

A. Roll Call

Present: Brendan Magnan, Jim Connors, Daniel Bedeker, Matthew Connors, Dave DeFlumeri, Heather Donaldson-Gladue, Steve Munson and Lisa Tryon.

Absent: Ranjit Bhav.

Also Present: MaryRose Palumbo and Lisa Streit

Received by Inland Wetlands Agency

Milford DPLU

February 07, 2023

Magnan called the meeting to order at 7:30 p.m. and deemed there was a quorum.

Magnan reviewed: As we continue to host remote meetings, she wanted to take the opportunity to highlight a few guidelines to ensure business runs efficiently and that all statutory and administrative rules are followed:

1. In accordance with the Freedom of Information Act and Governor Lamont's executive orders, this meeting is being recorded and will be made available on the City of Milford website.
2. During this meeting, if members of the Inland Wetlands Commission would like to speak, please utilize the "raise your hand" feature via Zoom. All participants will be muted during the meeting unless recognized by the Chair.
3. After being recognized to speak, please state your name and address prior to making a statement.

B. Pledge

All stood for the Pledge of Allegiance.

D. Public Comments

None.

E. Old Business

1. **IW-A-23-001: 0 Cherry Street, Jefferson Park, City of Milford** – proposed construction of sidewalks with grading, stormwater, and landscaping within 150' of a wetland or watercourse in the Wepawaug River Watershed.
 - MaryRose reported that this is an application by the City of Milford for a Riverwalk Jefferson Park with 225' of 5' wide sidewalk. The proposal includes construction, grading and vegetation removal within 5' of the Wepawaug River. The site is located between Prospect and River Streets and the Wepawaug River.
 - The applicant presented their application at the last meeting and the Agency had a few questions. That information and a revised plan are in the email links. The original proposal had called for Stormcrete modular precast porous concrete over a stone reservoir for stormwater infiltration. The plan revised 1/27/23 proposes to utilize a 6" stone bleed-off area and reservoir under the poured concrete with lumbar baffles to ensure infiltration. The City Engineers proposal is to excavate and remove the soils from the site and immediately backfill with the stone. This would reduce erosion and sedimentation concerns and limit ground disturbance for stockpiling.
 - Silt fencing is proposed for erosion control and sedimentation control. It is to be installed 2' from the river and 3' from the proposed excavation. Vegetation clearing along the edge of the River is to be in consultation with the Tree Warden. Invasive species exist in this area. Proposal for vegetation removal and revegetation of this area to be discussed in the field.

Outstanding information at the last meeting:

- The depth of excavation and reservoir course of crushed stone for Stormcrete bedding has been updated on the plans.
- No staging area is proposed. The design calls for excavated soils to be trucked off site as dug and immediate backfilled with stone to avoid disturbance from stockpiles.
- Additional erosion and sedimentation controls were shown on the revised plans as requested.

Chris Saley, Public Works Director, was in attendance to present and discuss this application. Chris stated that he felt that MaryRose did a great job with reviewing the application; they made some modification to the plan based on the concerns from the last meeting,

This evening the Agency may:

- Take no Action
- Ask questions.
- Request additional information.
- Schedule a site walk.
- Schedule a public hearing (no petition has been received as of 02/01/23. Petition deadline is 2/1/23).
- Approve the application as is.
- Approve the application with modifications/conditions.
- Deny the application.

The following motion was made by Munson and seconded by Connors:

After duly considering all relevant factors, I move to approve application IW-A-23-001: 0 Cherry Street – Jefferson Park based on the plans entitled “Map of Proposed River Walk Jefferson Park, 0 Cherry Street Milford, CT” by City of Milford Engineering Bureau, 2 sheets dated 1/11/23 rev 1/27/23, the information in the file and presented this evening, for the following reasons:

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

With conditions including:

- The Permittee must submit a construction plan prior to taking out the permit.
- Soil Erosion and Sedimentation controls as outlined on the plans and in the CT DEP “2002 Erosion and Sedimentation Control Guidelines” must be installed and maintained on the site until the property is stabilized.
- Stormwater treatment must be installed as approved on the plans unless any changes are approved in writing prior to making that change.
- The permittee may not make any alterations, except de minimis alterations, to any structure, facility or activity authorized by this permit unless the permittee applies for and receives a modification of this permit. A de minimis alteration means a change in the design, construction or operation authorized under this permit that does not increase environmental impacts or substantively alter the construction of the project as permitted.
- The Permittee must submit a certification by the Project Engineer that the completed project meets the design intent of the approval prior to bonds being released.

