



City of Ansonia
INLAND WETLANDS COMMISSION

253 Main Street
Ansonia, Connecticut 06401

August 14, 2014

Special Meeting

RECEIVED FOR FILE
14 AUG 19 PM 3:35

Elizabeth S. Lynch
TOWN AND CITY CLERK
ANSONIA, CONNECTICUT

Present: Tim Holman, Chairman
Michael Bettini
Jeff Gould
David Madar

Absent: Kevin Cegelka
John Jones
William Malerba

Others Present: Fred D'Amico, City Engineer
Dave Blackwell
John Marini, Corporation Counsel

The Special Meeting of the Ansonia Inland Wetlands Commission was called to order at 7:00 p.m. by Chairman Tim Holman,

All present rose and Pledged Allegiance to the Flag.

The secretary called the roll.

There was a quorum present.

Mr. Bettini made a motion to accept the call of the meeting as follows. Mr. Madar seconded. All in favor, so carried.

August 7, 2014

Special Meeting Notice

The Ansonia Inland Wetlands Commission has re-scheduled their Regular August 7, 2014 meeting and will hold a Special Meeting of the Commission as follows:

Date: Thursday, August 14, 2014

Time: 7:00 p.m.

Place: Ansonia City Hall

Purpose: Agenda

1. Pledge of Allegiance to the Flag
2. Roll Call
3. Approval of Minutes
4. Approval of Bills
5. Correspondence
6. Public Session
7. IWC Permit Fees/Bonds
8. Update IWC Regulation
9. Executive Session: Re: Casa Nuova Dev v Ansonia
10. Adjourn

Respectfully,
Jo-Lynn Flaherty
Secretary

Approval of Minutes

Mr. Bettini made a motion to accept and place on file the minutes of the Regular meeting held on May 1, 2014. Mr. Gould seconded. All in favor, so carried.

Approval of Bills

There were no bills.

Correspondence

Mr. Gould made a motion to accept all of the correspondence received, dispense with the reading, and place them on file. If a member requests one read or acted upon the correspondence will be brought up individually. Mr. Madar seconded. All in favor, so carried.

Public Session

Chairman Holman asked if there was anyone from the public who wished to address the Commission. He asked three (3) times. There was no one.

Mr. Madar made a motion to close the public session. Mr. Bettini seconded. All in favor, so carried.

IWC Permit Fees/Bonds & Update IWC Regulations

Chairman Holman asked if there were any permit fees/bonds to discuss.

Mrs. Flaherty presented the following bonds to be released. She received a letter from City Engineer Fred D'Amico recommending release of the bonds.

1. Chase Mechanical/AHA IWC Permit for work on the boiler
2. Lisa Aldo, IWC Permit 2009C for 22 High Acres Road
3. 45 South St. IWC Permit 2004C Adam Wypasek
4. 124 N. Prospect St. E&S bond – Gary Zerella
5. AHA, IWC Permit 2011B Olson Drive Security

Mr. D'Amico said he inspected the properties and it is OK to release the bonds.

Mr. Bettini made a motion to release the above bonds per the recommendation of the City Engineer. Mr. Madar seconded. All in favor, so carried.

Chairman Holman asked if the IWC attorney was present this evening.

Corporation Counsel Marini said no.

Mr. Bettini made a motion to table the Update on the IWC Regulations to next month. Mr. Madar seconded. All in favor, so carried.

Any other business to come before the Commission

Chairman Holman asked Mr. D'Amico and Mr. Blackwell if there were any violations.

Mr. Blackwell said there were no violations.

Mr. D'Amico said there were no violations.

Executive Session: Re: Casa Nuova Dev v Ansonia

Mr. Bettini made a motion to go into Executive Session at 7:10 p.m. and invite Mr. Blackwell, Mr. D'Amico and Mrs. Flaherty to stay. Mr. Gould seconded. All in favor, so carried.

Corporation Counsel Marini was invited into the meeting.

Mr. Gould made a motion to go back into regular session at 7:30 p.m. Mr. Madar seconded. All in favor, so carried.

There were no decisions made or votes taken during Executive Session.

14 Woodbridge Manor Road

Attorney Dominic Thomas, Michael Horbal, Natale (Tony) Giamo were present.

Attorney Thomas explained that they were here this evening because he filed an Administrative Appeal and the Judge said to try to resolve the case. They held oral arguments. He said the Judge said IWC did not file an answer. Mr. Thomas said that IWC doesn't have to file an answer this is an Administrative Appeal (Sec. 14-7A). The Judge wants to re-argue the case. Between the Client (Giamo) and Mr. D'Amico they came up with a plan. Mr. Thomas told the Judge they would be back.

There was discussion with Mr. Giamo and Mr. D'Amico. Mr. Thomas said Mr. Horbal drafted a plan and Mr. Don Smith did some of the drainage plan.

