



City of Ansonia
INLAND WETLANDS COMMISSION

253 Main Street
Ansonia, Connecticut 06401

May 2, 2013

Regular Meeting

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Madelaine H. Bottone
TOWN AND CITY CLERK
ANSONIA, CONNECTICUT

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

Absent: Kevin Cegelka

Others Present: Fred D'Amico, City Engineer
James Tanner, Zoning Enforcement Officer
Thomas Welch, IWC Attorney – left 7:05 p.m.

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.

Approval of Minutes

Mr. Gould made a motion to accept as written and place on file the minutes of the April 4, 2013 Regular Meeting and the April 27, 2013 Special Meeting. Mr. Madar seconded. All in favor, so carried.

Approval of Bills

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

Correspondence

Mr. Bettini 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. SPM Realty LLC/Coastal Carriers re: request to return the bond for the tank located on the site. Dated 4/25/13
2. Cohen and Thomas re: Cumberland Farms, Inc. Dated 4/26/13

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. Jones 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

Don Schmidt, Coastal Carriers/SPM Realty Partner was present.

Mr. Schmidt said there was a question on the millings. He said that the roads were being milled in August and he was approached and asked if he wanted the fill to level his driveway. He said that he almost lost a tanker two years ago with the snow storms so he took the millings to fill the driveway area. He said he then got a cease and desist order from the Zoning Officer.

Mr. Schmidt said he was not able to get clarification on the millings. He did contact his engineer Meyers Associates whom made contact with DEEP on the millings. He said that Mr. Meyers sent a letter to Mr. D'Amico regarding DEEP's decision.

Chairman Holman asked the secretary if she received a letter from Mr. Meyers or Mr. D'Amico on the DEEP findings.

The Secretary said she did not receive any letter from Mr. D'Amico, Mr. Schmidt or Mr. Meyers.

Mr. Schmidt said he is also here this evening requesting the bond be released that was posted for the above ground storage tank.

Chairman Holman asked Mr. Schmidt if he spoke to DEEP. He asked him if he received a letter from DEEP.

Mr. Schmidt said no he did not speak with DEEP and did not receive a letter from them. He said Mr. Meyers said he had contact with DEEP and they said it was OK to use the millings for fill. He said he has no reason to believe Mr. Meyers lied about it.

Chairman Holman asked Mr. Schmidt if he has a letter from Mr. Meyers stating everything is OK and that DEEP approved the use of the millings.

Mr. Schmidt said no, Mr. Meyers contacted them. He has no letter. He said Mr. Meyers sent a letter to Mr. D'Amico.

Mr. D'Amico said he doesn't have a letter from Mr. Meyers or DEEP. He said the Commission received the correct maps. He said he will verify with DEEP on the millings because it was a question at Planning & Zoning as well as Inland Wetlands whether millings could be used as fill. He said he hopes to get something in writing from DEEP.

Mr. D'Amico said that they submitted the revised plan and there is no problem in the wetlands and they have complied with everything.

Mr. Jones said that Mr. D'Amico has to get something in writing from DEEP that it is OK to use the millings.

Chairman Holman suggested this be tabled to next month to give Mr. D'Amico time to contact DEEP and get clarification.

Mr. D'Amico said he will inform Mr. Schmidt who the bond is being held by.

Mr. D'Amico said he will contact DEEP on the millings to get it in writing.

Mr. Bart Flaherty said he could use some help on the fill and millings at P&Z. He said the Statute says you can't use millings for the purpose other than what it is used for----- . The question is how thick can the millings be on the surface – an inch, or two feet. When Mr. D'Amico gets verification on the use of the millings can he get verification of how thick it should be.

Mr. D'Amico said the letter from Mr. Meyers did state that but he would like it clarified from DEEP in writing as to thickness.

Mr. D'Amico found the letter from Mr. Meyers to Coastal Carriers dated April 18, 2013. He gave his copy to the Secretary so that she can file it and make copies.

Chairman Holman asked Mr. D'Amico to get clarification on the millings and thickness from DEEP and to give a copy of the letter he receives to Mr. Flaherty.

Mr. Madar made a motion to table to the next meeting. 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 and Stefano Giaimo were present.

Mr. Horbal said that Mr. Giaimo would like to construct a single family house on lot 7, 14 Woodbridge Manor Road. He said he presented his plans and drawings awhile ago, there was a site inspection on Saturday, April 27th. He is here this evening to answer any questions.

Chairman Holman said at the site walk he noticed the disturbed characteristics of the ground. There is a report from 1992 where there were soil samples taken and he would like to have another Soil Scientist come out and do another test.

Mr. Horbal said they had Roy Shook do a soil report.

Mr. D'Amico said the Chairman suggests that we have a different Soil Scientist verify the findings. The Secretary did some research and in 1992 Soil Conservation Service did a study on the property to be developed stating it will be very difficult to develop this site.

Mr. D'Amico said he would like to do some deep tests where the gullies are going – hydrologic tests in there to make sure it can take the water. There is two feet of fill there. There is a concern for the septic system location. The calculation ends up at five feet of fill after the analysis is done it will be difficult to prove the soil can hold the development. He said they have to do the deep tests and he will be there to witness the test – it is not a problem.

