MR. D'Elia was very concerned about trees along the property line that might be removed. Mr. Dinice felt that the trees should be removed from the berm because they could ruin the integrity of the berm. Atty. Bologna stated that there are some trees right on the property line and they will look into who owns those trees and will try and work with the neighbors on this.

Mr. Joyce stated that DEP is referring to the dam and the elevation of the berm. The trees are adjacent to the basin but higher than them. He stated that he did not know if the trees on the property line need to be removed. Atty. Bologna stated that they want to remove those trees even though it is not required by DEP but will work with the neighbors. Mr. Columbo asked about a time frame for getting the work done. Atty. Bologna stated that most of the fees collected this year have been used for legal fees and as soon as there are sufficient funds available work will be done.

Mr. Joyce asked about the different areas shown on the plans and Atty. Bologna stated that in Area "A" is the area that has already been disturbed and they will put the soil and erosion controls should be put in. In Area "B" they will be put in as the work is done. He also asked that the Agency be notified once DEP approvals are received. Atty. Bologna stated that he did not know if DEP will have to be involved before any work is done. Mr. Joyce also felt that the clearing limits should be staked out. Mr. Dinice felt that this was not a significant activity and if there were no large trees it would only be a maintenance issue.

Mr. Birtwell moved that the Agency approve, as a summary ruling, the plans submitted from the applicant for the proposed work with a fee of \$100.00 and the condition that the City be notified of the DEP approval of the dam repair. The motion was seconded by Mr. Dinice and carried unanimously.

7. Conduct a Public Hearing for Jalowiec Realty Associates, LP, Joseph C. Jalowiec - Applicant, APPLICATION #06071203 Seeking permission to conduct a "Regulated Activity" proposing an expansion of two (2) existing office buildings on Lots #29 and #30, Tax Map #3-2 at 90 and 114 Sodom Lane.

A motion to continue the public hearing was made by Mr. Padilla, seconded by Mr. Birtwell and carried unanimously. Jim Rotundo presented a letter of consent from Jean Opuszynski for the work to be done in the area of the 54" culvert in the rear of the property. He also presented revised plans and a response to the Milone and MacBroom letter. He stated that they have put in additional pervious pavers and will be removing curbs and adjusting the grades to allow for sheet flow of surface runoff in that area. They will also be a riprap apron along the perimeters to help reduce velocities prior to that runoff entering the wetlands and brook area. They were able to lower the elevations of the parking area and pull the slope back and reduce the amount of fill to be placed in the wetlands. The amount of wetlands disturbed area has been reduced to approximately 3600 s.f. The amount of fill that was calculated to create the parking area was approximately 300 cubic yards and that has been reduced to about 130 cubic yards. They also looked at installing some shrubs along the parking area which will help attract some wildlife and provide a light buffer. The slope areas will be planted with a conservation seed mix.

Mr. Rotundo stated that the existing brook has been subject to deteriorate over the years which has caused some areas which have realigned the brook and it is no longer aligned with the existing culverts and has created some erosion problems in that area. They are

proposing a realignment to provide better hydraulic efficiency. The existing sanitary sewer located in the front of the two 54" culverts and over the years there has been significant erosion over the top of that pipe. They are proposing to encase that pipe in riprap. There is a manhole adjacent to that which is exposed and that will be graded and riprap along that manhole.

Mr. Rotundo stated that they feel that this plan is the most prudent and feasible alternative for this site. They are proposing some mitigation through enhancement to the stream channel. Those include the realignment of the brook, the installation of the shrubs and the conservation seed mix throughout. There is a total mitigation area of about 5840 s.f.. He stated that they are also taking care of the problem with the sanitary sewer situation. He stated that in their analysis of the storm drainage system they looked at the whole watershed coming down through here. They determined that the 50 year storm would pass through these culverts; however, the 100 year water surface would back up throughout this area. They looked at both the existing and developed condition and the post construction flow condition shows an increase in depth in the channel of 0.01'. That slight increase will not have a detrimental effect on the flows at this point. He stated that he also included the stormwater quality chamber details and performance information.

He stated that Phase 1 of the project is going to be 114 Sodom Lane and that will include the expansion of the building, full build out of the site improvements and the realignment of the channel and stream corridor improvements. He stated that they would like to put a proposed stockpile area in the vicinity of 90 Sodom Lane and two temporary construction trailers which will be taken out once Phase II construction begins. Mr. Dinice asked if they will have to come out onto the street to use those trailers and Mr. Rotundo stated that they will have to come down Sodom Lane. He stated that they are probably going to stockpile approximately 400 to 500 total yards in both phases. Mr. Dinice asked about the proposed building shape and felt that if perhaps it were changed the four parking spaces closest to the stream could be eliminated. Mr. Rotundo stated that they came up with initial layout for that building and it was done to compliment the existing building. He stated that there are some site constraints due to the wetlands.

