



City of Ansonia  
**INLAND WETLANDS COMMISSION**

253 Main Street  
Ansonia, Connecticut 06401

May 7, 2015

Regular Meeting

RECEIVED FOR FILE  
15 MAY 11 PM 12:18  
*Elizabeth S. Lynch*  
TOWN AND CITY CLERK  
ANSONIA, CONNECTICUT

Present: Tim Holman, Chairman  
John Jones  
William Malerba  
Larry Pellegrino

Absent: Michael Bettini  
Kevin Cegelka  
David Madar

Others Present: Tom Welch, Attorney  
Kayla Mehigan, University of New Haven

The Regular Meeting of the Ansonia Inland Wetlands Commission was called to order at 7:10 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.

**Election of Vice-Chairman**

Mr. Malerba made a motion to move the Election of Vice-Chairman to later in the meeting. Mr. Pellegrino seconded. All in favor, so carried.

IWC050715

## **Approval of Minutes**

Mr. Jones made a motion to accept and place on file the minutes of the following meetings: Regular Meeting 01/08/15, Organizational Meeting 01/08/15 and Special Meeting 02/19/15. Mr. Pellegrino seconded. All in favor, so carried.

## **Approval of Bills**

None

## **Correspondence**

None

## **Public Session**

Chairman Holman asked if there was anyone from the public who wished to address the Commission. He asked two (2) times. There was no one.

Chairman Holman asked Ms. Mehigan, who is a graduate student at the University of New Haven if she would like to address the commission. Ms. Mehigan said that she was just observing the Inland Wetlands Commission meeting for one of her classes and did not wish to address the commission.

Chiara Holman asked for last time if there was anyone who wished to address the commission. Hearing no one, he called for a motion to close the public session.

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

## **M. Horbal/L.Iacconnone re: request for IWC permit 45 Silver Hill Rd Subdivision New Application – received 4/2/15**

Mr. Michael Horbal and Lou Iacconnone were present.

Mr. Horbal stated he had an application for an IWC permit for 45 Silver Hill Road before the commission last year. A site inspection was scheduled and there was snow storm and it was cancelled. There wasn't another opportunity to schedule another site inspection for the remainder of the winter. He said that he withdrew his application and resubmitted the same application – there were no changes to the application. He is requesting the commission schedule a site inspection of the property.

Mr. Pellegrino made a motion to schedule a special meeting/site inspection on Saturday, May 30, 2015 at 10:00 a.m. at 45 Silver Hill Road. Mr. Jones seconded. All in favor, so carried.

### **Release of IWC Bonds – F. D’Amico, City Engineer**

Mr. D’Amico was not present.

### **IWC Permit Fees/Bonds & Update IWC Regulations**

Tom Welch, Attorney was present.

Attorney Welch said two years ago the Commission was in the process of updating their regulations. They put forth the standard DEP regulations to update their regulations. The process was never completed and he is seeking the direction that the commission wants for the revisions. He said he can take what IWC has and incorporate the DEP regulations. He said there was discussion as to whether there would be a Wetlands Enforcement Officer. He is not sure if the new person is a wetlands officer. The Admin. Officer would not come before the Commission but would sign off on it if there was no wetland impact.

Chairman Holman said that he would prefer to have all applications come before the Inland Wetlands Commission at this time as that person is not qualified in wetlands. The commissioners agreed with Chairman Holman.

Attorney Welch discussed the upland review area with the commissioners – 100 foot buffer, 150 foot buffer, 200 foot buffer and the impact of each. He said it would be the commissioners comfort level with regard to the upland review area. He said it is a guide for the commission.

He said if that is the direction the commission wants to go he can prepare a draft for review for the next meeting.

Mr. Jones said we all thought the 100 foot buffer was the way to go.

Chairman Holman said if we have the buffer at 100 feet do you have to keep it at 100 feet.

Attorney Welch said you do as long as the 100 feet will not disturb the wetlands in any way. He said the definition section will give the commission direction.

Chairman Holman asked about the fee schedule.

Attorney Welch said that he thought there was a discussion on the fees. The fees must cover the cost of the work done by the commission i.e. public hearings, notices, engineering, staff. He said with the help of the secretary he will try to get all of the previous information done by the commission in the past to prepare something for the next meeting.

## **Violations**

Mr. Blackwell is not present.

## **Election of Vice-Chairman**

Chairman Holman called for nominations for Vice-Chairman of the Commission.

Mr. Jones nominated William Malerba for Vice-Chairman.

Mr. Malerba declined the nomination.

Mr. Malerba nominated Kevin Cegelka for Vice-Chairman of the Commission. Mr. Jones seconded.

Chairman Holman asked three (3) times if there were any other nomination. There being none, he called for a motion to have the secretary cast one ballot for Kevin Cegelka for Vice-Chairman.

Mr. Malerba moved to have the secretary cast one ballot for Kevin Cegelka for Vice-Chairman of the Inland Wetlands Commission. Mr. Pellegrino seconded. All in favor, so carried.

Mr. Kevin Cegelka is Vice-Chairman of the Inland Wetlands Commission.

## **Any other business to come before the Commission**

Mr. Jones discussed the past court cases that were pending. He said the Commission never heard the final disposition of the court cases.

There was discussion on past court cases and violations that were before the commission.

## **Executive Session**

None

## **June 2015 Meeting:**

The June meeting will be held on Thursday, June 4, 2015 at 7:00 p.m.

## **Adjourn**

Mr. Jones made a motion to adjourn the meeting at 7:45 p.m. Mr. Malerba seconded.

Chairman Holman asked to rescind the motion to adjourn to discuss the release of bonds.

Mr. Jones rescinded his motion to adjourn. Mr. Malerba rescinded his second.

### **Release of IWC Bonds**

The Commission members discussed the Inland Wetlands bonds that are currently being held by the commission.

Mr. Malerba made a motion to hold IWC 1997C - Southfield Nursing Home bond in the amount of \$17,577.40 for maintenance of the detention basin. Mr. Jones seconded. All in favor, so carried.

Mr. Jones made a motion to hold IWC bond - Adanti Ave/Charpol in the amount of \$6,642.21. Mr. Malerba seconded. All in favor, so carried.

Mr. Jones made a motion to hold IWC 1998E – Complete Construction in the amount of \$20,555.66. Mr. Pellegrino seconded. All in favor, so carried.

Mr. Malerba made a motion to hold IWC 2002F – Prospect Heights in the amount of \$5,031.26. Mr. Jones seconded. All in favor, so carried.

Mr. Pellegrino made a motion to hold the IWC 2002A – Tice in the amount of \$5,130.24. Mr. Jones seconded. All in favor, so carried.

Mr. Jones made a motion to hold the IWC 2005C – Prestige in the amount of \$5,079.14. Mr. Malerba seconded. All in favor, so carried.

Mr. Pellegrino made a motion to adjourn the meeting at 8:00 p.m. Mr. Jones seconded. All in favor, so carried.

Respectfully submitted,

  
Jo-Lynn Flaherty  
Secretary

### **SITE INSPECTION:**

**SATURDAY, MAY 30, 2015 AT 10:00 A.M. 45 SILVER HILL ROAD**

**The commission members discussed the IWC bonds that are currently being held by the Commission. These projects are not fully completed and the bonds are still in place.**