



City of Ansonia
INLAND WETLANDS COMMISSION

253 Main Street
Ansonia, Connecticut 06401

November 3, 2011

Regular Meeting

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Madeline H. Bottone

TOWN AND CITY CLERK
ANSONIA, CONNECTICUT

Present: Kevin Cegelka, Vice-Chairman
Jeff Gould
John Jones
Ed Phipps

Absent: Tim Holman
David Madar

Others Present: Fred D'Amico, C.E.
Jim Tanner, ZEO
Tom Welch, IWC Attorney

The regular meeting of the Ansonia Inland Wetlands Commission was called to order at 7:00 p.m. by Vice-Chairman Cegelka.

All present rose and Pledged Allegiance to the Flag.

The secretary called the roll.

There was a quorum present.

Approval of Minutes

Mr. Phipps made a motion to accept as written and place on file the minutes of the October 6, 2011 Regular Meeting. Mr. Jones seconded. All in favor, so carried.

Approval of Bills

none

IWC110311

Correspondence

Mr. Phipps 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. Gould seconded. All in favor, so carried.

Public Session

Vice-Chairman Cegelka asked three (3) times if there was anyone from the public who wished to address the Commission.

There was no one.

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

Prestige Builders/A.J.Grasso: request to release bond Hunters Lane

There is no one present.

A letter was received from Mr. Grasso requesting this is tabled to the next meeting.

Mr. Jones made a motion to table this request to the next meeting. Mr. Phipps seconded. All in favor, so carried.

NCW Dev./W.C. Griffin: request to release bond 48 & 50 Prindle Ave.

There is no one present.

Mr. Jones made a motion to table this request to the next meeting. Mr. Phipps seconded. All in favor, so carried.

Attorney Welch advised the Commission that he has forwarded the information on these two requests to release the bonds to Attorney Sheehy for review and comment.

Maribel Johanson, 178 Prindle Ave. water problems

Maribel Johanson was present.

Ms. Johanson asked if Mr. Holman met with the State on the problem on her property. She said she spoke with someone named Don. He said the brook could be removed.

Mr. D'Amico said he did not know if the brook could be removed.

Ms. Johanson said there are two brooks and one flows through her yard. She said she asked Don if the brook could be removed and made into one brook. The brook through to Doyle Drive is the other brook. Her brook runs through her yard and she wants it removed. On the map it shows one brook.

Mr. D'Amico said he attended a meeting today on the storm with Chief Hale, himself, VRPA (D.Elder) and Malone & McBroom on the areas that are affected by flooding. They are putting together a study for emergency situations and flooding problems. One of the main areas is the Doyle Drive, Shortell Drive and Prindle Avenue area that Malone & McBroom will be looking at. FEMA may fund something to fix the area. This area was discussed today.

Ms. Johanson said the other brook is the problem and it pours into her home and there is a lot of damage and this is not the first time. She said she would like to get reimbursed for some of the damage to her property.

Vice-Chairman Cegelka said that the City can't reimburse her.

Mr. D'Amico said Mr. Holman will get back to her after he speaks with the State people. He asked Ms. Johanson if she put in a claim to FEMA from the last couple of storms. He said that she should put something together to submit to FEMA for reimbursement for the damage caused by the storm. He told Ms. Johanson to call him as he may have some information for her that would help her.

Ms. Johanson said the water is building up and the brook is getting wider and deeper and encroaching more and more on her property. She said she was supposed to give Mr. Holman a phone number but she could not find it. She said she just came across the phone number.

Ms. Johanson gave the secretary the following phone numbers: Jiff Cailoa 1-860-424-4162 and Don Gongea 1-860-424-3827.

Steve Williams, 187 Hill Street water problem

Mr. Steve Williams was present.

Mr. Williams said for the past year and half to two years the brook has been running fast and eating away the side walls of the brook. There is a five foot long chunk of the brook bank that has been washed away. His garage is five feet away from that area.

Vice-Chairman Cegelka asked if this is the same area as Ms. Johanson.