Mr. Dinice also stated that the regulations require zero increase in runoff and he was concerned with the increase in the 100 year storm. Mr. Rotundo stated that they had a detention system that would have zero increase in runoff and then looked at the entire watershed area. He stated that looking at the peak coming through this area and with this detention that peak of the entire watershed increases more than if they did not provide detention. He stated that they changed their approach to that stormwater management concept that it would be better to allow that water to come through without using detention and introducing more stormwater quality.

Mr. Columbo asked if they felt this was the most feasible and prudent alternative and Mr. Rotundo stated that they do feel that it is with the mitigation and improvements to the brook

corridor. Mr. Dinice asked about the sewer easement and Mr. Joyce stated that with the original application this was discussed and the City felt that there was the ability to address some of the ongoing concerns in this area. He stated that some of the improvements to the brook can address a lot of these concerns. Mr. Columbo also felt that it is advantageous in solving some of the problems in the area.

There was no public comment on the application.

Mr. Joyce asked about the possibility of expanding the sewer easement from 10' to 20'. Joseph Jalowiec stated that he would be willing to submit a letter about both storm drainage and sanitary sewer maintenance to allow the City to come on the property when maintenance is required. Mr. Joyce stated that they had discussed the maintenance of the brook and the applicant would be responsible for that. Mr. Jalowiec stated that widening the easement actually would take square footage away from the property and he would put a letter on file that City of Derby could go on and do whatever work is necessary as long as they restore the property and he will maintain the brook.

Mr. Dinice stated that there are some nice features to the plans and they will resolve some of the problems but he was bothered by the fact that they were not complying with the regulations regarding zero increase in runoff. He stated that he would also like to see the building shape possibly being squared off and those parking spaces eliminated. Mr. Joyce stated that they had discussed the gaps in the building layout. Mr. Rotundo stated that there is an existing access way that needs to be maintained. He stated that there is the pedestrian bridge linking both sites and overall there are three additional spaces. Parking has always been an issue and the type of tenancy that is being looked at would need all the spaces.

Mr. Dinice asked if there was anyway that they could meet the regulations and Mr. Rotundo stated that in the overall watershed could make it work for on site runoff. Mr. Padilla was also concerned about this and hoped that they could find some way to make it work. Mr. Columbo asked if they took into consideration the up stream basins and Mr. Rotundo stated that would require a much more detailed analysis. He stated that they took into consideration that this is in the lower portion of the watershed area.

A motion to close the public hearing was made by Mr. Birtwell, seconded by Mr. Padilla and carried unanimously. The item will be added to the agenda as Item #12g for further discussion and consideration.

10. Walter Skowronski, et als - Applicant - APPLICATION #06101102 Seeking permission to conduct an activity containing "Inland/Wetlands" issues: Proposing a split at 400 Hawthorne Avenue for a new house. Lot #64, Tam Map #11-4.

Ted Witek was present for the applicant and stated that this is a resubdivision. The property is located at the intersection of Hawthorne Avenue and Cedric Avenue. There

is an easement from Hawthorne Avenue to the rear portion which will be subject to these properties. The proposed house will be on the upper portion of the property. There are no wetlands on the property. Mr. Witek stated that there will be three catchbasins with drywells proposed. The roof drains will go right into the catchbasins. Mr. Columbo stated that he did not see the need for an application and could just sign off on this. Mr. Rogers asked if any soil testing or test pits were done and Mr. Witek stated that none were done.

Mr. Birtwell moved that no application was necessary and Mr. Columbo could sign off. The motion was seconded by Mr. Padilla and carried unanimously.

9. City of Derby - Applicant, Michael Joyce, P.E. - Agent. Two (2) applications for various road bond projects.

Silver Hill Road - APPLICATION #06091302.

Mr. Joyce stated that he is submitting updated plans. Discussions have been held with the downstream property owner and plans were submitted to their engineer. They have expressed some concerns about future development capabilities of their property. The City of Derby needs to get the road repaved before the winter months. They have spoken with the property owner regarding this particular project and that they intend to install new drainage improvements. They plan on going into the wetlands area and actually dig it out a little bit. It has very poor functional quality and they will be able to provide a little bit more storage area. They will come back with drainage improvements on the Tuttle property. They will install check dams to help control the flow of the water. The proposal is to install two catchbasins with a discharge pipe. Any disturbed areas will be replanted. He stated that they are addressing the road drainage concerns at this time.

