



City of Ansonia  
**INLAND WETLANDS COMMISSION**

253 Main Street  
Ansonia, Connecticut 06401

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TOWN AND CITY CLERK  
ANSONIA, CONNECTICUT

April 7, 2016

Regular Meeting

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

Absent: Michael Bettini  
Kevin Cegelka

Others Present: Fred D'Amico, City Engineer  
Thomas Welch, Attorney IWC

The Regular Meeting of the Ansonia Inland Wetlands Commission was called to order at 7:08 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. Malerba made a motion to accept as written and place on file the minutes of the March 3, 2016 Regular Meeting. Mr. Jones seconded. All in favor, so carried.

**Approval of Bills**

None

IWC040716

## Correspondence

Mr. Pellegrino made a motion to accept all correspondence and place on file. Mr. Malerba seconded. All in favor, so carried.

## Public Session

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

Lisa Hemingway  
30 Wesley St.  
Ansonia, CT 06401

Ms. Hemingway asked if the Commission has received any information or correspondence from the owner of 30-31R Wesley Street. She asked if an IWC application for 30-31R Wesley Street was submitted to the Commission.

Chairman Holman stated the Commission has not received anything from the owner of the property. He discussed notifying Corporation Counsel of the damages and requesting that the area be restored to prior condition.

Mr. D'Amico said he contacted the Engineer of the project and discussed the site with him. The Engineer stated he would be at the IWC meeting this month.

Chairman Holman said the property is not in the condition it was prior to all of the work done on it. They have to be accountable for this damage.

The Commissioners discussed the amount of damage that was done to the wetland and watercourse on the property. Mr. D'Amico said he could not find the culvert. Ms. Hemingway explained to Mr. D'Amico where the culvert is located on the property.

Ms. Hemingway said she submitted pictures last month showing the before and after on the property. She said the trees were run over and you could see the broken tree trunks. When they were on the site digging, you could not see the top of the machine.

Chairman Holman said that he will go out there and look at the site again.

There was discussion on whether the Commission has to accept an application from the property owner of this site. Attorney Welch said that IWC has to accept an application.

Chairman Holman asked if there was anyone else from the public who wished to address the Commission. He asked three (3) times. There was no one.

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

**DSR Properties LLC/David McDermott/Atty Dominic Thomas re: Request for IWC Permit for 26 South St.**

Attorney Ian Cole was present representing Attorney Dominic Thomas.

Chairman Holman noted for the record that Fred D'Amico, City Engineer excused himself from the meeting and left the room. Mr. D'Amico was the engineer for this property and prepared the map.

David McDermott arrived at the meeting at this time.

Mr. Cole stated he refiled the Inland Wetlands application for 26 South Street. He asked IWC to allow the project to go forward. There is a soil report submitted by Tom Pietras, Soil Scientist from Soil Science and Environmental Services. It states there are no wetland soils. The report is attached to the application. He said there are no wetland soils and he is asking the Commission to permit the project to go forward.

There was discussion on the site and that there was a considerable amount of standing water on the property.

Mr. Malerba stated there was a lot of water on top of the property when the Commission went there for the site walk. He said he doesn't disagree with Mr. Pietras but there was a lot of water and wet land on the property.

Chairman Holman said there was standing water. It could be a drainage problem. If you go there now you would sink.

Mr. Malerba said there is a lot of water on the property. The trees on the property died from the water on the property. The culvert is filled in and is not helping the situation.

Mr. Pellegrino asked how the property was in the past.

Mr. McDermott said when you build there you will have to make it flat. It was filled in and he will make the area flat by bringing in fill to the area. He said he will put in a storm drain.

Mr. Malerba said you can't put any more flow into the storm drain because White Mare Brook is overloaded.

Mr. McDermott said if you fill in the property you will not have a water problem. If you build there you will have to fill it in.

Mr. Malerba said before we vote he wants to know how Mr. McDermott will take care of the water on the property.

Chairman Holman requested to have Mr. D'Amico come back into the room to represent Mr. McDermott. He said the Commission has questions that must be answered.

Mr. D'Amico returned to the meeting.

Mr. D'Amico said the property will be draining to the catch basin on South Street side.

Mr. Malerba said you can't discharge to White Mare Brook.

Mr. D'Amico said there are detention gullies proposed so there will be no increase in the run off from the property. He said he will not increase the run off. The proposed gullies are not shown on the map. He said he could add 4 additional gullies to handle the roof run off.

