



City of Ansonia
INLAND WETLANDS COMMISSION

253 Main Street
Ansonia, Connecticut 06401

February 7, 2013

Regular Meeting

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Mabeline H. Bottone
TOWN AND CITY CLERK
ANSONIA, CONNECTICUT

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

Others Present: Fred D'Amico, City Engineer
James Tanner, Zoning Enforcement Officer
Thomas Welch, IWC Attorney
Marjorie Shansky – arrived 7:25 p.m.

The regular meeting of the Ansonia Inland Wetlands Commission was called to order at 7:16 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. Jones made a motion to accept as written and place on file the minutes of the December 6, 2012 Regular Meeting. Mr. Gould 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.

IWC020713

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.

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

Machowski Property, Hill St./ Shortell Dr. request for permit – Dominic Thomas

Dominic Thomas, Attorney was present.

Attorney Thomas said he is here this evening because the Inland Wetlands Commission was remanded by the Court to issue an IWC permit for the property located at Hill St. and Shortell Drive. He explained that the Appellate Court issued this remand and the Commission must issue the permit by Court Order.

There was discussion between Attorney Thomas and the Commission at this time.

Mr. Cegelka made a motion to go into Executive Session at 7:24 p.m. because IWC Special Counsel was not in attendance. Mr. Madar seconded.

Attorney Thomas said that the Commission cannot go into Executive Session.

Attorney Shansky arrived at the meeting at this time (7:25 p.m.).

Mr. Cegelka rescinded his motion to go into Executive Session. Mr. Madar rescinded his second.

Attorney Thomas was given a copy of the "Draft – February 7, 2013 M.S. IWC Conditions for Permit" for Permit #2012 A – Melrose Estates Subdivision.

Attorney Thomas reviewed the copy given to him. He questioned item #3 on page 2 of the permit.

There was discussion on the following section:

"and is not transferrable or assignable without the written permission of the Inland Wetlands Commission"

Attorney Thomas is requesting that this section of the sentence be removed.

Attorney Shansky said that the permit should be transferrable and if there is a change in the site plan they would have to come back to the Inland Wetlands Commission for the change.

Mr. Madar made a motion to remove "and is not transferrable or assignable without the written permission of the Inland Wetlands Commission" from Item #3. Mr. Cegelka seconded. All in favor, so carried.

Attorney Shansky said in addition to the standard conditions in this permit the other conditions are consistent with the public hearing statements and the engineers' maps and statements. She said she will confirm this with the applicant's counsel. Everything is OK as written in the permit once the correction is made.

Attorney Thomas asked what SWCS guidelines is. He said this is something he has to ask his engineer about.

It was explained that the SWCS guidelines is the Southwest Conservation Service Handbook.

Attorney Shansky said that falls under the Dept. of Energy and Environmental Protection.

Attorney Thomas will have his engineer check into the SWCS Handbook.

Attorney Thomas requested that the Inland Wetlands Commission table any action on this permit to the next meeting to give him time to review the Draft he received this evening.

Attorney Shansky said that would be fine. She said he can review the permit not to alter the jurisdiction of the Commission but it would be a shame to get this far and inadvertently put something in the permit that he objects to. She said to have Attorney Thomas read the permit. She said she thinks the permit is consistent with everything that was discussed and approved.

Chairman Holman said that the permit is consistent with what the Commission discussed.

Mr. Cegelka made a motion to table Permit 1212 A Melrose Estates subdivision to the next meeting to allow Attorney Thomas time to review it. Mr. Gould seconded. All in favor, so carried.

Natale Giaimo/Casa Nuova Development LLC request for permit for single family home to be located at 14 Woodbridge Manor Road

Michael Horbal and Natale Giaimo were present.

Mr. Horbal said he is here this evening representing Natale Giaimo owner of Casa Nuova Development LLC. He said Mr. Giaimo is requesting an IWC permit for property located on Woodbridge Manor Road for a single family dwelling. There is a soil report from Roy Shook Associates and a drainage report with the application.

Mr. Bettini asked about the location of the lot as shown on the map. He asked if this lot is near the new homes on Sheasby Road.

Mr. Horbal reviewed the area on the map with Mr. Bettini explaining the location of the lot on this section of road. He said it is the last lot on the street.

Mr. Giaimo said there is a house across the street from this lot.

Mr. Gould asked if anyone has walked the lot.

Chairman Holman said he would like to table this application and have the Commission do a site walk of the lot and see the area and lot ourselves.

Mr. Horbal said can we schedule a site inspection before the next meeting.

Mr. Madar said that a Blizzard is scheduled for tomorrow and we have to wait for the snow to go before we can see the lot.

Chairman Holman said we would have to wait until the ground is clear to get a better understand of the land.

Mr. Madar made a motion to table to the next meeting. Mr. Gould seconded. All in favor, so carried.

Violations

Mr. Tanner said there are no new violations.

Any other business to come before the Commission

None

Executive Session

None

March 2013 Meeting:

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

Adjourn

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

Respectfully submitted,


Jo-Lynn Flaherty
Secretary