Don Smith representing Silver Hill Properties LLC stated that they have no objections to repaving and the two phase approach. They just want some reassurance that work will be done in the spring. Mr. Joyce stated that documentation that would identify what is being done right now and what the ultimate goal is and a time line will be prepared.

A motion was made by Mr. Birtwell to approve this as a summary ruling with the stipulation that the proposed document be prepared. The motion was seconded by Mr. Dinice and carried unanimously.

John Street - APPLICATION #06080902.

Mr. Joyce stated that the plans are for the reconstruction of John Street and other amenities. The focus is in drainage improvements only at this time. They are proposing to improve this by adding double catchbasins in the area of Mr. Mongillo's driveway. They will also provide catchbasins at the lower point in his driveway. There will be another catchbasin at the Kemmesis property and the pipe extended into the Lipke property. In the spring they will pursue the reconstruction. They have met with the property owners to go over the current plan.

Karen Kemmesies, 25 John Street stated that the plans show the removal of a bush and she would like to see it just trimmed. She also asked how long the work on her property will take and Mr. Joyce stated that it will be approximately a week or so.

Mr. Joyce stated that any pipes that are open now will remain open. He also stated that a document will be prepared regarding the work to be done in the spring.

Mr. Birtwell moved to approve this as a summary ruling with the stipulation that the necessary document be prepared. The motion was seconded by Mr. Rogers and carried unanimously.

11. Patel's LLC, Jay Patel - Applicant APPLICATION #06101103 - seeking permission to conduct a "Regulated Activity" proposing to construct additions to existing building and expansion of parking area at 144 Roosevelt Drive, Lot #51, Tax Map #11-4.

Don Smith was present and stated that they have submitted an application, design report and soil scientist report. They are proposing a 9 ½' X 35' addition on the easterly side and on the other side another addition. The two existing apartments will remain. The back yard is gravel and they are proposing to pave that area. They will be adding a stormwater detention system and catchbasins that will go into the State drainage system in the road. There are no wetlands on the property and it is approximately 70' from the regulated area. There is no increase in runoff.

Mr. Padilla moved to approve this application as a declaratory ruling with the stipulation that the drainage plans will meet with the approval of the City Engineer. The motion was seconded by Mr. Dinice and carried unanimously.

10a. Engineering Fees - Milone & MacBroom, Inc. for the City of Derby September 10, 2006.

Mr. Rogers moved that the bills from Milone & MacBroom in the amount of \$247.50 be paid. The motion was seconded by Mr. Birtwell and carried unanimously.

12e. St. Judes Church, 71 Pleasant View Road, National Grid Wireless Cell Tower, signed-off on September 29, 2006.

12f. Herbert and Robin Smith, 1 Grandview Blvd., addition to existing house, signed-off on September 29, 2006.

12d. Griffin Hospital - Expand parking lot at Seymour Avenue/Division St.

Mr. Columbo stated that he did not feel that an application was necessary for the parking lot and signed off on this.

12g. Jalowiec Realty Associates, LP, Joseph C. Jalowiec - Applicant, APPLICATION #06071203 Seeking permission to conduct a "Regulated Activity" proposing an expansion of two (2) existing office buildings on Lots #29 and #30, Tax Map #3-2 at 90 and 114 Sodom Lane.

That the City of Derby Inland Wetlands Agency (DIWA), having considered the factors pursuant to Section 10 of the Inland Wetland and Watercourse Regulations of the City of Derby and after review of written and verbal information provided by the applicant, Commission members and City staff, finds the following:

1. On July 12, 2006, Jalowiec Realty Associates, LP (Applicant) submitted an application No. 06071203 for activities in and within 50 feet of the wetlands and other upland areas adjacent to the wetlands. The activities are associated with expansion of two existing buildings, parking lot construction, grading, relocation of an existing watercourse, stormwater management installations and construction of a pedestrian bridge over an existing watercourse.
2. The watercourse which bisects the property from the culvert under Sodom Lane to the twin 54" pipes under the Staples Shopping Center is an unnamed tributary to Two Mile Brook.
3. An existing City of Derby owned gravity sanitary sewer line is located on the property within a 10' wide easement. The applicant has agreed to amend the existing easement to assist the City of Derby with future maintenance and inspection needs. The existing sewer is completely located within the wetlands and crosses the existing watercourse in two locations.
4. An On-Site Soils Investigation Report has been prepared which identified the existing site conditions and included the following statements:
 - a. "The wetlands have also been highly altered in the past."
 - b. "The channel is sharply defined by short vertical banks that are subject to erosion in heavy storms"
 - c. "Because the wetland soils and the watercourse are completely surrounded by developed and filled land, the wetlands have rather limited functions as a wetland environment."
5. The alignment and flow of the unnamed tributary has caused significant erosion around the existing sanitary sewer system especially at the southern end of the watercourse near the existing 54" twin drainage pipes and sanitary sewer manholes where the potential for significant contamination of on and off-site wetlands will

increase if no remedial action is taken.

