Derby IWA Application Status Report – 8/12/2026

Applications	Received	History	Status	M.A.D.[1]
Application # 26051301 **Joseph Jalowiec –90 & 114 Sodom Lane** Commercial Development	05/13/2026	P.H.(O) 7/8/26	P.H.(S) 8/12/26	**10/16/2026**
*See comment letter from SLR dated 8/12/26 *See draft motion to approve				

C.R.R.=Certified Mail w/ Return Receipt; P.H=Public Hearing; P.H.(O)=P.H. Open; P.H.(C)=P.H. Closed; P.H.(S)=P.H. Scheduled; M.A.D.=Mandatory Action date

1. Mandatory Action Date subject to change depending upon duration of public hearing and action by Commission.

RECEIVED
By Marc J Garofalo MPA, MMC, MCTC at 9:20 am, Aug 13, 2026

SLR International Corporation
99 Realty Drive, Cheshire, Connecticut, 06410

August 12, 2026

Mr. Kevin P. White, Wetland Enforcement Officer
City of Derby
1 Elizabeth Street
Derby, CT 06418

SLR Project No.: 141.11564.00001

RE: Site Plan – Additional Building and Parking Lot Modifications
114 and 90 Sodom Lane
Derby, Connecticut

Dear Mr. White:

Pursuant to your request, we have reviewed the documentation submitted in support of the above-referenced application. The following documents were received for review:

1. Plans entitled "Site Plan, Prepared for, Jalowiec Realty Associates, 90 & 114 Sodom Lane, Derby, Connecticut, Prepared for: Summit Hill, LLC, Derby, Connecticut," prepared by NOK Associates, dated 2/4/2026, revised to 7/23/26
2. Plan entitled "Landscape Plan, Prepared for, Jalowiec Realty Associates, 90 & 114 Sodom Lane, Derby, Connecticut, Prepared for: Summit Hill, LLC, Derby, Connecticut," prepared by NOK Associates, dated 7/22/2026, revised to 7/29/2026
3. Report entitled "Wetland Assessment Report, 90 & 114 Sodom Lane," dated July 22, 2026, prepared by Soil Science and Environmental Services
4. City of Derby Inland Wetlands Agency, Application for Permission to Conduct a Regulated Activity within a Wetland or Watercourse Area in the City of Derby, dated May 12, 2026
5. Minutes from DIWA meeting on October 11, 2006
6. Letter from SLR dated July 7, 2026
7. Certificates of Mailing to abutting property owners

Based upon the documentation received, we offer the following comments regarding this application. (Please note that comments are directed at wetlands-related concerns, primarily consisting of the review of Stormwater Management and Sediment and Erosion Controls. Additional comments related to zoning concerns will be provided to the Derby Planning and Zoning Commission should an application be submitted to that commission.) Comments that remain or that have been partially addressed and new comments are shown in **bold.** Previous comments that have been addressed are shown in *italics.*

1. A similar plan was approved by the Derby Inland Wetlands Agency (DIWA) in 2006, with additions and parking improvements at 114 Sodom Lane, and a new building and parking improvements on 90 Sodom Lane. In that application, the engineer demonstrated that formal detention on this parcel may exacerbate existing flooding in the watercourse. This application includes additional provisions for storage of stormwater on 90 Sodom Lane.

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Comment remains for Agency's consideration.

2. The proposed three-bay auto service shop does not include any outdoor storage as part of this application. Any outdoor storage on this property would require approval from the DIWA.

   Comment remains for Agency's consideration.

3. The intent of the parking layout for the auto service shop appears to be directed to the catch basin in the southern side of the parcel, though the plans show a low point some 6" +/- below the catch basin top at elevation 174. It would appear that the intent is to have any drainage more than the capacity of the underground infiltration system sheet flow to the watercourse. Grading in this area must be clarified so that the design intent for stormwater is clearer.

