

A. Roll Call

Present: Alan Cegan, Cathy Collins, Jim Connors, Jon Higgins, Sally Lee, Richard Lutz, Justin Margeson, and Steve Munson.

Absent: Ken Cowden and Michael DeGrego.

Collins called the meeting to order at 7:30 p.m.

B. Pledge

All stood for the Pledge of Allegiance.

C. Public Comments

None.

D. Old Business

1. **IW-V-11-023: Westmoor Road, Field & Son Builders, LLC** – clearing in and within 100' of a wetland or watercourse in the South Central Shoreline Watershed without a permit. Mitigation ongoing.

There is no action required of the IWA at this time.

2. **IW-V-11-049: 945 North Street, Barretta Realty Associates, LLC** – storage of wood, material and debris within 150' of a wetland or watercourse in the Wepawaug River Watershed without a permit.

There is no action required of the IWA at this time.

3. **IW-A-11-055: 134 Old Gate Lane, Gus Grigoriadis** – proposed neighborhood restaurant with construction and grading within 100' of a wetland in the Indian River Watershed.

MaryRose reported that this is a proposal by Gus Grigoriadis for construction of a restaurant, parking and associated stormwater improvements within 100' of a wetland in the Indian River Watershed. It is a 1.45 Ac parcel with 0.07 Acres of inland wetlands and 0.38 Acres of Tidal wetlands. The proposed new construction is 43' from the wetland line at the closest point. Cegan, Collins, Connors, DeGrego, Lutz, Margeson and Munson walked the property at the Agency site walk on 1/17. Cowden, Higgins and Lee walked the property on their own. Jeff Gordan of Codespoti & Associates was present to review the project and answer any questions.

Gordan oriented the plan/site. There is no disturbance to the wetlands proposed; approximately 1/3 acre of upland will be disturbed. He proceeded to review the sand filter/biofiltration system.

Lutz asked if the capacity of this system could be increased to handle more than 1" of rain. Gordan stated that it can; the first inch of runoff is to be restored and the depth of the system is 7'. There will be 5' of material; the volume is pretty intense.

Cegan asked how much fill would be put in for the southwest corner of the building. Gordan reviewed the cross section that will go from 9' to zero. A grease trap is to go there as well. 33 cu. yds. of material will be needed. Material that will be excavated for the basement will be used for this as well.

Collins asked about the use for the old drainage ditch that is on site and covered in rock. MaryRose stated that this was a drainage area put in for a prior project and the site was never developed; the building was never completed. The silt fence on sheet SP4 was reviewed. MaryRose clarified that the leaves and vines in the rear would be removed.

The following motion was made by Connors, seconded by Lee:

After duly considering all relevant factors, I move to approve application IW-A-11-055, 134 Old Gate Lane based on the plans entitled "*Proposed Site Development Plans Pop's Restaurant #134 Old Gate Lane, Milford, Connecticut*" by Codespoti & Associates, P.C. cover & 8 sheets dated 12/15/11, the information in the file and presented this evening, for the following reasons:

This action will not have a negative impact or effect on the physical characteristics of the adjacent wetlands and watercourses.

With conditions including:

- The Permittee will submit a construction plan *prior* to taking out the permit.
 - Wetland notification to be placed on the asbuilt and in the property deed to give notice to property owners that permits are required from the MIWA to work on the site.
 - Debris and invasive species to be removed from the site.
 - A bond to be calculated must be posted with the MIWA for installation and maintenance of S&E controls, wetland boundary markers and an asbuilt showing finished 2' contours and locating all site structures.
 - A mitigation monitoring bond to be calculated must be posted with the MIWA for site plantings and monitoring of the bio-retention area. Reports on the bio-retention area must be given to the Agency monthly for the first year and two times a year over the following two years. The Reports will monitor the status of the bio-retention areas and may recommended amendments to the plan for the best functioning of the site. Recommendations must be implemented prior to the bond being released.
 - The Permittee must submit a certification by the project Engineer that the completed project meets the design intent of the approval prior to the bonds being released.
- The permit is issued 1/18/12, expires 1/18/17.

The motion carried unanimously.

4. **IW-A-11-057: 277 Wheelers Farm Road, Robert and Tina Santillo** – after the fact permitting of existing house, decks, pool, shed and pond within 150' of a wetland or watercourse in the Wepawaug River Watershed.

MaryRose reported that this is a proposal by Bob and Tina Santillo to permit the house, decks, pool, shed and pond on their property at 277 Wheelers Farms Road. The Santillo's purchased their home from previous owners who built the house. The builder had come before this Agency to get a permit to explore septic system locations and was required to come back to get a permit for the home. They did not get a permit from the IWA but did get a permit from Planning & Zoning for the home.

The plans show you the location of the house, pool, shed decks and pond with concrete patio in relation to the wetlands on the site. At the closest point the deck is approximately 20' from the wetland line and the pond is at the wetland line. The shed is approximately 38' from the wetland line. The pool enclosure is 25' from the wetland line.

The wetlands were flagged on 11/11/11 by William Kenny, a Certified Soil Scientist/Professional Wetland Scientist. The site was surveyed by Phil Tiso, of Rose Tiso Associates and they were present to answer questions on the application.

Tiso reviewed the site; this is an existing rear lot; when the Santillo's purchased the house, the structures were already in place. He proceeded to review the grade of the lot as well as the wetland boundaries and flow of the site. Most of the lot is within the 150' review area.

Collins asked about the area of wetlands flags 30, 31, 32 and 33. Kenney stated that the pond has a liner in it now and appears to have been man made previously, based on sediment. Collins asked if the river flows through the pond. Mr. Santillo stated that it does not; it was a pond without a liner when he moved in and there was a washer and dryer, engine parts, etc. on site. The pond now has 65 coy fish in it; he removed a dozen washers and dryers and scrapped them.

Munson asked when the property was purchased. Santillo stated that they purchased the property 5 years ago and it was all dug out; he put in the liner and the walkway and did not know he purchased it without a Certificate of Occupancy. MaryRose stated that she did see washers and dryers on the adjacent property but did not see them on this site and that the pond and pool were added; the shed existed.

A motion was made by Connors, seconded by Lee to schedule a site walk for this application on Tuesday, 1/24/12 at 4:15 p.m. The motion carried unanimously.

E. Minutes

A motion was made by Munson, seconded by Connors to accept the minutes of the previous meetings (01/11/12 and 1/17/12) as presented. The motion carried unanimously.

F. Committee Reports

Committees:

- Bylaws, Regulations & Procedures committee. (Justin, Al, Steve) no report.
- Communications & Education committee. (Cathy, Jim, Michael) no report.
- Commissioners' Training committee. (Ken, Jon, Sally) no report.

G. Staff Report

The office has been busy with inquires and complaints.
Please remember to update contact information and experience synopsis.

- West Avenue and Gulf Pond pump station projects are ongoing.
- Indian River Interceptor is ongoing.
- Prospect Falls is ongoing, the plantings are in and the 1st mitigation report has been received.
- Westmoor Road lots are ongoing.

Please remember to call or email the office if you are unable to attend a meeting. There have been some staff changes and temporary vacancies; please be patient with response time.

H. Chairman's Report

None.

There is a site walk at 277 Wheelers Farm Road on 1/24/12 at 4:15 p.m.

The next regular meeting will be on 02/01/12.

There being no further business to discuss, the meeting adjourned at 8:10 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.