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6. As recommended by the City, the applicant has agreed to relocate the unnamed tributary to correct the current erosion problem near the sanitary sewer, improve stream bank stability and function, and provide new plantings within and adjacent to the remaining on-site wetlands. The applicant has also accepted responsibility for the maintenance of this watercourse within the property limits.
7. There will be a total of 3600 sf (0.08 acres) of direct wetland impacts for the purpose of constructing the parking lot improvements and approximately 12,200 sf (0.28 acres) of disturbance within the 50' regulated upland review area for the purpose of constructing parking lot improvements, building expansion, site grading, pedestrian bridge construction, landscaping, drainage improvements, etc. The brook relocation and enhancement work represents 1,100 sf of enhancements to the watercourse and approximately 4,500 sf of enhancement to the wetlands.
8. That this application is a "significant activity" in accordance with the definition of "significant activity" as found in the Regulations of the DIWA and will require a plenary ruling.
9. The Water, Sewer and Gas services which serve the existing buildings will be reused to serve the proposed development.
10. Best Management practices have been employed in the design to promote infiltration and to improve storm water runoff quality. These practices include the use of pervious grass pavers for the parking areas on either side of the wetland corridor, Stormwater Quality Structures to treat runoff from on-site impervious areas before discharging to the wetlands and watercourses, energy dissipaters and vegetated bio-filters at all drainage outlets. Sedimentation and erosion control measures have also been incorporated into the design including sediment filter fence, stabilized construction entrances, temporary sediment basins and an independent erosion and sedimentation control plan for the work on each side of the watercourse.
11. Information was provided by the Applicant, City staff, Commission members and the general public during the public hearings held on September 13, 2006 and October 11, 2006.
12. As required by Section 10.3 of the Inland Wetlands and Watercourses Regulations the Agency has considered the Feasible and Prudent Alternative Analysis submitted by the applicant and finds that the applicant has reduced the area of direct wetland impact by 250sf, the volume of fill placed within the wetlands by 165 cy, changed approximately 2500sf of impervious parking areas to pervious parking areas through the use of grass pavers and has incorporated the relocation and enhancement of the watercourse with its application. While 3600 sf of wetlands are proposed to be

proposed development provides the opportunity to incorporate "Measures which would mitigate the impact of any aspect of the regulated activity." These measures include the relocation and enhancement of the unnamed tributary to Two Mile Brook which bisects this property. The proposed brook improvements have the potential to "lessen impacts to wetlands and watercourses", "control sedimentation", and "prevent erosion", which are currently being caused by the instability of the existing stream banks, and to "control pollution" from the adjacent sanitary sewer system which will occur in the future if the current condition is not adequately addressed.

Therefore, the Agency moves to approve Application No. 06071203 as presented and shown on the following documents submitted in support of the application:

1. "Purpose and Description of Activity", Jalowiec realty Associates, LP 90 & 114 Sodom Lane, Derby, CT, prepared by Rotundo Engineering, LLC
2. "On-Site Soils Investigation of Property for Jalowiec Realty Associates, LP. In Derby, Connecticut", prepared by Soils Consulting Service, dated August 14, 2006.
3. "Site Engineering & Drainage Report – Proposed Office Facility 90 & 114 Sodom Lane – Derby, CT", prepared for Jalowiec Realty Associates, LLC, prepared by Rotundo Engineering, LLC, dated August, 2006.
4. "Supplemental Drainage Report – On-Site Runoff" – Proposed Office Facility 90 & 114 Sodom Lane – Derby, CT", prepared for Jalowiec Realty Associates, LLC, prepared by Rotundo Engineering, LLC, dated September, 2006.
5. "Feasible and Prudent Alternative Analysis – Wetland / Stream Corridor Enhancement", Jalowiec Realty Associates – 90 & 114 Sodom Lane, Derby, CT, prepared by Rotundo Engineering.
6. Correspondence dated October 11, 2006 from Rotundo Engineering, LLC in response to September 13, 2006 comment letter from Milone & MacBroom, Inc.
7. Details and Specifications for Permeable Paving Stones and CDS Technologies Stormwater Quality Structures.
8. Plans entitled "Proposed Office Facility – 90 & 114 Sodom Lane – Derby, Connecticut", prepared for Jalowiec Realty Associates, L.P., prepared by Rotundo Engineering with the following plans:
 - a. "Sheet SP-1 - Site Development Plan", dated 3-28-06 and revised through

10-04-06, drawn at a scale of 1"=20'.