   Comment partially addressed. Additional details on the parking lot grading have been provided. We do, however, recommend that parking spaces 29 through 33 should be graded to pitch to the low point/catch basin.

4. The new parking on both 114 & 90 Sodom Lane was previously approved as grass pavers. This plan shows the new parking spaces to be paved. The DIWA may wish to consider some form of pervious parking surfaces in these areas as was previously approved.

   Comment remains for the Agency's consideration, particularly on 114 Sodom Lane. We would recommend that parking spaces on 90 Sodom Lane be paved to direct any hydrocarbons to the proposed catch basin with the hooded outlet.

5. We recommend that the catch basin in the southern end of 90 Sodom Lane incorporate a water quality treatment device to easily capture any sediment and hydrocarbons that may run off from impervious surfaces near the Auto Service area.

   Comment addressed. The plans include a hooded outlet and deep sump.

6. Limited landscaping was approved as part of the 2006 site plans. We recommend these plantings be included in this application or any approval granted by the DIWA be conditioned to approved similar landscaping.

   Comment addressed. A planting plan has been prepared. We do, however, recommend that any plantings within the existing sewer easement be reviewed by the Derby WPCA prior to installation.

7. In addition to wheel stops, boulders, bollards or other protections for to prevent a vehicle from entering the watercourse should be considered at 114 Sodom Lane.

   Comment addressed.

8. It is unclear if the storm infiltrators shown on 114 Sodom Lane are existing or proposed.

   Comment addressed.

9. The plans and/or application should include the total area of proposed regulated activities.

   Comment addressed. The Wetlands Assessment Report states that 4,550 square feet (+2,800 square feet on east side and +1,750 square feet on west side of the wetland/ watercourse) of the URA will be disturbed.

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10. It is unclear if the wetlands on the west side of the watercourse have been delineated. Based on a field visit, it appears that wetlands are identified within the riprap slope just upslope the from watercourse edge.

    Comment addressed.

11. The plans include details and notes for silt fence / haybales, and construction entrance pads though their location is not shown on the plans.

    Comment partially addressed. Silt fence and construction entrance pads have been added. We recommend that silt fence be reinforced with haybales within the upland review area.

12. In past applications, the DIWA has considered the use of conservation easements, wetland markers, fencing, or a combination thereof in order to discourage future encroachment into the regulated area or wetlands. The DIWA may wish to consider these provisions in this application.

    Comment remains for Agency's consideration.

13. **Parking spaces 23 through 25 will require the paved drive aisle to be 24' in width to comply with the Zoning Regulations.**

Should you have any questions or concerns, please do not hesitate to contact me at (203) 271-1773.

Regards,

SLR International Corporation



Ryan McEvoy, PE
Principal Civil Engineer
rmcevoy@slrconsulting.com

cc: Mayor Joseph L. DiMartino – City of Derby
Kevin White – Wetland Enforcement Officer
Brian Lema, Esq. – Derby Corporation Counsel – Berchem Moses PC
Dominick Thomas, Esq. – Cohen and Thomas, LLC

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CITY OF DERBY – INLAND WETLANDS AGENCY
August 12, 2026

Motion:

That the City of Derby Inland Wetlands Agency (DIWA), having considered the factors pursuant to Section 10 of the Inland Wetland and Watercourse Regulations of the City of Derby and after review of written and verbal information provided by the applicant, Commission members and City staff, finds the following:

1. On May 12, 2026, Jalowiec Realty Associates, LP (Applicant) submitted an application No. 26051301 for activities within 50 feet of the wetlands and other upland areas adjacent to the wetlands. The activities are associated with expansion of two existing buildings, parking lot construction, grading, and stormwater management installations

2. The watercourse which bisects the property from the culvert under Sodom Lane to the twin 54" pipes under the Staples Shopping Center is an unnamed tributary to Two Mile Brook.

