

Inland Wetlands - 08-13-25

Minutes

I am calling the meeting to order the Derby in the Wetlands agency at 7:03 PM.
First item on the agenda is the Pledge of Allegiance.

Roll Call: Paul Denise here, Paul Padilla here, Jennifer Desroche here, Ray Bowers here.
Lynn van Aiken. absent.

The record should reflect you do have a quorum present, Mr. Chair.

The next item on the agenda is the Derby in the Wetlands agency election of officers. There are two offices the chairman and secretary.

I make a motion (Paul Padillia) that we elect Paul Denise as chairman. I second the motion (Jennifer Desroches).
Motion unanimous.

For the Office of Secretary (Paul Padillia) I nominate Jennifer Desroches.
Motions unanimous.

(Paul Denise) Thank you.

(Public Portion) If anyone would like to speak on any Wetlands issues or thoughts or concerns and want to address the agency. Now would be the time to do that.
This would not be any testimony or comments on the application before us tonight.

My name is **John Caparelli**. I'm at **59 Summit Street in Derby**. I wanted to get confirmation that there will be a public meeting for the proposed application.

(Paul Denise) That's the next item on the agenda. The commission must look at the application and determine whether it has a substantial impact on the wetlands.
After that is determined then a public hearing will be scheduled. If you have an opinion about the public hearing or not, you should express it to the board.

(John Caparelli) I definitely have an opinion, I think that not only does it affect the wetland water flow, but this affects many, many people. There are probably over 200 homes in the area that would be affected by. If this project goes forward, I think it's a major concern and it would be a real injustice if you didn't have a public meeting.

(Paul Denise) Thank you. I would point out, this meeting is just for the public's awareness on this matter, this agency is charged with oversight of wetlands and watercourses areas only.

(Ryan McEvoy) This commission has a very narrow jurisdiction over wetlands and watercourses. I just want to make that clear for the public and remind the agency.

Of activities within and within 50 feet of any wetlands or water courses. So that is the charge of this commission. The focus is limited to the activities and the impacts associated with wetlands.

(Paul Denise) Thank you. Is there anyone on zoom? That has a comment or concern. Okay, there being none, we'll go down to agenda item number 5. In the wetlands application submitted by summit hill LLC.

Care of attorney Dominic Thomas 315 main street Derby. Summit street assessors map 9-6 lots 47 and 47 B. And mountain street assessors map 8-9 lots 94 and 94 B. To address the purpose of the proposed activity is to connect the Summit Hill R-5 subdivision to Coon Hollow Road.

The activity is for the construction of 25 new residential duplex units, and 8 single family detached dwellings on the 2 parcels totaling 17.725 acres at the end of summit street. Part of our charge is to determine whether there's a substantial Impact on the wetlands. I'll open that up to the board for discussion in a minute. But I just want to point out that under the definition section of our regulations. I believe section 2 defines significant activity. There are 8 different conditions. Which would constitute a substantial impact. And certainly, at least half of them would constitute a substantial impact. And make it a substantial activity. If the agency determines it to be a significant activity, the applicant shall comply with section 7.5 of the regulations which states additional application requirements. For consideration. In my initial review of this application. I have personal concerns. That the intensity of the activity has the potential to cause siltation, sedimentation in the wetlands or water course, which is

Number 4. Has the potential to substantially change the natural channel of the water. To cause the pollution of a wetland or water course, and

Number 6, any activity, which causes or has potential to cause pollution of a wetland or water course.

Number 8. Which is any activity, which involves the construction or destruction of basins. The purpose of retention and/or detention.

Those are items that I think are important to consider. This is a rather large development, which will involve significant site work. Most of it, draining down and discharging Immediately into the water course in question. That is shown across land now formally owned by the city of Derby. It is the applicant's position as I understand it, that this is essentially a very large right away along the road. Our review of relevant documents about property ownership. Suggests that it is City owned property, but not the right of way road. is another consideration that potentially affects this application.

Ability for the applicant to connect to road as shown. I didn't see a report from a licensed soil scientist.

(Ryan McEvoy) There's a wetland report. That was prepared dated April 8th, 2025 by William Kenny associates. Submitted today, it did not get shared with the members. My understanding is that William Kenny is a soil scientist.

(Paul Denise) Did he submit any information in terms of test pits and soil samples that were taken?

(Ryan McEvoy) I don't believe there's anything included in the application.

(I can't verify his credentials, but I know he's been practicing for a long time in the soil science world).

(Paul Denise) If soil testing wasn't done. It's very difficult to know what we're looking at.

(Ryan McEvoy) There needs to be a delineation prepared by a certified soil scientist. They must have field data on the property that has not been submitted as part of this application.

(Paul Denise) It's 1 of the definitions. It's section 2.

Paul Denise, I believe that it is a significant activity.

(Jennifer) I agree.

(Paul Padilla), I also agree. If we're all in agreement, maybe we'll take a motion on that matter.

(Ray Bowers) I'd like to make a motion that we have the public hearing at our regular scheduled meeting in October.

(Paul Padilla) I second the motion discussion.

Motion passed.

(Ryan McEvoy) And the applicant also I believe is responsible for notifying budding property owners. You can schedule the public hearing as far ahead as the, as the regular meeting in October

(Ray Bowers) I make a motion that we schedule the public hearing at our regular scheduled meeting in October. Which is the second Wednesday. (Paul Padilla) I second the motion
Motion passed.

(Ryan McEvoy) I would recommend the members schedule a field walk with the members of this agency. You can walk around the site on your own.

If there's anything that you would want to see identified in the field. We can make that request to the applicant that they identify certain features in the property. I suspect, based on the report from Mr. Kenny, that the wetlands are flagged. And those are right alongside Coon Hollow Road alongside the main entrance Summit Commons.

Permission is granted by virtue of the application form itself.

Due to the intensity of the earthwork that's proposed, look at the contours, you can get an idea of how much material is going to be removed.

You can access the property from Mountain Road. I would recommend that if you do want to look, go to the site from the top, go up Summit Road, look at the end and you can walk directly to the site from there. The wetlands are located down it's a very steep site and it's very tricky to walk around so I would urge caution if you're going up there.

We propose meeting again on the second Wednesday of every month September 10, October 8, November 12, and December 10.

We should probably have formal approval of that of the schedule. Somebody can make a motion

(Ray Bowers) I make a motion that we accept the schedule as proposed.

(Jennifer) I second it.

Motion passed.

With that, we'll take a motion to adjourn.

(Paul Padillia) I make a motion.

Motion passed.

We adjourned at about 7:30 pm.

Jennifer Desroches
Inland Wetlands Agency
Secretary