



City of Ansonia
INLAND WETLANDS COMMISSION

253 Main Street
Ansonia, Connecticut 06401

September 11, 2014

Special Meeting

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Elizabeth Lynch
TOWN AND CITY CLERK
ANSONIA, CONNECTICUT

Present: Tim Holman, Chairman
Michael Bettini
Jeff Gould
John Jones

Absent: Kevin Cegelka
David Madar
William Malerba

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

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.

Chairman Holman called for a moment of silence in memory of 9/11.

14 Woodbridge Manor Road

Attorney Dominic Thomas, Natale Giamo, Antonio Giamo were present.

Attorney Thomas said he has a draft Resolution for the Appeal. There were discussions with the City Engineer to address the Rain Garden and resolve the issues of discontinuation of the road. He said all of the conditions in Mr. D'Amico's letter are appropriate.

Attorney Thomas said they changed to a split rail fence and replaced the rain garden with rip rap. He said you can look at the rain garden and treat it as a catch basin. He said the developer can't rely on the fact that the City of Ansonia will correct the problem with the existing catch basin that is hooked into the sanitary sewer.

Mr. D'Amico said the distance to connect to the appropriate storm drain is between 300 feet to 500 feet.

There was discussion on how the land where the road is located would be split should the City of Ansonia discontinue the road. Half of the property would go to one side of the road and the other half to the other side of the road. The rain garden would then have to be maintained as private property.

Mr. Giamo said four (4) feet of rip rap at the end of the cul de sac would handle a torrential down pour. The water would slow down and settle into the ground. Should the City of Ansonia abandon the road there would be no issue as to who owns the rain garden/rip rap.

Attorney Thomas said the extension of the gullies takes the on-site detention.

Chairman Holman said the biggest issue is the wall.

Mr. D'Amico said the question is the boulder wall. The last time we approved a project this close to the wetland the applicant built a substantial wall that stands up. He said the wall would start ten feet in on each side. He said he doesn't care about the trees – they need to put the wall up. The top part should be up two (2) feet above the finished grade. It will be a nice wall to keep you from going into the wetland. The vegetation will grow naturally if you put trees on top it will block the wall. He said the boulders are loose and will not do anything or hold the back fill.

Mr. Giamo said it is a lot of money to do a wall that long – about \$12,000 to \$15,000 - it is tough to build a wall like that on a restricted budget.

Attorney Thomas said we are proposing a 3 ½ foot to 4 foot split rail fence. They had the same situation in Derby and they put a split rail fence and there is no encroachment on the wetland. The point is to put a split rail fence on top of the boulder wall. The plantings are not trees but wetland friendly bushes. They create a separate barrier. The wall is not only expensive but not needed. Look at Derby along Two Mile Brook there is one house with no backyard. It has a side

yard. He said they offered to put a plaque on the wall/fence that states it is a conservation/wetland area – do not disturb.

Mr. Giamo said the cost would be between \$12,000 to \$15,000 for a wall 100 feet long. He said he will put the boulders one on top of the other. He is trying to make it look nice. The boulders will be on the bottom and the split rail fence will be on top of the boulders.

Mr. D'Amico said you could put a concrete wall on the bottom and then go with the split rail fence. He said that Mr. Giamo will be filling about 2 feet to 2 ½ feet. Put the bottom section a concrete wall to hold the fill and put a nicer wall on top of the concrete.

Mr. Giamo said regular blocks are 16 inches and stone is 18 inches. He said he has to stay within his budget and be able to sell the house. He said he wants to build a nice house and back yard. He is not sure how the concrete blocks will be. He said he thought the split rail fence would be OK. They are about four feet high.

Mr. Bettini said he is concerned with the loose stone.

Mr. D'Amico said if the boulders are done properly you could almost get it like a stone wall. You can get a large boulder and you could get a three to four foot wall but it has to be placed properly. Many people make stone walls from boulders.

Attorney Thomas said below is not the issue unless you get four foot boulders. A 3 ½ foot to 4 foot split rail fence would make a good barrier. A two foot wall will not deter anyone from going over it. You don't want anyone putting a shed up in the wetland area. You can do passive recreation in the wetland but you can't disturb it for example you can't put in a patio or a shed. He said for a barrier it will be a split rail fence with a plaque and bushes.

Mr. D'Amico said you are planning to put boulders because you need to retain the soil.

Mr. Giamo said he thinks it would look nice two feet higher than the wetland and then have the split rail fence. That would make it five feet high.

Attorney Thomas said they are trying to accomplish some purpose i.e. create a barrier with a split rail fence. He invited the members to go over to the development in Derby to look at the fence and plantings.