Mr. D'Amico said it is the same area that will be included in the study.

Mr. Williams said he heard what Mr. D'Amico said about FEMA.

Mr. D'Amico said there is the emergency management natural disaster study where we have to protect some areas or there is a drainage problem that must be addressed. This area is one of them. Hopefully VRPA will complete the report and Malone & McBroom is doing a study of the area. Hopefully FEMA will fund the project. He said he will find out what the next step is and he will get Mr. Williams the information.

NCW Dev./W.C. Griffin: request to release bond 48 & 50 Prindle Ave.

Mr. William Griffin came into the meeting at this time.

Mr. Griffin said he would like to get his IWC bond reduced. He spoke at last months meeting.

Mr. D'Amico advised Mr. Griffin that Attorney Welch gave the request to Attorney Sheehy and the Commission is waiting for his response.

Mr. Griffin said that in the past the Commission has released a portion of the bonds. He said he complied with everything Mr. D'Amico and Mr. Tanner requested. He said the bond could be kept in place he is just asking for the release of part of the bond.

Mr. D'Amico said the IWC felt the regulation didn't allow the commission to release a part of the bond.

Mr. Griffin said the regulation doesn't comply with State Statute.

Mr. D'Amico said the Commission is waiting for Attorney Sheehy's response.

Mr. Griffin said he will wait for Attorney Sheehy's response next month.

17 Hodio Drive – Tkacs Property

Attorney Welch said there was a trial scheduled in October and the court entered an order. They have not been in compliance with that order. He said they will be back in court in December. They have to move the shed and install E&S measures. They have to comply with what IWC agreed to.

Mr. Jones said the Soil Scientist said removing the fill would create more harm.

Mr. D'Amico said they still have to move the shed back and put in the drainage. The court didn't make a decision that didn't agree with Inland Wetlands Commission. It would be worse to remove the material.

Attorney Welch said we stipulated what the IWC would agree to and the property owner didn't comply.

34 Benz Street – Marcucio Property

Attorney Welch said there is a December 1st court date.

Violations

Mr. Tanner said there are no new violations.

Any other business to come before the Commission

Mr. Jones said these people purchased their houses with a water way going through the back yard.

Mr. D'Amico said the City of Ansonia is not responsible for it. He said FEMA is doing a study and hopefully they may fund a project.

There was discussion on the water problems in this area. Mr. Tanner said these homes were built prior to 1977, had it been after 1977 they would not have been allowed to be built. Mr. Jones asked if it could be put in the deeds when the house is to be sold that there is water on the property.

IWC Training

Mr. Tanner said that one person on the IWC has to be certified along with the Zoning Enforcement Officer. Section I could be taken on line 12/1/11 to 12/15/11. He said if you sign up get a receipt and you will be reimbursed. He said he is trying to find out if there is a physical class available.

Bruce Cormack
Winesap Ct (Applewood Condo)
Ansonia, CT

Mr. Cormack asked who was cutting down the trees on Clinton Road in Ansonia.

Mr. Tanner said the DEP is cutting out the old burnt trees and doing a reforestation program. He said for more information Mr. Cormack can contact DEP Forestry Program. He said the City of Ansonia has no jurisdiction over the State. The State of Conn. owns the property. It is State watershed property.

Mr. Cormack said he thought the land was part of the Water Company and they sold it to a developer.

Mr. D'Amico said it was part of the Water Company property and the State of Connecticut purchased it.

Vice-Chairman Cegelka said Inland Wetlands has nothing to do with the cutting of the trees.

Mr. Cormack said the land looks like it was butchered. He said he thought the property was owned by the Water Co. and the City of Ansonia. He said he doesn't like how it was handled.

December Meeting:

The December meeting date is Thursday, December 1, 2011 at 7:00 p.m.

Adjourn

Mr. Phipps made a motion to adjourn the meeting at 7:55 p.m. Mr. Gould seconded. All in favor, so carried.

Respectfully,

Jo-Lynn Flaherty
Secretary