

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. BUSINESS MEETINGS

III-A. PUBLIC COMMUNICATIONS and requests to address the Commission with non-agenda items:

III-B. OLD BUSINESS

1. PERMIT-APPLICATION #11-04, SHELTON UNITED RECYCLING – 90 OLIVER TERRACE.

After-the-fact application to sustain mass wood chip fill within upland review area and request for waiver of application, permit, and surcharge fees.

III-C. NEW BUSINESS

III-D. COORDINATOR REPORT

1. Administrative Permit Applications - None
2. Permit #09-25 Perry Property – 34 Sharon Drive. Progress update
3. Permit #09-17 DaSilva Property – 8 Brookfield Drive. Referred to Corporation Counsel

VI. MINUTES

1. April 14, 2011 Regular Meeting

V. ADJOURNMENT



*CITY OF SHELTON
INLAND WETLANDS COMMISSION
REGULAR MEETING MINUTES
Thursday, May 12, 2011
7:00 P.M., Room 104*

Chairman Zahornasky called the Regular Meeting of the Inland Wetlands Commission to order at 7:06 P.M.

I. PLEDGE OF ALLEGIANCE

All in attendance recited the Pledge of Allegiance.

II. ROLL CALL:

Gary Zahornasky, Chairman
Robert Dunford, Commissioner
Jack Goncalves, Commissioner
Charlie Wilson, Commissioner

Absent: Celeste Beattie, Commissioner
Neil Hayes, Commissioner
Ken Nappi, Commissioner
John Cook, WCEO

Also Present: Sophia Belade, Clerk

III. BUSINESS MEETINGS

III-A. PUBLIC COMMUNICATIONS and requests to address the Commission with non-agenda items:

Raymond Reynolds requested that the Commission add on to New Business, Item #1 for Application #11-05 – Reynolds Property, 19 Treeland Road.

Commissioner Wilson motioned to add-on to New Business, Application #11-05 – Reynolds Property, 19 Treeland Road. Commissioner Dunford seconded the motion.

A voice vote was taken; motion passed unanimously.

No one else from the public addressed the Commission.

III-B. OLD BUSINESS

1. PERMIT-APPLICATION #11-04, SHELTON UNITED RECYCLING – 90 OLIVER TERRACE.
After-the-fact application to sustain mass wood chip fill within upland review area and request for waiver of application, permit, and surcharge fees.



City of Shelton
Office of Inland Wetlands Commission
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WCEO REPORT
April 14, 2011

PERMIT-APPLICATION #11-04, SHELTON UNITED RECYCLING – 90 OLIVER TERRACE.
After-the-fact application to sustain mass wood chip fill within upland review area and request for waiver of application, permit, and surcharge fees.

STATUS: 1. New Application
2. 65-day clock to decide action or hold public hearing expires June 18, 2011

PLANS: UNITED RECYCLING OF SHELTON LLC
Boundary Site Development Plan 11/120/09 Rev. 3/22/11

COMMENTS:

- Violation issued April 22, 2010.
- The application and plan is in order and shows the approximate 10,250 SF of upland review area that was filled within the State Route 8 ROW.
- While the applicant did remove some of the chip fill they were unsuccessful in removing all the material that triggers the application. State Highway fencing was damaged or destroyed and/or monuments disturbed or covered must be uncovered and/or replaced per the State Encroachment Permit. (copy attached)
- Staff has had numerous conversations with the applicants and multiple telephone interviews with DOT representatives, (Mr. Mocadlo and Mr. Barnes). Both DOT officials expressed support in whatever the Commission's efforts are short of requiring more machine work.
- In spite of the applicant's efforts to remove the volume of chips it appears numerous mature trees have succumbed to the fill over the root system. There is insufficient numbers of tree replacement. No size is specified and only one evergreen tree in 50' is proposed. This should be increased dramatically.
- Regarding the request for waiver; we can state unequivocally there has been many hours spent reviewing aerial photographs, preparing letters, preparing maps, telephone consultations, electronic communications and personal meetings invested in this matter. This is a large commercial operation and while the Commission has waived some modest fees of surcharges in the past including but not limited to (a single tree, modest deck, expired house certificate etc.) staff points out the following matters where the surcharge fees let alone the base application and permit fees were not waived.
 1. Pytko Property – Byron Place. Widow landowner conducted channel work without permit.
 2. Blakeman Property – Maple Avenue. Builder cut trees near wetland without permit.
 3. Connecticut Route 110 ROW – Builder cut trees within state ROW without local permit. The base application and permit fee is \$795.00, the surcharge on the application fee is \$1500.00 and the surcharge on the permit is \$825.00.
- Finally staff points out the applicant's history on the site included the construction a 15,000 SF building without building permits in place. In September 2007 the process was initiated to secure permits with this office and not until December 2008 did the applicants apply to the health department to complete the procedures for processing.