Mr. Gould asked how much fill was put in on John Street in Derby.

Attorney Thomas said not much, it was sloped down. Derby created an easement and put drainage in that ran to the property along the brook.

Mr. D'Amico said how are you going to hold back the fill you are putting in there.

Mr. Giamo said the boulders will be placed correctly and he will use smaller stones to fill the voids.

Attorney Thomas said they will put the split rail fence on top of the boulder wall.

Mr. D'Amico asked if it will look like a finished wall.

Mr. Giamo said he is getting two foot boulders which are OK. He said you have to buy four foot boulders.

Mr. D'Amico said you will use a properly constructed boulder wall, why can't it come up a little bit?

Mr. Giamo said six (6) inches is not a problem but two (2) feet you have to start stacking them. Boulders six (6) inches above grade, he said he can slope to them. He said he has to fill for the gullies. The tests were done in the wettest season.

Attorney Thomas asked if Mr. D'Amico was talking about a barrier.

Mr. D'Amico said put the boulders in any way and make the wall up to twelve (12) inches and it actually has a barrier.

Mr. Giamo said it shows twelve (12) inches at grade.

Mr. D'Amico said a boulder wall up twelve (12) inches with a split rail fence.

There was discussion on the split rail fence and that it would stop people from encroaching on the wetlands.

Attorney Thomas said the boulder wall will stick up six (6) inches to twelve (12) inches all the way across and then the split rail fence. The point is not to have any encroachment in there such as a patio or a shed, etc.

Mr. Giamo said he could do that – a boulder wall with a split rail fence and a plaque.

Discussion on the conservation easement and wetland areas.

Antonio Giamo asked if the left side required a fence.

Mr. D'Amico said no, it doesn't need it.

Mr. Giamo said the rain garden will be rip rap so if they extend the road there is no question.

Mr. D'Amico said it would have to go through Zoning and the Board of Aldermen because it is on City property.

Mr. Giomo said he would like to try to avoid Zoning and the Board of Aldermen. He will do the rip rap four (4) inches or five (5) inches along the highway on his property. A lot of water will flow there and the rip rap will slow it down.

Mr. Bettini asked how deep the rip rap was.

Mr. Giomo said six (6) inches to eight (8) inches.

Mr. D'Amico said it should be twelve (12) inches and sloped and it will serve the same as the rain garden.

Mr. Bettini said his concern is that he wants on the deed that there is a wetland on the property.

Discussion.

Attorney Marini said a notice from this Board can be placed on the land records.

Mr. Bettini said for example two transactions down the road and a young couple buys the house. There will be a warrantee deed that says "by the way this is on the property" so they are fully aware of what they are purchasing.

Attorney Thomas said you can say on the deed subject to a conservation easement and say it on the Mylar. They will be told in the Title Policy there is a conservation area and that there is a wetlands. It should reference the map and the map will show the conservation area.

There was discussion on tying into the sewer drain in the street. It is the last house and it will have to have an open drain. Mr. D'Amico said they are not tying into the storm drain because it is into the sanitary sewer.

Executive Session: Re: Casa Nuova Dev v Ansonia

Mr. Jones made a motion to go into Executive Session at 7:45 p.m. and invite Corp. Counsel Marini, City Engineer D'Amico and Ms. Flaherty to stay. Mr. Gould seconded. All in favor, so carried.

Mr. Gould made a motion to go back into regular session at 8:05 p.m. Mr. Bettini seconded. All in favor, so carried.

There were no votes taken during Executive Session.

Chairman Holman said the commission met and discussed a solution.

Mr. Jones made a motion to allow Corporation Counsel Marini to meet with the applicant's attorney to come to a resolution on all the differences that have to be resolved as discussed in Executive Session to reach a settlement agreement. Mr. Bettini seconded.

Mr. D'Amico said they will type a resolution on all that was discussed and forward it to Corporation Counsel and the Commission. You can approve the settlement and you can agree with the terms or not.

Attorney Thomas said we can work it out, whether we have to come back to the Commission before going back to court, we can do that – we can work it out.

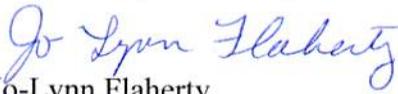
Chairman Holman called for a vote. All in favor (4 yes, 3 absent). The motion carried.

Mr. D'Amico's report is attached to the minutes.

Adjourn

Mr. Bettini made a motion to adjourn the meeting at 8:15 p.m. Mr. Jones seconded. All in favor, so carried.

Respectfully submitted,


Jo-Lynn Flaherty
Secretary