DERBY INLAND WETLANDS AGENCY
DERBY, CONNECTICUT 06418

Paul Dinice, Jr.
Paul Padilla
Rodger Birtwell
Ray Bowers
Jennifer Desroches
Nelson Cummings – Alt.
Phil Marcucio – Alt.

April 19, 2018

Minutes of Derby Inland Wetlands Agency special meeting of Wednesday, April 19, 2018 at Aldermanic Chambers, City Hall, 1 Elizabeth Street, Derby. The meeting was called to order at 5:00 p.m. by Chairman, Paul Dinice.

By roll call members present were Paul Dinice, Paul Padilla, Rodger Birtwell and Ray Bowers. Also present were Ryan McEvoy, Milone & MacBroom, Atty. Barbara Schellenberg and Maryanne DeTullio, Clerk.

Public Portion

There was no one from the public present wishing to speak.

Application from Bob's Landclearing, Inc. for tree removal – Marshal Lane

Ryan McEvoy stated that he has been in contract with the owner of the property, Suzanne Hitchcock and confirmed that the property is taxed as agricultural land and it is her intent to sell to the DEEP for agricultural use in the future. He stated that he also found some documentation from DEEP regarding agricultural exemption. He stated that he clarified that clear cutting of trees for the purpose of agriculture is permitted as of right activity. Mr. Padilla stated that there is a waterway on that property and Mr. Dinice stated it is a culvert. Mr. McEvoy stated that you cannot deposit materials or change the grades.

Atty. Schellenberg stated that she is in agreement that as long as the findings are consistent with the regulations and State statute it is permitted by right. They are required to come her to confirm that it is agricultural.

Mr. Padilla stated that there is a major stream there and they will be using machinery. Mr. McEvoy stated that the statute is clear. Mr. Bowers asked if we know what the State will be doing there and Mr. McEvoy stated that we do not. Mr. Bowers asked if it was clear cutting and Mr. McEvoy stated that it is not; it is selective cutting.

Mr. Padilla moved that the stock work order be lifted and the activity is permitted as of right by the regulations and no filling or removal of materials shall be permitted. Any activity beyond what is stated will not occur and if it does a cease and desist order will be issued. The motion was seconded by Mr. Birtwell and carried unanimously.

A motion to adjourn was made by Mr. Padilla, seconded by Mr. Birtwell and carried unanimously. The meeting was adjourned at 5:10 p.m.

Respectfully submitted

Maryanne DeTullio

Maryanne DeTullio, Clerk