The Commission discussed waiving the fee charge. Due to the amount of time and effort on Staff's behalf as far as researching exceeds the amount that the Commission is asking for in surcharges. Regardless of the fact, there was a violation.

Commissioner Dunford motioned not to grant the request for waiver of application, permit and surcharge fees for Permit-Application #11-04, Shelton United Recycling – 90 Oliver Terrace. Commissioner Wilson seconded the motion.

A voice vote was taken; motion passed unanimously.

III-C. NEW BUSINESS

1. Application #11-05 Reynolds Property – 19 Treeland Road. Deck construction and watercourse determination.

(letter & map attached)

11-05

From: Raymond Reynolds
19 Treeland Road.
Shelton, Ct.

May 11, 2011

To: John Cook
Town of Shelton I/W enforcement officer

Re: Deck construction 19 Treeland Road

Dear Mr. Cook,

I am submitting an application for my mother, Arlene Reynolds, of 19 Treeland Road for the construction of her deck. As we are both aware this has been on ongoing issue and I believe we have reached a happy medium to resolve the situation.

I am attaching an A-2 survey with the 12' x 16' deck drawn in on the plan. As we are aware, the deck is currently constructed and has been measured to be 43' from a storm drain outlet thus triggering the need for "long form" application.

I would like to request of the Shelton I/W Commission to consider NOT tripling the fee for the application as per Sec. 18.14 due to the fact the deck was constructed prior to obtaining the proper permit. I believe they, as well as yourself, are all familiar with the circumstances surrounding me jumping the gun to do so.

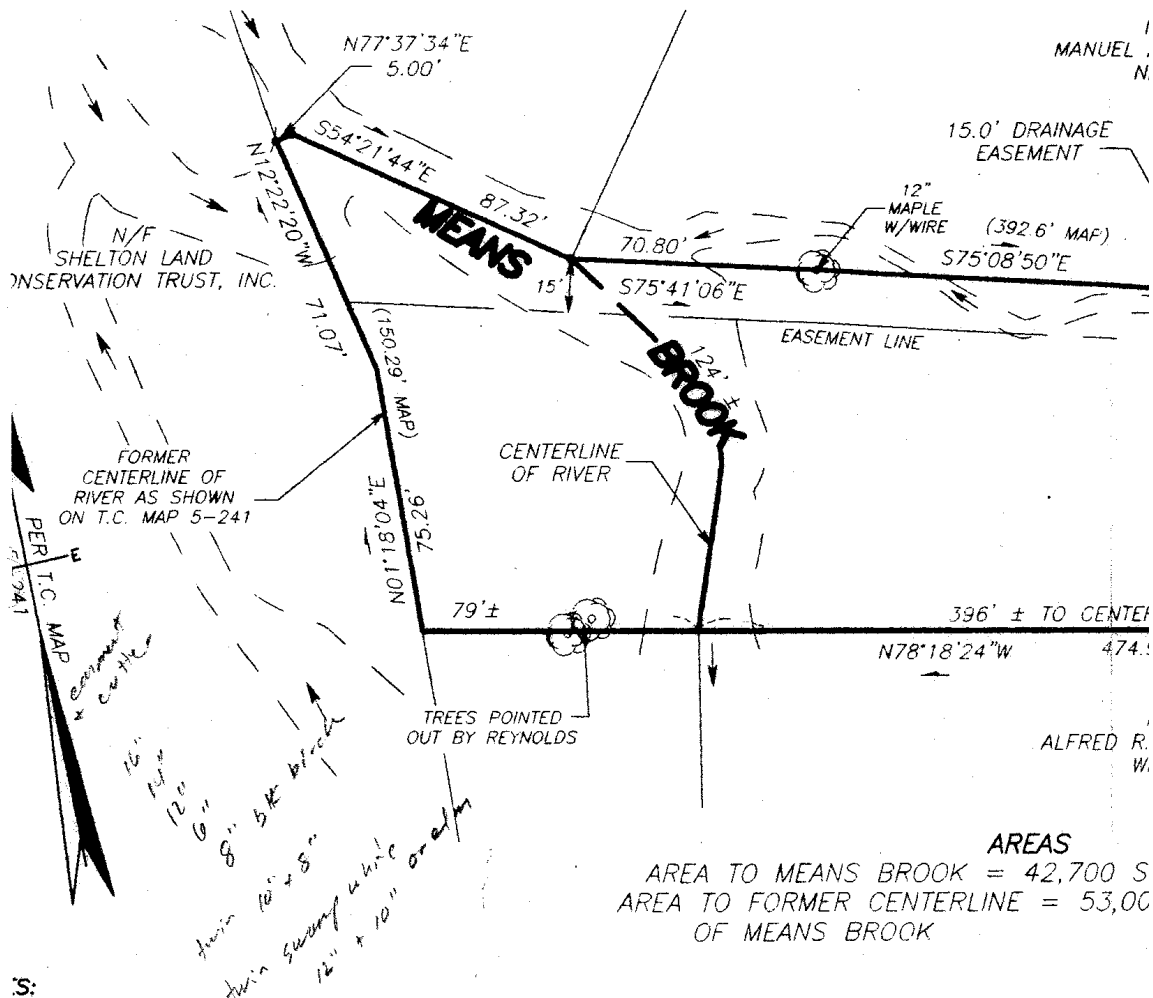
I would also like to request of the commission to wave the requirement to supply a proposed contour map for two reasons one being the deck is already constructed and two there was no change in contour due to the construction.

