



City of Ansonia
INLAND WETLANDS COMMISSION

253 Main Street
Ansonia, Connecticut 06401

December 6, 2012

Regular Meeting

RECEIVED FOR FILE
12 DEC 10 PM 2:57
Madeline H. Bottone
TOWN AND CITY CLERK
ANSONIA, CONNECTICUT

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

Absent: Dave Madar

Others Present: Fred D'Amico, City Engineer
James Tanner, Zoning Enforcement Officer

The regular 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.

Approval of Minutes

Mr. Cegelka made a motion to accept as written and place on file the minutes of the September 6, 2012 Regular Meeting. Mr. Jones seconded. All in favor, so carried.

Approval of Bills

Mr. Cegelka made a motion to pay all bills if found to be correct. Mr. Gould seconded. All in favor, so carried.

IWC120612

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1. Attorney Marjorie Shansky: \$2147.58

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. Jones seconded. All in favor, so carried.

1. Coastal Carriers re: Request to be on the IWC agenda.

The secretary read the letter to those present. A copy of the letter is attached.

Chairman Holman asked if Coastal Carriers has submitted any new maps or anything to the Commission

Mr. D'Amico said no, he never received any revised drawings from them. He said he will call them again for the revised maps. He said the only reason they sent the letter was because he contacted them.

Chairman Holman asked if they did any work on the site.

Mr. D'Amico said they did the curb cut with P&Z approval. The grading work was done without P&Z approval or IWC approval.

Chairman Holman said without doing the proper paperwork for IWC.

Mr. D'Amico said that is correct.

Chairman Holman said we have the option to send out the City Engineer and the Zoning Enforcement Officer to inspect the site. Any work they have done is in violation.

Mr. Tanner said they do not appear at the next meeting we will issue a Cease and Desist order. Once the Cease and Desist order has been issued within 10 days we have to hold a meeting and they have to show cause.

Mr. Cegelka said they were before us a year ago for approvals.

Mr. D'Amico said yes, then they did more grading after that original approval. The additional grading was to stop water run off to the adjacent property. Coastal Carriers didn't show the existing grade of the property and the revised grade. We asked for a map showing the existing contours before the fill was brought in to raise up the property. The commission needs to know the amount of material that was brought in to raise up the site.

Chairman Holman said the Commission should send a letter to Coastal that they must appear next month. They have been on the agenda as they requested for the last two months and they

haven't shown up. If they don't come in then the Zoning Enforcement Officer will have to take proper steps to correct the matter. He said the ZEO has the authority to act on our behalf.

Public Session

Chairman Holman asked if there was anyone from the public who wished to address the Commission.

Bart Flaherty
28 Pinecrest Ave.
Ansonia, CT 06401

Mr. Flaherty said what precipitated this was that BIRM I was getting flooded from the water run off from their site. They had to do something to stop the water and the cold weather was here. Planning and Zoning allows 400 yards however there may be more than 400 yards of material in there. Planning and Zoning asked for a map showing the original and proposed grades and contours. Coastal Carriers came to P&Z and asked for curbing to stop the run off. They were given approval contingent that they provide the proper maps showing the contours before and after and they get IWC approval for the change in grade and the run off. They must still come back before the P&Z for special exception. He said that he received information from Alderman Charles Stowe part of State Statutes that millings that are under 4 inches in size may be a problem as far as hazardous waste. He said he is not in the know about this and he does not know why Alderman Stowe gave him the information. He said he just wanted to mention to the members that the use of millings may have been improper.

Mr. Gould said that it could be considered hazardous waste.

There was discussion among the Commission members regarding the State Statutes and the guidelines that are in place for this type of milling and filling.

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

Executive Session (pending litigation)

Mr. Cegelka made a motion to go into Executive Session at 7:25 p.m. Mr. Gould seconded. All in favor, so carried.

Mr. Cegelka made a motion to go back into regular session at 7:50 p.m. There were no decisions or motions taken during Executive Session. Mr. Jones seconded. All in favor, so carried.

Coastal Carriers re: Amendment to IWC Permit to change the grade on the property

There is no one present.

Mr. Jones made a motion to table. Mr. Cegelka seconded. All in favor, so carried.

Violations

Mr. Tanner said the 17 Hodio Drive has been resolved. The work is done and they have posted the \$10,000 bond. It has been removed from the Court docket.

Mr. Cegelka asked what the property owners have done to restore the property.

Mr. Tanner said that they have followed the plan that was submitted by Southwest Conservation District Permitting Division regarding restoration. They have done everything on the plan that was approved by the Commission and Southwest Conservation District (underground pipe swale, energy dispersion area, etc.). He said they hired a contractor to do the work.

Any other business to come before the Commission

2013 Meeting Schedule

Mr. Betting made a motion to change the January 3, 2013 meeting to January 10, 2013 at 7:00 p.m. Mr. Jones seconded. All in favor, so carried.

Mr. Jones made a motion to accept and adopt the 2013 Meeting schedule with the above correction. Mr. Gould seconded. All in favor, so carried.

IWC Bonds

Mrs. Flaherty stated there are a number of IWC bonds that should be reviewed for release. She asked if Mr. D'Amico could review them and report back to the Commission.

Mr. Cegelka made a motion to have Mr. D'Amico review the IWC bonds. Mr. Jones seconded. All in favor, so carried.

Chairman Holman asked three (3) times if there was any other business to come before the Commission. There was none.

January 2013 Meeting:

The January meeting date is Thursday, January 10, 2013 at 7:00 p.m.

Adjourn

Mr. Gould made a motion to adjourn the meeting at 8:05 p.m. Mr. Jones seconded. All in favor, so carried.

Respectfully submitted,


Jo-Lynn Flaherty
Secretary

IWC



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12 OCT 16 PM 4:03

Madeline H. Bottone

TOWN AND CITY CLERK
ANSONIA, CONNECTICUT

October 8, 2012

Honorable Timothy Holman, Chairman
Ansonia Inland Wetlands Commission
253 Main Street
Ansonia, CT 06401

Dear Chairman Holman,

The purpose of this letter is to request that we be placed on the agenda for your November Commission meeting to review the change in elevation on the two lots owned by SPM Realty on 12-14 Riverside Drive and occupied by Coastal Carriers of CT.

As you know we accepted about 800 yards of millings from a local road project to correct a water erosion problem on the property. It also helped to prevent our vehicles from sliding into the adjacent property during winter months when we had ice build up on the southerly portion of the property. We have already submitted revised elevation drawings documenting the change.

Both John Pruchnicki, Managing Partner and I would like to be in attendance to answer any questions the Commission might have regarding the changes. We tried to get this before your Commission on prior dates but the meetings were cancelled or we had a schedule conflict. Please feel free to contact the offices of Coastal Carriers or my cell – 203.206.3787, to confirm the meeting date and time.

Once your body has reviewed the information we will then go to Planning and Zoning per their request.

Thank you.

Sincerely,

Donald J. Schmidt
Partner

cc: Honorable Bart Flaherty III, Chairman
Planning and Zoning

Transportation Solutions