Mr. Horbal addressed the Commission. He gave a map to the members. He said the map was done with Mr. Smith. The map has red letters that shows the changes that lessen the impact on the wetland. He said they have done these things:

1. Moved the proposed house a half foot and the building is set back on the line along the western side of the property.
2. They increased the amount of detention gullies.
3. The increase is from 30 feet to 40 feet of gullies which increases storage about 30%. This design will lessen the impact.

They are building a retaining wall which is pulled back from the wetland. This saved 750 feet of impact in the area.

4. They revised the road. The pavement is pulled back about 10 feet.
5. They made a circular turn around at the end of the road.
The diameter of turnaround is 48 feet within a 50 foot right of way. It is not adequate for Fire trucks but there is nothing there now.
6. They decreased the size of the deck on the back of the house. This will cut the impact on the wetland.
7. At the end of Woodbridge Manor Road they will construct a 20x40 foot Rain Garden.
The Rain Garden is a shallow depression in the land made up of plantings of particular types of plants that are good for wetland remediation. (detailed lower left corner of map)

Mr. Horbal said there is high ground water in the area that prevents them from burying the gullies. They will fill up with water (18”).

Mr. Madar said when the commission did a site walk there were stakes and there is nothing showing the wetlands with flags. They are not there on the map showing the wetlands. The wetlands are no shown on the map you gave us tonight. He said there were blue wetland flags (he showed Mr. Horbal on the map) on the property.

Mr. Horbal said he doesn't know what to say. This is the same map.

Mr. Madar said when the commission walked the property the blue flags were there. He said re-flag the property again and the commission will walk the property again.

Mr. D'Amico said he wasn't sure where the property line was at that time and there was a pin over there (map). He said he was not sure what the property line was.

Chairman Holman said there were a bunch of blue flags there.

Mr. Madar said they were there marking the property.

Chairman Holman said we went by Mr. Horbal's markings.

Mr. Horbal said we try to be accurate.

Mr. Madar said this is what we saw on the site walk.

Mr. Horbal said the boundaries are the same.

Mr. D'Amico said are the flags your scientists' or Mr. Pietras' flags.

Mr. Horbal said they are his scientist – Roy Shook. He said he will check his file on the flags.

Chairman Holman asked him to re-stake the area.

Mr. Horbal said yes, he will re-stake it tomorrow morning. He said he doesn't understand the discrepancy.

Mr. Madar made a motion to hold a Special Meeting and Site Inspection of the property located at 14 Woodbridge Manor Road on Monday, August 18, 2014 at 14 Woodbridge Manor Road. Mr. Bettini seconded. All in favor, so carried.

Mr. Blackwell said there are houses that are sinking in Ansonia right now on Velms Drive, Benz Street and Ford Street. They are installing helix coils which is a huge expense.

Mr. Horbal said they are building a Raised Ranch to keep the foundation up higher.

Mr. Madar said the house was going to be smaller. That is what Mr. D'Amico and Mr. Marini said.

Mr. Giomo said no, the house can't be made any smaller than what it is. He said it will stay out of the ground and has the least amount of impact.

Mr. Horbal said on the new plan the solid line is the foundation and the dotted line is the overhang of the house. The footprint is smaller and the overhang is the same size as the original. He said he is not sure if that was what they were talking about. He did not change the length or width of the house.

Mr. Blackwell asked where the 18" water table is on the property.

Mr. Giomo showed him on the drawing stating drawing 4 or 5 to the back side of the property. The water table where the house is will be is down 25" before he hit anything.

Mr. Horbal said on 7/3/2013 they did the test down 5 feet deep and they all had water. There is 18" to 30" of fill on top and hard pan underneath.

Mr. D'Amico asked Mr. Horbal to provide new plans to the commission members and himself and to locate the flags Mr. Pietras put in and provide the information on the deep tests that were done.

Chairman Holman said the last time you were here we raised the same issues on the flags – the orange flags, the blue flags, the property lines.

Mr. Giomo said he asked if anyone had any questions when he was on the site and then he came to the meeting and the questions came up.

Chairman Holman said we asked the questions at the site walk.

Mr. Giomo said no, we determined the right of way. He said that Jesse said the approximate boundary lines.

Mr. Madar said right, the blue flags were inside the property line (orange flags).

Chairman Holman said that was established.

IWC081414

Attorney Thomas said June 2013 was the third wettest June we've had. The ground was overly wet. He said they recorded the appeal and they want to try to resolve this. Once it goes back on the record he can't bring up any new plans so they would like to resolve it. He said that Tom Pietras report is in the record. Neither in his report or does it reference wetlands. That's what is in the record. There will be re-arguing. To help you make a decision we have Mr. Horbal here to help you.