Mr. Malerba said the proposed gullies must be shown on the map. He said the drainage ditch was filled in. The water is there and there are no new downspouts there.

Mr. D'Amico said there are no wetland flags. The Soil Scientist shows no wetlands. There might have been run off there before.

Mr. Malerba said the water runs intermittently. It could be an intermittent stream.

Mr. D'Amico said it dropped out and the water bled to the surface. It is not continual and it is classified as non-wet soil.

Chairman Holman asked Mr. D'Amico if they will install the gullies.

Mr. D'Amico said they will if Inland Wetlands requires it.

Mr. Malerba said there is one (1) foot of water in there.

Mr. D'Amico said they will put the down spouts into gullies and then into the catch basin.

Mr. Pellegrino asked if four additional gullies are sufficient for this property.

Mr. D'Amico said the size of the roof determines the gullies and four additional gullies will handle it. He said he will provide a revised map to the secretary for the file.

Mr. Malerba asked the size of the foundation.

Mr. McDermott said 25'x35' is the foundation.

Mr. D'Amico said they showed the maximum size of 30'x40' but they plan to put in something smaller.

Chairman Holman said the applicant has presented the information for the plan.

Mr. Pellegrino made a motion to approve the application for an IWC permit for 26 South Street as a non-regulated activity with conditions:

1. There will be four (4) additional gullies installed on the property as discussed in the meeting.
2. Revised maps showing the original gullies and the four additional gullies will be presented to the Inland Wetlands Commission. Four copies are required for the files.
3. This is not a regulated activity there is no permit required.

Mr. Jones seconded. All in favor, the motion carried.

**Christopher Rappa re: Request for IWC Permit for 7 Greenfield Dr. (no fee received)  
Handled administratively by Ronda Porrini**

Chairman Holman said that this application was handled administratively by Ronda Porrini who is certified in wetlands and zoning. A site walk was conducted by Ronda Porrini, David Blackwell, Sr., and Chairman Holman on the property. There is a Soil Report from Soil Science and Environmental Services that states there are no wetlands on the site. She walked the site and stated there are no wetlands on the property and she signed off on it as a non-regulated activity.

Mr. Malerba said that there was water run off onto the Blackwell's property.

Chairman Holman said that is a different problem.

There was discussion on the Commissioners getting their certification on-line for wetlands. A letter from DEEP, Inland Water Resources Division regarding Municipal Inland Wetland Commissioners Training Program was sent to the Commissioners in their monthly packet. Chairman Holman encouraged everyone to get certified on-line.

Attorney Welch stated the new regulations Section 4.4 states as follows:

“To carry out the purposes of this section, any person proposing a permitted operation and use or a nonregulated operation and use shall, prior to commencement of such operation and use, notify the Agency on a form provided by it, and provide the Agency with sufficient information to enable it to properly determine that the proposed operation and use is a permitted or nonregulated use of the wetland or watercourse. The Agency shall rule that the proposed operation and use or portion of it is a permitted or nonregulated operation and use or that the proposed operation and use is a regulated activity and a permit is required.”

Attorney Welch said that at the time we revised the regulations we didn't have a person that was certified to do this. The Inland Wetlands Commission was the agency that said yes or no. The

Regulations state that a non-regulated activity has a fee of \$100 that must be paid. The application is permitted or non-regulated. The fee of \$100 must be paid by the applicant. He said IWC hasn't delegated this to anyone. We delegated to Ms. Porrini to determine about extending IWC permits on page 18. We approved her extending permits.

Attorney Welch said if the IWC wants Ms. Porrini to certify non-regulated activities IWC will have to delegate that to her. There has to be a procedure in place for this. You can delegate this to her providing she notifies the IWC in writing of her activities.

A discussion followed on the above. The Commissioners discussed some of the items that must be covered in the process of certifying an application for permit as non-regulated. They also discussed regulated activities. The commission will work on a procedure for certification of non-regulated activities and how the application, etc. should be handled by IWC and the Zoning Office.

**Violations**

None

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

None

**Executive Session (if needed)**

None

**May Meeting**

The May meeting of the Commission will be held on Thursday, May 5, 2016 at 7:00 p.m.

**Adjourn**

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

Respectfully submitted,

  
Jo-Lynn Flaherty  
Secretary