

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

Frederick J. Columbo, Jr. Chairman

68 Seymour Avenue

Derby, Connecticut 06418

January 14, 2009
(Meeting Taped)

Minutes of Derby Inland Wetlands Agency meeting of Wednesday, January 14, 2009 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, Paul Padilla, David Barboza and Roger Birtwell. Michael Joyce from Milone & MacBroom was also present.

Additions, Deletions, Corrections to the Agenda:

A motion to add to the agenda Item 9d adopt meeting schedule for 2009 and also to add to Item 9a that it is Engineering Fees from Milone & MacBroom was made by Mr. Barboza, seconded by Mr. Padilla and carried unanimously.

Acceptance of Minutes

The approval of the minutes from the December 10, 2008 was tabled.

Public Portion:

There was no one from the public wishing to speak.

9c. Edgebrook Estates, E. Bassett Lane, disturbance and restoration of Approved Lots #10 and #11 - Tony Salerno Agent.

Mr. Columbo stated that he and Mr. Joyce made an on-site inspection of these two lots. Mr. Joyce stated that the approved plans for this subdivision included clearing limits. On Lot #11 the clearing was done beyond the 50' upland review area. He stated that there is a stone wall that runs behind these lots and the clearing was taken up to the wall, which is beyond what was approved. Mr. Salerno presented a restoration plan for that area and he stated that they are willing to make it right. Mr. Joyce stated that he would like to see some sort of conservation mix used in the restoration. Mr. Columbo also stated that the encroachment markers will be required. Mr. Joyce

**Philip
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Paul Dinice, Jr.

Paul Padilla
David Barboza II
Roger Birtwell**

stated that a building permit was issued for Lot #11 with the condition that it is restored before a certificate of occupancy is issued.

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Mr. Birtwell moved that the stipulated conditions for Lots #10 and #11 be followed and the applicant work with the city engineer on the best restoration plan. The motion was seconded by Mr. Padilla and carried unanimously.

7. Conduct a Public Hearing for: Catholic Cemeteries Association of the Archdiocese of Hartford, Rev. David M. Walker, Director - applicant. Application #08111201 - seeking permission to conduct a regulated activity: proposing to replace a collapsed culvert with a concrete arch culvert on property at 219 We Haven Avenue, Route #34, Lot #113, Tax Map #5-4.

A motion to open the public hearing was made by Mr. Birtwell, seconded by Mr. Padilla and carried unanimously. Joseph Lenahan and Vincenzo Chiaravalloti from Fuss & O'Neill were present for the applicant. They presented an amended application; certified mailings; Scour Evaluation; and Invasive Plan Species Control Plan. Mr. Lenahan stated that they met with the Orange Inland Wetlands Agency and they tabled any decision on the project until this public hearing is closed.

Mr. Lenahan stated that the collapsed culvert will be replaced with a concrete arch culvert which they feel is the best option. He stated that it is adequate for a 100 year storm. He also stated that this is a dual application with the Town of Orange and submitted revised plans that address comments from the Orange Inland Wetlands Agency.

Mr. Chiaravalloti stated that the foundation stone of the existing culvert are good so they will be left in place. They will remove the top arch stones and mortar and point them. The embankment will be stabilized. They have been able to condense it to approximately 75 feet long.

Mr. Chiaravalloti described how it will be built and how the area will be protected. There is a detailed construction sequence. He stated that the basis is to stabilize the area. They will leave the upstream headwall, shore up those walls and then work will proceed from the downstream toward the upstream. As they proceed upstream they will stabilize the embankment as they go. He stated that another phase of the project involves cleaning the sediment that has deposited from the collapsed culvert and is in the center of the stream. They will fix the scour holes and remove the deposits in that area. He stated that there is a planting plan and every area that is impacted will be replanted.

Mr. Lenahan stated that through the scour analysis we methods were used to determine what would be the appropriate design size of the riprap. He stated that on the upstream and downstream embankments to use intermediate to standard riprap. In addition, as part of additional precautions erosion matting will be used.

Mr. Columbo asked if the stream will be diverted and Mr. Lenahan stated that it is not necessary to do that. He stated that they determined that the best method and approach is to start downstream.

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Frank Zuba, Derby Milford Road stated that the roadway was being graded down and that was when the culvert collapsed.

Mr. Joyce as if there were appropriate measures in place as sediment is being removed so that conditions downstream are not created. Mr. Lenahan explained their procedures. Mr. Joyce asked about the construction time and Mr. Lenahan stated that they would like to start at the beginning of June and work to September. The materials will be stockpiled on site and not removed. Mr. Joyce stated that he was concerned about the integrity of the culvert over time. Mr. Lenahan stated that the existing bottom is field stones and timber ties crossed. The stones on the bottom have not moved; the sides collapsed. Mr. Lenahan stated that the construction phasing is the most feasible way with the least impacts.

Mr. Columbo felt that the public hearing should be kept open to review the information submitted this evening. A motion to continue the public hearing to the February meeting was made by Mr. Barboza, seconded by Mr. Birtwell and carried unanimously.

8. City of Derby, Sheila O'Malley - applicant. Application #09011401 - seeking permission to conduct a regulated activity: proposing to construct an 1,800 ft. access drive road from Division Street/BJ's Wholesale Road into Commerce Park including utility services on Lot #1 and Tax Map #7-8.

Fred Clark, DeCarlo & Doll was present for the applicant. He stated that the application is for an access roadway for Commerce Park. He stated that there are seven wetland pockets on the site and were located by the soil scientist. He stated that the parcel is situated between the Naugatuck River and the railroad right of way. The roadway will be 1800' long. There will also be the extension of the sanitary sewer force main line. It will go approximately 1200' south of the cul-de-sac and then west under the railroad tracks to the railroad station to tie into the existing line. There will be no work directly in the wetlands, but some within the buffer area. The total area of impact is approximately .64 of an acre in the buffer area. The roadway will be 30' wide. Mr. Clark explained the drainage system that is being proposed.

Mr. Columbo stated that the impacts are only in the buffer area and there was no significant impact. He stated that this will not require a public hearing.

Mr. Joyce stated that this parcel is currently listed as a flood zone property but the classification is coign to be changing and it will no longer be classified as flood zone property.

9a. Engineering Fees: Milone & MacBroom, Inc. for the City of Derby, Statement of December 11, 2008

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

9b. Post/tags for non-encroachment lines.

Mr. Columbo stated that Mr. Dinice is not in attendance to discuss this matter and it will be on the agenda for the February meeting.

9d. Meeting Schedule January, 2009 - January, 2010

Mr. Padilla moved to adopt a meeting schedule of the second Tuesday of each month at 7:00 p.m. for January, 2009 through January, 2010. The motion was seconded by Mr. Barboza and carried unanimously.

A motion to adjourn was made by Mr. Birtwell, seconded by Mr. Padilla and carried unanimously. The meeting was adjourned at 9:10 p.m.

ATTEST:

Maryanne DeTullio

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