I will look forward to hearing back from you on their decision so I may make payment and we can all move on with our lives once and for all.

Thank you,

Raymond Reynolds

Note: Base fee on application is
\$95.00
Surcharge fee on application is
\$285.00



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This survey and map has been prepared in accordance with sections 20-300b-1 thru 20-300b-20 of the Regulations of the Connecticut State Agencies - "Minimum Standards for Surveys and Maps in the State of Connecticut" as adopted by the Connecticut Association of Land Surveyors, Inc. It is a Resurvey conforming to Horizontal Accuracy Class A-2.

Zone is R-1:

to my knowledge and belief,
his map is substantially correct as noted hereon.

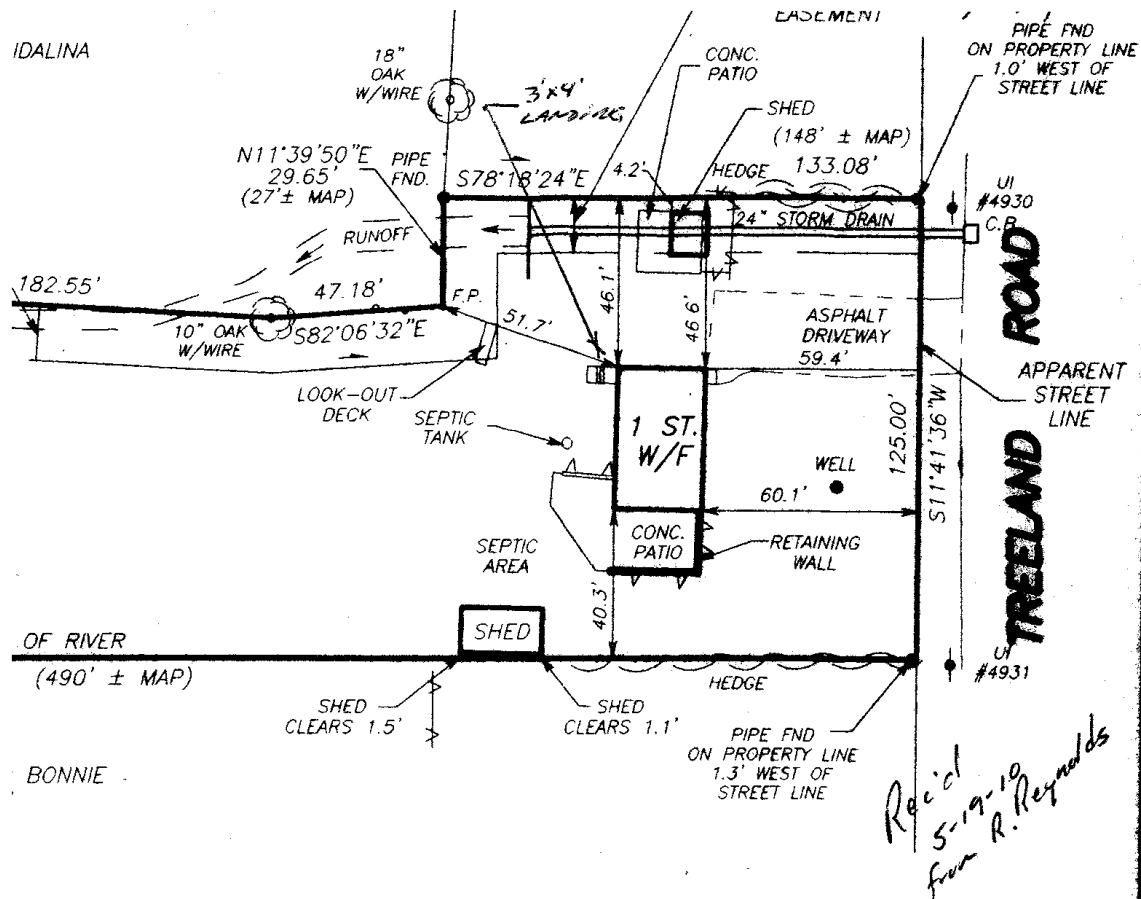
Racy H. Lewis
RACY H. LEWIS L.L.S.