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- b. "Sheet SP-2 - Grading & Utility Plan", dated 3-28-06 and revised through 10-04-06, drawn at a scale of 1"=20'.
- c. "Sheet SP-3 – Erosion & Sedimentation Control Plan", dated 3-28-06 and revised through 10-04-06, drawn at a scale of 1"=20'.
- d. "Sheet SP-4 – Erosion & Sedimentation Control Plan Narrative", dated 3-28-06 and revised through 10-04-06, not drawn to scale.
- e. "Sheet SP-5 - Details", dated 3-28-06 and revised through 8-09-06, not drawn to scale.
- f. "Sheet PH-1 – Phase I Development Plan", dated 10-04-06, 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 stipulations also apply:

1. Lack of compliance with any stipulation 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 Derby Inland Wetlands Agency to determine if additional review and approval is necessary.
3. 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, Corporation Counsel and/or Wetland Enforcement Officer:
 - a. Pursuant to Section 12 of the Regulations Protecting the Wetlands and Watercourses of the City of Derby, a bond covering the costs of the sedimentation and erosion control measures shall be filed with the City Clerk. The amount and form of the bond shall be approved by the City Engineer and Corporation Counsel. A minimum of \$5000 of the approved bond shall be submitted in the form of a separate cash bond.
 - b. Finalize the proper documentation for review and approval by the City Engineer and Corporation Counsel for the amended sanitary sewer

easement and Maintenance Agreement for the brook.

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- c. Execute the approved easements and agreements and arrange for the proper filing on the Derby Land Records.
 - d. Written confirmation that the deed of the property references the regulated areas on site and the stipulated conditions of this approval, including all easements and agreements.
 - e. Arrange for the filing of this approval on the Derby Land Records.
 - f. Prior to any clearing or earthmoving activities, the proper installation of all sediment and erosion control measures indicated on the above referenced plans.
4. This project shall be constructed in two phases, with the building expansion and site work associated with #114 Sodom Lane proceeding first. The only work that will be permitted on #90 Sodom Lane is the use of the minimum required area needed for the temporary stockpile to support the activities on #114. The temporary construction storage trailers shown on Plan Sheet PH-1 shall be relocated to an area outside the existing wetland boundary.
 5. The relocation of the brook shall be performed by the applicant and coordinated with the City of Derby. The applicant shall work with the City Engineer regarding the design of the proposed brook relocation and Derby Water Pollution Control Authority regarding inspection and possible repairs to the existing sanitary sewer facilities. Construction activities associated with the relocation of the brook shall not commence until detailed brook relocation and restoration plans including but not limited to details and specifications for handling water are approved by the City Engineer. Work within the stream shall not be permitted between October 1st and May 31st.
 6. Construction activities associated with #90 Sodom Lane shall not be permitted until the site for #114 is completed and fully stabilized and the relocation of the brook has been completed.
 7. All maintenance and refueling of equipment and vehicles shall be performed at least 50 feet or as far as practical from all wetlands and watercourses.
 8. All disturbed areas on the site not directly required for construction activities shall be temporarily hayed and seeded until permanent vegetation is established.
 9. After commencement of construction, an inspection of the condition, integrity, and

adequacy of the sedimentation and erosion controls shall be made by a qualified party on a regular basis, at least once every seven calendar days and within 24 hours of the end of a storm event that is 0.1 inches or greater and until the City of

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Derby determines that inspections are no longer required.

10. 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.
11. A contact individual together with a 24-hour phone number shall be designated with responsibility and authority to receive notices of any breaches or deficiencies of sedimentation and erosion controls on-site, and to coordinate repair on any such breach or deficiencies with 8 hours of the notice from the sediment and erosion control inspector, Wetland Enforcement Officer, City Engineer or any other duly authorized representative of the City of Derby.
12. The Agency's decision to grant this approval makes no warranties or representations, either express or implied, that future regulated activities will be permitted on this site.
13. The design of the storm drainage system shall be revised to comply with Section 6.4 of the regulations as determined by the City Engineer.

A motion to adjourn was made by Mr. Padilla, seconded by Mr. Birtwell and carried unanimously. The meeting was adjourned at 10:00 p.m.

ATTEST:

Maryanne DeTullio