3. A Wetland Assessment Report has been prepared which identified the existing site conditions

4. There are no direct wetland impacts and approximately 4,550 square feet (+ 2,800 square feet on east side and + 1,750 square feet on west side of the wetland/watercourse) of disturbance within the upland review area

5. That this application is not a "significant activity" in accordance with the definition of "significant activity" as found in the Regulations of the DIWA and will require a summary ruling.

6. Best Management practices have been employed in the design to promote infiltration and to improve storm water runoff quality. These practices include stormwater infiltration to treat runoff from on-site impervious areas before discharging to the wetlands and watercourses, energy dissipaters and vegetated bio-filters the drainage outlet. Sedimentation and erosion control measures have also been incorporated into the design including sediment filter fence and stabilized construction entrances

7. Information was provided by the Applicant, City staff, Agency members and the general public during the public hearings held on July 8, 2026 and August 12, 2026.

Therefore, the Agency moves to approve Application No. 06071203 as presented and shown on the following documents submitted in support of the application:

1. Plans entitled "Site Plan, Prepared for, Jalowiec Realty Associates, 90 & 114 Sodom Lane, Derby, Connecticut, Prepared for: Summit Hill, LLC, Derby, Connecticut," prepared by NOK Associates, dated 2/4/2026, revised to 7/23/26.

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2. Plan entitled "Landscape Plan, Prepared for, Jalowiec Realty Associates, 90 & 114 Sodom Lane, Derby, Connecticut, Prepared for: Summit Hill, LLC, Derby, Connecticut," prepared by NOK Associates, dated 7/22/2026, revised to 7/29/2026.

3. Report entitled "Wetland Assessment Report, 90 & 114 Sodom Lane", dated July 22,2026, prepared by Soil Science and Environmental Services

4. City of Derby Inland Wetlands Agency, Application for Permission to Conduct a Regulated Activity within a Wetland or Watercourse Area in the City of Derby, dated May 12, 2026.

5. Minutes from DIWA meeting on October 11, 2006.

6. Letter from SLR dated July 7, 2026

7. Certificates of Mailing to abutting property owners.

In addition to the requirements listed in Sections 11.9, 11.12 and 11.13 of the Regulations Protecting the Wetlands and Watercourses of the City of Derby, the following stipulations also apply:

1. The site plans shall be revised to incorporate the recommendation and comments #3, 11 and 13 in the comment letter from SLR International Corp dated August 12, 2026.

2. The applicant shall place medallions prescribed by the DIWA at intervals of no less than 75' on 4"x4" posts along limit of disturbance where regulated activities are proposed. A plan showing the locations of the markers shall be provided prior to issuance of a building permit.

3. Prior to any construction activities covered by this permit, the applicant shall have the following items both completed by a qualified party and verified as complete by the City Engineer, Corporation Counsel and/or Wetland Enforcement Officer:

    a. Written confirmation that the deed of the property references the regulated areas on site and the stipulated conditions of this approval, including all easements and agreements.

    b. Arrange for the filing of this approval on the Derby Land Records.

    c. Prior to any clearing or earthmoving activities, the proper installation of all sediment and erosion control measures indicated on the above referenced plans.

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4. Lack of compliance with any stipulation of this permit approval shall constitute a violation of the Regulations Protecting the Wetlands and Watercourses of the City of Derby, and a cease and desist order shall be issued by the Wetland Enforcement Officer.

5. Any further changes or modifications to the application presented shall be submitted to the Derby Inland Wetlands Agency to determine if additional review and approval is necessary.

6. All maintenance and refueling of equipment and vehicles shall be performed at least 50 feet or as far as practical from all wetlands and watercourses.

7. All disturbed areas on the site not directly required for construction activities shall be temporarily hayed and seeded until permanent vegetation is established.

8. After commencement of construction, an inspection of the condition, integrity, and adequacy of the sedimentation and erosion controls shall be made by a qualified party on a regular basis, at least once every seven calendar days and within 24 hours of the end of a storm event that is 0.5 inches or greater and until the City of Derby determines that inspections are no longer required.