The permit is issued 2/1/2023 expires 2/1/2028 unless otherwise provided by Statute.

The motion carried unanimously by roll call vote.

E. New Business

- 1. Modification IW-A-22-0035: 589 Bridgeport Avenue, Casey Associates, LTD** – proposed redevelopment for residential units with demolition, construction, stormwater improvements and grading within 100' of wetlands and watercourses in the Housatonic River Watershed.
 - MaryRose reported that this is a modification request received this evening for 589 Bridgeport Avenue for work in and within 100' of wetlands in the Housatonic River Watershed. The Agency approved development on this site on 5/04/22 with a modification on 7/06/22.
 - The Applicant is proposing to modify the approval from 4-story buildings to 3-story buildings, with decreases in units and parking. There is a proposed increase to temporary and permanent wetland disturbance with an increase in mitigation. They have expanded the area for removal of invasive species and mitigating with native plantings. The proposal still has a reduction in impervious surfaces over the current conditions and is adding a stormwater system to enhance the overall water quality. Water from this site will continue to discharge through the existing stormwater system but will now be pre-treated before entering Beaver Brook. There is a net decrease in impacts to stormwater over the existing site.
 - This evening Attorney John Knuff from Hurwitz Sagarin, Slosberg & Knuff and Engineer John Schmitz from BL companies are here to present the proposed modification.

	Approved	Proposed modification	Increase/Decrease over existing approval
Total Site Area	17.91 ac	17.91ac	n/c
Total Wetlands	2.22 Ac	2.22 ac	n/c
Total Disturbed Wetlands:	2,314 sf permanent, 1299 SF temporary	3,877 sf permanent, 2,026 sf temporary	1,563 sf permanent, /- 727 sf temporary/-
Total Review Area Altered	1.62 ac	1.68 ac	0.06/-
Wetlands Enhanced or Created	1,299 sf	6,094 sf	4,795 sf /-sf
# of Units	202	192	-/ 10

This is a modification request, this evening the agency can:

Take no action.

Ask questions.

Ask for additional information.

Schedule a site walk.

Schedule a public hearing.

Approve the modification (with or without additional conditions).

Deny the modification.

Magnan requested that the applicant focus on changes in the wetland area in their presentation.

John Schmitz, BL Companies 355 Research Parkway Meriden CT, reviewed the site plans entitled Overall Site Plan SP-0, Site Plan sheet SP-2 (which shows IW and impacts) and Landscape Plan LL-2 (which shows buffer area plantings). He stated that as with the original application they are holding 20' around the buildings for temp impact during construction. The buildings were pushed back roughly 5' further into the wetlands. They are proposing to use wooden mats to traverse the areas with minimal impact to soils and then restore after construction. The mitigation involves plantings to restore the wetlands.

Tryon asked about the location of the wetland educational signage and markers as required in the approval. Schmitz stated that they are not shown on the plan but will be placed on 25' centers in the field along the mitigation plantings about 10' off of the building.

Munson questioned why a second modification was required. Why a plan of this magnitude needed revisions to the application and questioned if the applicants feel that this is likely to be the finalized plan. Atty Knuff stated that they appreciate the commissions' patience in hearing them for the third time and further stated that the standard in the City for decades was 24' drive aisles and now 28' drive aisles are required by the Fire Department. P & Z and the neighbors said that they would prefer 3-story over 4-story buildings. They do believe that they have settled on the formula that will meet the needs of everyone. Munson concluded that the changes are being proposed for reasons that are not in purview of the IWA.

Connors questioned why 3 stories verses 4 stories. Atty Knuff stated that the neighbors were concerned about building heights and P & Z requested they reduce the building heights.

Magnan stated that he feels the design is still a net improvement over the original situation, therefore he is in favor of the plan. It was the general consensus that the commissioners were in favor of the plan.