CT. LIC. NO. 15160

MAP REFERENCES:

1. Birdseye View Manor Section Four o
scale: 1"= 100' dated March 8, 19
T.C. Map No.5-241
2. Record Subdivision Map of Field Sto
scale: 1"= 40' dated Sept. 7, 1974
June 23, 1975 by Joseph L. Alberti,

This map is not valid unless it has
signature and embossed seal of T.



= 0.98 AC. ±
F. = 1.2169 AC.

PROPERTY SURVEY **LOT 45** **BIRDSEYE VIEW MANOR SECT. FOUR**

LOCATED AT
19 TREELAND ROAD
SHELTON, CONNECTICUT

by Samuel Paushter
Richard J. Nowakowski

PREPARED FOR
RONALD R. & ARLENE M. REYNOLDS

SCALE: 1" = 40' DATE: 5-5-1999

res Section Four
last revised to
Map No. 26-1302.



LEWIS ASSOCIATES

LAND SURVEYING AND CIVIL ENGINEERING
25 CRESCENT PLACE, MONROE, CONNECTICUT
PHONE: 203-261-8648

ive
H. Lewis.

61-1

Ray Reynolds
19 Treeland Road

I would like to ask this Commission to waive the triple amount of surcharge for building my mom's deck. We got so fixated on watercourse, whether it is or it isn't a watercourse, and the measurement from the corner of the deck to the outlet is 43'. As we got to talking, it dawned on me the soni-tube which is the ground disturbance is 50' from that outlet. What is within that review area is cantilever. There's 7'. So I never really touched anything in that 50' review area. I don't want to muddy this up, I'm ready to go with it the way it is. I just go to talking with John about something else and it dawned on me.

Commissioner Wilson motioned to approve Application #11-05 Reynolds Property – 19 Treeland Road. Deck construction and watercourse determination with the base application fee of \$95.00 and the long form application fee of \$145.00. The Commission waives any surcharge fees. Commissioner Goncalves seconded the motion.

A voice vote was taken, motion passed unanimously.

III-D. COORDINATOR REPORT

1. Administrative Permit Applications - None
2. Permit #09-25 Perry Property – 34 Sharon Drive. Progress update

Pictures are attached. All materials have been removed. The applicant also has plantings schedule.

34- Sharon Drive
09-25



34- Sharon Drive
09-25



34- Sharon Drive
09-25



34- Sherman Drive
09-25



34-Sharon Dr.
09-25



3. Permit #09-17 DaSilva Property – 8 Brookfield Drive. Referred to Corporation Counsel.

This matter has been referred to Corporation Counsel. Applicant needs to comply with original decision of the Commission.

VI. MINUTES

1. April 14, 2011 Regular Meeting

The approval of minutes to be tabled to next month.

V. ADJOURNMENT

Commissioner Dunford motioned to adjourn the meeting. Commissioner Goncalves seconded the motion.

A voice vote was taken; motion passed unanimously.

Chairman Zahornasky adjourned the meeting at 7:21 P.M.

Respectfully submitted,

Sophia V. Belade

Sophia V. Belade

Clerk – Inland Wetlands

1 TAPE ON FILE IN TOWN CLERK'S OFFICE