9. The Wetland Enforcement Officer, City Engineer or any other duly authorized representative of the City of Derby shall have the authority to direct the applicant, developer and or contractor to install additional sediment and erosion control measures as conditions may warrant.

10. A contact individual together with a 24-hour phone number shall be designated with responsibility and authority to receive notices of any breaches or deficiencies of sedimentation and erosion controls on-site, and to coordinate repair on any such breach or deficiencies with 8 hours of the notice from the sediment and erosion control inspector, Wetland Enforcement Officer, City Engineer or any other duly authorized representative of the City of Derby.

11. The Agency's decision to grant this approval makes no warranties or representations, either express or implied that future regulated activities will be permitted on this site.

12. Per Section 18.5 of the Regulations, the DIWA approves the application as a summary ruling and the applicant shall pay a fee of $200.00 to the City of Derby Finance Office.

RECEIVED
By Marc J Garofalo MPA, MMC, MCTC at 9:21 am, Aug 13, 2026

Invoice

Jamie Wilson
City of Derby
Inland Wetlands Agency
1 Elizabeth Street
Derby, CT 06418

August 07, 2026
Invoice No: 10029309

Project Manager: Ryan McEvoy
PO Number: TBC

Invoice Total: USD 225.00

Project 141.V11564.00001 11564.00001 Derby Wetlands Commission (General)

Professional Services from July 04, 2026 to July 31, 2026

Phase 0020 Miscellaneous Technical Support

Services Rendered: Prepare for and attend July meeting.

Professional Staff

		Hours	Rate	Amount	
Principal 1		1.25	180.00	225.00	
	Totals	1.25		225.00	
	Total Labor				**225.00**

Phase Total **USD 225.00**

Total this Invoice **USD 225.00**

Outstanding Invoices

Number	Date	Balance
10028574	7/20/2026	585.00
Total		**585.00**

Please make all payments to **SLR International Corporation**
ACH/Wire Payment: U.S. Bank, N.A., Seattle, WA **ABA:** 125000105 **Acct:** 153590817315 **SWIFT:** USBKUS44IMT
Check Remit Address: PO Box 809327, Chicago, IL 60680-9327

Please note
If paying by check, effective September 16, 2026, our new lockbox address is:
SLR International Corporation
P.O. Box 861030
Minneapolis, MN 55486-1030

Email remittance info to *ar-us@slrconsulting.com*

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By Marc J Garofalo MPA, MMC, MCTC at 9:21 am, Aug 13, 2026

SLR International Corporation
22118 20th Ave SE, G-202
Bothell, WA 98021

Phone: (425) 402-8800
Email: *AR-US@slrconsulting.com*

Invoice

Jamie Wilson
City of Derby
Inland Wetlands Agency
1 Elizabeth Street
Derby, CT 06418

July 20, 2026
Invoice No: 10028574

Project Manager: Ryan McEvoy
PO Number: TBC

Invoice Total: USD 585.00

Project 141.V11564.00001 11564.00001 Derby Wetlands Commission (General)

Professional Services from May 30, 2026 to July 03, 2026

Phase 0020 Miscellaneous Technical Support

Services Rendered: Prepare for and attend August meeting of the DIWA. Review of Summit Hill LLC application, and prepare comment letter.

Professional Staff

		Hours	Rate	Amount	
Principal 1		3.25	180.00	585.00	
	Totals	3.25		585.00	
	Total Labor				**585.00**
				Phase Total	**USD 585.00**
				Total this Invoice	**USD 585.00**

Please make all payments to **SLR International Corporation**
ACH/Wire Payment: U.S. Bank, N.A., Seattle, WA **ABA:** 125000105 **Acct:** 153590817315 **SWIFT:** USBKUS44IMT
Check Remit Address: PO Box 809327, Chicago, IL 60680-9327
Email remittance info to *ar-us@slrconsulting.com*

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