The following motion was made by Connors and seconded by Donaldson-Gladue:

I move that permit IW-M-22-0035: 589 Bridgeport Avenue be modified as shown on the plans entitled "*Land Development Plans for Proposed Mixed Use Development 589 Bridgeport Avenue, Milford, Connecticut*", by BL Companies, 57 sheets dated 1/20/23, based on the information in the file and presented this evening, for the following reasons:

- *This action will not have an impact or effect on the physical characteristics of the adjacent wetlands and watercourses.*

With the original and conditions and including:

- The Permittee must submit a construction plan *prior* to taking out the permit.
- Compliance with the City Engineers requirements for stormwater.
- A permit condition bond to be calculated must be posted with the MIWA for S&E controls, wetland boundary markers and an asbuilt showing finished 2' contours and locating all site structures.
- A mitigation monitoring bonds to be calculated must be posted with the MIWA prior to site disturbance for mitigation plantings and a minimum of 3 years of mitigation monitoring by a professional wetland scientist with reports to the MIWA twice a year for a minimum of 3 years. Report to include the status of the site and any recommended corrective actions or amendments to the mitigation plan for best stabilization of the site. If there is recommended corrective action,

there must be an inspection and a report by the professional wetland scientist within 1 week of the corrective action being taken.

- Wetland Educational signage to be placed near the wetland area.
- The Permittee must submit a certification by the Project Engineer that the completed project meets the design intent of the approval *prior to* bonds being released.
- The permit is issued 5/04/22 expires 5/04/27 unless otherwise provided by Statute.

The motion carried unanimously by roll call vote.

F. Minutes

A motion was made by Donaldson-Gladue, seconded by Connors to accept the minutes of 01/18/23 as presented. The motion carried by roll call vote with M. Connors and Tryon abstaining.

G. Staff Report

MaryRose reported that proposed Bill 5616 would require all IWA Commissioners to be trained by a certain date. She would like to confirm that everyone on the Agency has received their certificate and asked that commissioners either call or email their certificate to the office to confirm training has been completed. For those that have not received their certificate; the training links are in the notes.

CT DEEP IWA Commissioner training is available online. You can sign up for the class or access links from past training information and videos on the [CT DEEP IW training page](#) as well as [UConn Land Use Academy training](#).

The office has been busy working on the SCRCOG Multijurisdictional Hazard Mitigation Plan and the Annual FEMA Community Rating System and MS4 submissions, as well as inquires, complaints, minor reviews, and other reporting. We are accepting digital applications through the online permitting request system, City Squared, and processing them in the Municipality the permitting software. There are still a few issues to work out with the software and we are working with Joe Griffith and the provider on these issues.

Tomorrow is World Wetlands Day there is a link in the notes to the wetlands international site: [World Wetlands Day 2023 - Wetlands International](#)

Site Status:

- 30 Bridgeport Av – ongoing.
- 1553 Boston Post Road – work is ongoing, site is stable, binder course of pavement is down, and building is under construction.
- 67-69 Cooper Ave – ongoing.
- 94 Edgewater Place – permit taken out.
- 114-122-124-128 Merwin Ave – ongoing.
- 201 Kings Highway – ongoing.
- Wheelers Woods – project completed, waiting on final review.
- 16 Marsh St. – ongoing.
- 690 New Haven Ave – ongoing, site is stable.

- 8 Pepe's Farm Road – ongoing monitoring.
- 33 Pearl Street – asbuilt received: under review.
- 0 Terrace Road – waiting on final review.
- 161 West Rutland Road – ongoing – several lots have been sold off and individual owners are coming in with minor modifications to the proposed sites. In all cases, no work has been proposed in the conservation, wetland areas.
- 104 Lavery Lane – plantings in, seeded, not yet established, need to review in spring.
- 0 Quarry Road – ongoing, lots 1 & 2 are constructed with rough grade, fencing is in with markers. Final grading and stabilization in the spring.
- 420 West River Street – bond release submitted to Finance.

Please remember to call or email if you are unable to attend a meeting.

H. Chair Report

Please let the office know if you cannot attend and get any questions you have on the applications to MaryRose so that she can forward them to the applicants.

The next meeting will be February 15th via ZOOM. Please let the office know if you cannot attend.

There being no further business to discuss, a motion was made by Connors, seconded by DeFlumeri to adjourn at 8:10 p.m. The motion carried unanimously by roll call vote.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.