

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

**Paul Dinice, Jr.
Paul Padilla
Rodger Birtwell
Jennifer Desroches
Ray Bowers
Nelson Cummings – Alt.
Philip Marcucio – Alt.**

October 12, 2016

Minutes of Derby Inland Wetlands Agency meeting of Wednesday, October 12, 2016 at Aldermanic Chambers, City Hall, 1 Elizabeth Street, Derby. The meeting was called to order at 7:05 p.m. by Chairman, Paul Dinice.

By roll call members present were Paul Dinice, Paul Padilla, Jennifer Desroches and Rodger Birtwell. Also present were Ryan McEvoy, Milone & MacBroom and Maryanne DeTullio, Clerk.

Additions, Deletions, Corrections to the Agenda

There were no additions deletions or corrections to the agenda.

Public Portion

Karen Kemmesis, 25 John Street stated that she was disappointed that the Board of Aldermen did not approach this Agency about allowing kayaks and non-motorized boats on the reservoir. She felt that this was a disservice to this board and input should have been obtained from the members regarding this issue. She also stated that she has noticed some clearing was done in the area of the reservoir and no parking signs on Prindle Avenue. She stated that she was hopeful that the reservoir will be used properly. She asked if water testing is still being done at the reservoir and Mr. Denice stated that he will look into the water testing to make sure that it is being done.

Approval of Minutes – September 14,2016

A motion to approve the minutes of the September 14, 2016 meeting was made by Mr. Padilla, seconded by Mr. Birtwell and carried unanimously.

Application from Lucien and James Dimeo for 1 and 2 McConney's Grove to rebuild house and add deck.

James Dimeo, Juliano Associates was present and stated that the entire parcel of land is just over 11 acres but they are just dealing just a small section along the point of the property. He stated that after the comments made at last month's meeting he submitted a revised application along with a packet of information for the board. He stated that the house at #1 McConney's Grove is in terrible condition and will be taken down. The

house at #2 McConney's Grove is also in bad shape but has a foundation and the house can be re-built on the same footprint and extended a little. Mr. Dimeo stated that he reviewed the comments received from Milone and MacBroom. He stated that the property is owned by Pink House Point, Inc. and he submitted a letter from them allowing the applicants to go through the process with this board and also Planning and Zoning. He stated that he submitted the existing conditions map. Mr. Dimeo stated that a soil scientist did delineate the wetlands as the edge of the water and submitted his report. The flood plan and flood way limits have been added to the plans. He stated that he also submitted a letter to this board and Planning and Zoning with the amount of cuts and fills being done in the flood plain and flood way areas. He stated that they are not adding anything but are cutting some. He also stated that he has included a soil and erosion control plan. The increase in the impervious surface has been included in the drainage calculations and included in the report. There is no increase in runoff. Mr. Dimeo stated that the septic systems have not been approved at this time and indicated that there will be no tanks in the flood plan elevation area.

Mr. Ryan stated that the area where any regulated activity will take place should be delineated on the plans. He stated that he has not looked at all the revised submittals but the applicant has provided a lot of information that was requested and he will review everything that was received. He stated that there appears to be some construction going on at the property at this time. Mr. Dimeo stated that work was done quite a while ago. Mr. McEvoy stated that the soil and erosion controls need to be checked and make sure that they are in good shape. He stated that the house on Lot 1 will be demolished and a new one constructed. A new house will also be built on Lot 2 and both will have decks. There will be some drainage work and the removal of trees. All the proposed work should be shown on the plans. He stated that it should be clarified on the plans where the existing vegetation will be removed and the area that they will be replanting.

The application will be on the agenda for the November meeting.

Application from Calco of Caroline Street, 300 Roosevelt Drive.

Ed Calvert, Calvert Safe & Lock was present for the applicant. Ryan McEvoy stated that they are proposing to re-build the building with a deck and stairs in the rear. The existing building has been demolished and a new one will be built. Mr. Calvert stated that there will be no stairs just a deck will be added. The footprint will be the same as it was. The deck will be the same elevation as the first floor. Mr. McEvoy stated that some soil and erosion controls are needed in the rear parking area.

Mr. Padilla moved 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 (the Regulations) and after review of written and verbal information provided by the applicant, Commission members and City staff, finds the following:

1. On September 14, 2016 the DIWA received application No. 16091401 for activities in upland areas adjacent to the wetlands. The activities are associated with the reuse of an existing building and the construction of a deck and building.
2. There will be no direct impacts to the wetlands and 650 square feet of disturbance within 50' regulated upland review area for the purpose of constructing the building and deck.
3. That the activities proposed by this application do not involve a significant impact or major effect on the inland wetland or watercourse as defined by the Regulations of the DIWA and will require a Summary ruling.
4. Information was provided by the Applicant, City Staff, and Agency members during the regularly scheduled meeting on September 14, 2016 and October 12, 2016.

Therefore, the Agency moves to approve Application No. 16091401 as presented and shown on the following documents submitted in support of the application:

1. City of Derby Inland Wetlands Agency (DIWA) Application.
2. Plan entitled "Site Plan, Calvert Safe and Lock, 300 Roosevelt Drive, Derby, Connecticut", scale 1"=20', dated March 26, 2016 revised to September 12, 2016 prepared by D'Amico Associates.
3. Statewide Inland Wetlands & Watercourses Activity Reporting Form.
4. Letter from Milone and MacBroom, Inc. dated 10/7/2016.

In addition to the requirements listed in Sections 11.9, 11.12 and 11.13 of the Regulations, the following stipulations also apply:

1. Per Section 18.5 of the Regulations, the DIWA approves the application as a Summary ruling and the applicant shall pay a fee of \$200.00 to the City of Derby Finance Office.
2. Lack of compliance with any stipulation of this permit approval shall constitute a violation of the Regulations, and a cease and desist order shall be issued by the Wetland Enforcement Officer.
3. 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.
4. 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.

5. Dirt piles on the rear parking lot shall be immediately removed or sedimentation and erosion controls immediately installed along the retaining wall.
6. 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 sediment and erosion control measures as conditions may warrant.
7. 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 within 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.
8. The Agency's decision to grant this approval makes no warranties or representations; either expressed or implied, that future regulated activities will be permitted on this site.

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

Payment of Bills

Mr. Padilla moved that Invoice No. 78005 in the amount of \$616.60 from Milone and MacBroom be paid. The motion was seconded by Mr. Birtwell and carried unanimously.

Discussion of new and old business brought before this agency.

Mr. Padilla asked about the removal of invasive plants in the area of the reservoir. He stated that herbicide was applied but the plants have grown back. Mr. McEvoy stated that the City can go in and apply herbicide to kill the invasive plants and he will check into this. Mr. Padilla felt that it would be important to continue with preventive maintenance in this area.

A motion to adjourn was made by Mr. Birtwell, seconded by Mr. Padilla and carried unanimously. The meeting was adjourned at 8:00 p.m.

ATTEST:



Maryanne DeTullio

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