Attorney Thomas said what he is prepared to do is delineate the wetlands along the boundary. He said he will ask him to delineate the boundary in question. There is a fill pile on the other side of the property (showed the members on the map). That area is pretty much full all the time when looking if it is a vernal pool. He said it will be appropriate to delineate the boundary.

Mr. Bettini said the application has issues – he would like to have notification on the land records that there is wetlands and limitations on the property and this information should be put on the property deed. Anyone looking to purchase the property will know what is on the property and what they can and cannot do on the property before they purchase it.

Attorney Thomas said this is better off on the map. You could put the information on the map.

Corporation Counsel Marini said it could be put on the property deed.

Attorney Thomas said do it with physical barriers i.e. split rail fence, etc.

Mr. Bettini said the issue to delineate on the land records is to notify anyone searching the property that there is a wetland on the property.

Mr. Bettini said he has a question, he understands the elevation and the parcel where the house will be is elevated about the wetland, his question is the run off from the yard – any way to mitigate that?

Mr. Horbal said the roof leader (showed Mr. Bettini on the map) goes into 38 feet of gullies. The fertilizer will go in there, they plan to pull the fill back about 7 feet. The retaining wall is not to exceed 3 feet high and there will be evergreen plants planted.

Mr. Bettini asked if it is possible to put in a swale.

Attorney Thomas said we can delineate the wetland even if you do a conservation easement people are aware of the problem and they will put a shed or something back there then they are in violation of the conservation easement. You are asking for wetland delineation, he said he sees no problem.

Discussion on conservation easements and notification on the land records.

Mr. Bettini said any future owner should understand that part of the property is wetland and what they can and cannot do there.

Mr. D'Amico said you could put a Conservation Restriction behind the wall.

Corporation Counsel Marini said this is a recording that there is a wetland on the property.

Mr. Giamo said anyone who wants a shed will have to go to Zoning and they can tell him there is a wetland there and they can't build.

There was discussion on the notification on the land records that there is a wetland on the property and that no further development can take place on the site.

Mr. Bettini asked if they are comfortable that there will not be any run off from the wetlands.

Mr. D'Amico said they can mitigate the run off to the grass area to the wetland but you could not police that.

Mr. Madar said they have a 4" pipe to the wetlands for the gutters and leaders run off.

Mr. Blackwell asked where they are putting the gullies.

Mr. Giamo said 24" or so.

Mr. D'Amico said the filling for the gullies is the filling 2 feet to the existing ground.

Mr. Giamo said it is low by the gullies, down 2 feet before the water.

Mr. Blackwell asked how far down does he have to go for the gullies.

Mr. Giamo said 20" to 24" for the footings, where the house is down for about 1 ½ feet for the footings, he said he doesn't have to go too deep.

Mr. Blackwell asked who will do the compaction on the site.

Mr. Giamo said he hit virgin ground and Mr. Behun will verify it.

Mr. Horbal said the footing forms are stepped, they will do a spread footing. If there is a problem the Building Inspector, Mr. Behun would require us to do something else. You can't pour footings on wet ground.

Mr. Blackwell asked if they did tests for compaction.

Discussion on plants for the wetland mitigation.

Mr. Bettini asked about the fence to stop people from encroaching on the wetlands.

Attorney Thomas said a small split rail fence could be put up to delineate between the property and the wetland area. We have to see what is best for a wall.

Mr. D'Amico said try to get Tom Pietras' flags and mark the boundaries.

Mr. Horbal said he will do that tomorrow. He said he will use different color flags to delineate them.

Mr. Bettini said the Rain Garden is to be depressed to the road.

Mr. Horbal said it will be depressed about one (1) foot. They will plant plants in the Rain Garden that will survive the water.

Discussion on snow plowing the snow and the snow will be pushed into the Rain Garden. There was concern on the effect the snow and salt will have on the Rain Garden and if the plantings will survive in that environment.

Mr. Horbal said there is a Rain Garden booklet on what types of plantings will survive.

Attorney Thomas asked Mr. Horbal to explain a Rain Garden.

Mr. Horbal explained the Rain Garden and that the snow helps them – it is more of a benefit to have the snow. He said that the Environmental Services will do the Rain Garden.

Chairman Holman asked if there were any other questions. There were none.

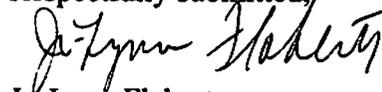
September 2014 Meeting:

The September meeting will be held on Thursday, September 4, 2014 at 7:00 p.m.

Adjourn

Mr. Bettini made a motion to adjourn the meeting at 8:20 p.m. Mr. Gould seconded. All in favor, so carried.

Respectfully submitted,



Jo-Lynn Flaherty
Secretary