

**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**

June 8, 2011
(Meeting Taped)

Minutes of Derby Inland Wetlands Agency meeting of Wednesday, June 8, 2011 at Aldermanic Chambers, New City Hall, 1 Elizabeth Street, Derby. This meeting was called to order at 7:10 p.m. by Chairman Fred Columbo.

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

Additions, Deletions, Corrections to the Agenda

Mr. Dinice moved to add as Item 8d Detention Basin LLC, Lanzieri Court. The motion was seconded by Mr. Birtwell and carried unanimously.

Approval of Minutes

A motion to approve the minutes of the May 11, 2011 meeting was made by Mr. Birtwell, seconded by Mr. Barboza and carried unanimously .

Public Portion

There was no one from the public wishing to speak.

8a. Mr. Columbo stated that no bills were received from Milone and MacBroom, Inc.

8b. Orangewood East Condominiums, Harvey Finkel, President, letter dated May 28, 2011, requesting release of bond stipulated on Approved Application #10081101.

Mr. Columbo stated that a memo was received from Milone and MacBroom regarding this matter. Mr. McEvoy indicated that they have reviewed the property and it appears that all work has been completed and they would recommend a full release of the \$5,000.00 bond. Mr. Birtwell moved that the \$5,000.00 bond on the Orangewood East Condominium project be released. The motion was seconded by Mr. Barboza and carried unanimously.

8c. Frank Pepe, 69 Harrison Avenue on-site inspections of May 26 and May 31, 2011, proposed construction of garage outside of wetlands and buffer area.

Mr. Columbo stated that he was contacted by Frank Pepe to look at his property at 69 Harrison Avenue. Mr. Pepe purchased the adjacent property which has wetlands on it and is proposing to construct a garage there. Mr. Columbo stated that the main

concerns was the buffer area and wetlands. There is some drainage on the site that needs to be addressed. Mr. Columbo stated that no application is necessary for this, but the map needs to be revised showing the location of the garage and wetlands.

8d. Detention Basin, LLC, Lanzieri Court

Mr. McEvoy stated that a letter was received from Detention Basin LLC requesting a discussion of some items with regard to removing silt from the bottom of the basin. The work is essential to the function of the basin.

Mr. Barboza moved that the City of Derby Inland Wetlands Agency (DIWA), having considered the factors pursuant to Section 4 of the Inland Wetland and Watercourses Regulations of the City of Derby and after review of written information provided by the applicant, Commission members and City staff, finds the following:

1. On October 11, 2006, Detention Basin LLC received an approval for regulated activities associated with tree clearing and detention basin maintenance on Lanzieri Court.
2. Detention Basin LLC proposed to remove accumulated sediment from the bottom of the detention basin as part of ongoing maintenance.
3. Removal of sediment from the bottom of the basin is essential for the long term effectiveness of the basin to perform as designed.

Therefore, the Agency moves that the removal of sediment from the bottom of the detention basin on Lanzieri Court is required in order to maintain compliance with the Regulations and does not require an application to the DIWA. The following stipulations also apply:

1. Detention Basin LLC shall notify the DIWA prior to the start of any removal of sediment from the bottom of the basin.
2. Any further changes or modifications to the basin including but not limited to tree removal, regarding of the basin berm or areas surrounding the basin or any other activity shall be reviewed by the DIWA to determine if an application is required.
3. The Agency's decision makes no warranties or representations, either express or implied, that future regulated activities will be permitted on this site.

The motion was seconded by Mr. Birtwell and carried unanimously.

site conditions.

7. Belleview Homes, LLC, Ray Sadlik applicant. APPLICATION #11051101 – seeking permission to conduct a regulated activity: Proposing to develop 4 building lots for future construction of 4 single family homes on Lot #2, Tax Map #1, Block #3, and Lot #14, Tax Map #2, Block #5 on Belleview Drive.

Ray Sadlik and Fred D'Amico were present. Mr. D'Amico stated that some revisions have been made and he took into consideration all the comments from Milone and MacBroom in their review letters.

Mr. Columbo asked about the pedestrian easement which is currently on the property. Mr. Sadlik stated that no one seems to use this and it is his intention once this is approved to go to the Board of Aldermen to have it released. Mr. D'Amico noted that Lot 1 would be subject to the easement if it were to remain. Mr. Columbo asked who would assume responsibility of this. He stated that he would not want to see people going through there. Mr. McEvoy stated that right now it is residential property with an easement on it. He stated that wetland markets would have to be put in that area.

Mr. Columbo stated that the soil scientist report was from 2004 and he asked about the accuracy of it. Mr. D'Amico stated that he spoke with the soil scientist and he feels that it is accurate and will submit a letter for the Commission stating that.

Mr. D'Amico stated that the calculations have been redone and he did another site walk. He stated that the only portion of drainage from Belleview Drive on to the subdivision is what is on the road and a small section. There will be two catchbasins on the cul-de-sac and the pipe has been extended out to the flat area. Mr. Columbo was concerned if the road was built and no houses what would happen with the runoff. Mr. D'Amico stated that he did not feel that there would be any problems. The two catchbasins will have sumps to catch any sediment.

Mr. Columbo stated that Lot 3 is the one with the most issues since a part of the house will be in the review area. He also stated that there is a lot of rubbish and debris on the property, especially on Lot 3. Mr. Sadlik stated that they are trying to clean up the area and once the houses are built that will alleviate the problem of people dumping there. He stated that the gate that is there is kept closed and locked.

Mr. Columbo also stated that he was concerned with the location of the galleys in the rear of the lots. Mr. D'Amico stated that there is room and they could be moved back a little. Mr. McEvoy stated that his primary concern is that he does not feel that this plan will cause a zero run off; he feels that it will be an increase in runoff. He stated that he will have to review the revised calculations. He stated that he was also concerned because it is a very flat surface with grass and once it is paved the water will move faster and could create problems. He felt that a small detention basin would be a good idea instead of individual galleys.

Mr. D'Amico felt that the galleys would work well and stated that only roof runoff would go into them. He also stated that there could be a restriction on the deeds that the homeowner is responsible for the maintenance of the galleys. Mr. Sadlik stated that he has used galleys in other situations and has never had a drainage problem. He felt that a detention basin would be more of a responsibility on the City. He stated that if it

silts up then the homeowner would have to take care of it. The members discussed the storage in the galleys and Mr. D'Amico stated that they would be storing more than what is required. Mr. McEvoy was concerned that there will not be enough water getting into the galleys to actually hold back the runoff. Mr. D'Amico stated that they could make sure that the runoff from the driveways also goes into the galleys.

Mr. Columbo stated that the revised plans and calculations need to be reviewed by Mr. McEvoy. He also stated that he did not feel that a public hearing was necessary for this application. He stated that his main concern was the wetlands and buffer area and Lot 3. The application will be on the agenda at the next meeting.

A motion to adjourn was made by Mr. Barboza, seconded by Mr. Birtwell and carried unanimously. The meeting was adjourned at 8:35 p.m.

ATTEST:

Maryanne DeTullio

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