Mr. Horbal said the deep tests done with a backhoe.

Mr. D'Amico said yes and a perk test in the area of the gullies to prove they are adequate and the soil can handle it.

Mr. D'Amico submitted the 1992 reports for the record. He said there is a report from the previous City Engineer that had concerns on the property.

The secretary gave a copy of the 1992 reports to Mr. Horbal.

Mr. Horbal asked if there are any other concerns.

Mr. Madar said are the calculations done and are they correct.

Mr. D'Amico said he checked the calculations and they do not include the proposed paved area in the Town's right of way. There is considerable area in the right of way and it may be a possible P&Z concern. They probably want the paved road to go the entire length of the frontage of the house. It has to go to P&Z and if you have a problem by modifying the plan you have to come back to IWC. Your proposal only has paving half way in front of the property. We require paving to go the length of the frontage and a large turnaround at the end.

Mr. D'Amico said this is not an IWC requirement but he did not want to see them have to revise their plans and then go back and forth.

Mr. Madar said he has a concern on the fill going in there. He asked how steep to the slope off before you hit the wetland. He said they were showing flags ten feet in.

Mr. Horbal said they showed a portion of the land is wet.

Mr. Madar said the blue flags. The gentleman said that was the property line. He said he is concerned that the fill is where the gullies are going.

Mr. Horbal said yes, they are close to the gullies.

Mr. Madar asked how close to the wetlands.

Mr. Horbal said it goes close to the wetlands.

Mr. Madar said they have to make sure it is marked off properly.

Mr. Giaimo said there are pipes in the ground. The property corners were where the pipes are in the corners.

Mr. Horbal said Jesse is a surveyor and he may have put up the orange flags for the property line. He said he can check it out at the time of the deep test.

Mr. D'Amico said the Inland Wetlands Commission may ask for alternatives for the site. You may want to put a smaller house on the site. Another site put in a smaller house and a stone wall so the homeowner knows he cannot fill in there and it is a certainty of the wetland boundary. He said there is a lot of activity for a small lot. You may want to pull something back.

Mr. Giaimo said there is a limit going down into the lot. By building a raised ranch you limit going into the ground. The neighborhood has raised ranches.

Mr. D'Amico said on Sheasby Road there is a raised ranch where they made it smaller and pulled back the fill from the wetland. The footprint is not different from a Colonial or Raised Ranch. There is a smaller backyard and the wetland marker is a permanent fence so someone doesn't fill in another ten feet into the wetland. Usually they ask for an alternative to what you are asking for.

Mr. Horbal said in the beginning Mr. Giaimo was aware there are wetlands in the back portion of the lot. He kept the house as far away from the wetland. He did not want a Colonial because you have to have a basement. With that in mind he kept the house close to the street line and far west from the wetland.

Mr. D'Amico said specific areas are a concern, the catch basin is tied into the sanitary line and the catch basin is an illegal tie in into the sanitary line. You have to make sure there are no problems.

Mr. Horbal said we are aware of that. We set up the drainage so it will not go to that basin.

Mr. Madar said turn the control system to the back of the house to get away from the wetland.

Mr. D'Amico said we have to do the deep test. It may be possible and we may find out you can't. You may have to go in a different direction. It is a big problem to show the ground will be able to accept the extra run off.

Mr. D'Amico said there is new road surface and grass water will run off quicker and will seep into the ground. All will be run off – the grass area and the paved area. It should be included in the calculations.

Mr. Horbal said he did include it.

Chairman Holman asked Mr. D'Amico to recommend a soil scientist for the Commission.

Mr. D'Amico said the commission will have to get different names of Soil Scientists. We have done that in the past.

Mr. Madar made a motion to hire another Soil Scientist and have Mr. D'Amico recommend one to the Commission. Mr. Jones seconded. All in Favor, so carried.

Mr. Jones said that the person should also be a hydrologist.

Mr. D'Amico said yes, and they will do the deep test. He said there is a lot of disturbed area. It appears the whole area was wet and it was disturbed and changed. Once it was filled for a long time it is no longer wet.

Mr. Horbal said the City of Ansonia will hire the soil scientist.

Mr. D'Amico said the regulations state any outside professionals the town hires the applicant is responsible to pay for it.

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

Violations

Mr. Tanner said there are no new violations.

IWC Bonds – Fred D’Amico, City Engineer

Mr. D’Amico said that he is still in the process of reviewing the properties with the bonds.

There are two requests: Coastal Carriers and Jerry Nocerino.

Any other business to come before the Commission

A letter was received from Attorney Thomas regarding Cumberland Farms site plan.

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

Executive Session

None

June 2013 Meeting:

The June meeting date is Thursday, June 6, 2013 at 7:00 p.m.

Adjourn

Mr. Gould made a motion to adjourn the meeting at 8:20 p.m. Mr. Jones seconded. All in favor, so carried.

Respectfully submitted,


Jo-Lynn Flaherty
Secretary