

Minutes of the Regular Meeting of the Inland Wetlands Agency on May 1, 2013.

A. Roll Call

Present: Cathy Collins, Jim Connors, Ken Cowden, Carol Dunn, John Higgins, Richard Lutz, Brendan Magnan and Justin Margeson.

Absent: Allen Cegan, Lilly Flannigan and Steve Munson.

Also Present: MaryRose Palumbo, Lisa Streit and Steve Johnson, Open Space Coordinator.

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. New Business

- 1. IW-V-13-022: 37 Lakeside Road, Brad Frederick and Britnei Artz** – clear cutting trees and stockpiling material without a permit within 100' of a wetland or watercourse in the South Central Shoreline Watershed.

MaryRose reported that this is a violation issued 4/26/13 for clear cutting of trees within 100' of wetlands in the South Central Shoreline Watershed without a permit. She received a complaint and walked this site on 4/24/13. The photo sheets being passed around show five trees cut between the Fredricks/Artz property at 37 Lakeside Road and the City owned Open Space parcel around Walker Pond. There is also a pile of soil and material on the boundary of the properties without proper erosion and sedimentation controls. In a significant rain event this material could wash into the Pond and surrounding wetland. The notice was sent out certified mail on Friday, we have not yet received the delivery receipt indicating the Mr. Fredrick or Ms. Artz has signed for the violation notice. She recommended that the violation be upheld and that we request Mr. Frederick and Ms. Artz attend the next IWA meeting to answer the violation.

Steve Johnson, Milford Open Space coordinator stated that 6.5 trees have been cut down.

A motion was made by Connors, seconded by Higgins that cease and desist order IW-V-13-022, 37 Lakeside Road be upheld and that the violators come to the next regular meeting. The motion carried unanimously.

2. **IW-A-13-024: 553 West Avenue, Grillo Services, LLC** – proposal for a facility for leaf composting, tree and brush recycling, processing of top soil, sale of landscaping products and 4 buildings with roads, parking, grading and stormwater improvements in and within 150’ of a wetland in the Beaverbrook Watershed.

This item is on the agenda for the first time and can be discussed at the next meeting.

E. 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.

MaryRose reported that the next mitigation report is due in May 2013.

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.

MaryRose reported that this site had been in court over ownership for a period of time. She met with Mr. Richard Barretta last week on the property. There is one pile of stumps and debris within 30’ of the wetlands that Mr. Barretta needs to remove. A portion of the site along the silt fencing needs to be stabilized. Mr. Barretta proposes to spread woodchips in this area. There are two soil piles under the high tension wires on this site. Both piles are stabilized with vegetation on the back and downstream sides. Mr. Barretta proposes to have the site ready for inspection by the end of the month.

3. **IW-V-12-079: 161 Southworth Street, Eric Green, Jr.** – dumping of material and debris without a permit within 150’ of a wetland or watercourse in the Wepawaug River Watershed. Information to be submitted by 3/20/13.

MaryRose reported that this item will be before the IWA on 5/15/13. She spoke with Mr. Green and his attorney and they will be submitting a removal and mitigation plan and estimated timeline for the meeting on the 15th.

4. **IW-A-13-003: 211 West River Street, Sydney M. Patchen** – placement of fill to raise a portion of the existing lawn area to the elevation of the residence and remove dying trees with work within 100’ of a wetland or watercourse in the Wepawaug River Watershed.

MaryRose reported that this is an application to allow fill to remain on property at 211 West River St. At the 4/17/13 meeting the Agency requested a third party review of the fill and wall to determine if they were stable or if it could fail, which would fill and damage wetlands on the site. She sent an email out to

5 Engineers requesting a quote for a third party review. She has not heard back from 3, one responded that they were unable to do the work at this time due to the busy season; one stated that they will need additional information from the applicant's Engineer in order to do the review:

The information requested included:

- The engineering on the wall construction
- The height of the wall, the plan does not show the elevation of the base of the wall, walls over 42" need to be engineered.
- The applicant's engineer did not speak to the structural integrity of the wall.
- There is no field test data on the wall by the applicant's engineer for the reviewing engineer to evaluate.

As the 65-day review period for this application will expire on 5/10/13. MaryRose recommended that the Agency request a 26-day extension of the review period to 6/5/13 to allow the Applicant time to submit the engineering information, for the Agency to obtain a consultant and give that consultant time to review the project.

Mr. Patchen stated he will send an extension to 6/5/13 in by tomorrow and wait for the letter from MaryRose for the additional information requested.

5. **IW-A-13-014: 121 West Main Street, 121 West Main Street Associates, LLC** – redevelopment to construct two multi-family residential buildings with parking, grading and storm water improvements in and within 150' of a wetland in the Wepawaug River Watershed.

MaryRose reported that this is a proposed redevelopment by MetroStar to construct two multi-family residential buildings and parking with work in and within 150' of a wetland in the Wepawaug River Watershed. This proposal includes the proposed filling of 0.025 acres of inland wetlands and the enhancement and creation of 0.26 acres of wetlands on the site. The project will be presented this evening by Ron Wassmer of CT Civil Group and Matt Popp of Environmental Land Solutions.

Ron Wassmer, PE, LS, gave a brief overview of project. The site is currently developed with a single family house and a commercial building with a paved parking lot. Wassmer oriented the Agency to plan EX-1. They are proposing 2-apartment buildings with parking under the front building. The rear is a slab on grade. They are proposing to fill in a portion of wetlands that is currently lawn. Plan W-1 Wetland mitigation; shows the wetlands and upland review area, the wetland proposed to be filled and the creation area. They have a greater than 2:1 ratio of created wetland to filled wetland proposed. Currently the site doesn't have a stormwater treatment system. They will be proposing catch basins to separators to galleys.

Matt Popp Landscape Architect, Professional Wetland Scientist, prepared landscaping plan with mitigation work. He oriented the Agency to the landscaping plan. He noted that there is some invasive species on the site including knotweed and that there are debris in the wetland area that they are planning on removing. The plan includes notes on the proposed wetland soils to be used on the creation area, procedures for the work and seed mixtures for the created and landscaped areas. They are proposing a wall separating the development from the wetland areas. There is an old stone foundation in the wetland that they are not proposing to move.

MaryRose recommended that the Agency schedule a site walk for this application. Due to the proposal to fill in wetlands she also recommended that the Agency schedule a public hearing for this application.

A motion was made by Connors, seconded by Higgins to hold a site walk for application IW-A-13-014, 121 West Main Street, on Thursday, May 9, 2013 at 6:30PM. The motion carried unanimously.

A motion was made by Connors, seconded by Higgins that the activity proposed in application IW-A-13-014, 121 West Main Street, may have a significant impact on wetlands or watercourses and move that a public hearing be scheduled for 6/19/13. The motion carried unanimously.

F. Minutes

A motion was made by Connors, seconded by Higgins to accept the minutes of the 4/17/13 regular meeting as presented. The motion carried unanimously.

G. Staff Report

The DEEP IWA Commissioner training program website has not been updated yet. Information will be distributed as soon as we receive it.

The office has been busy with pre-applications and complaints.

Grove St Pump station and sewer projects is ongoing.

High Street Sewer job is ongoing.

Indian River Interceptor continues to be on hold.

Sanitary Sewer Infills No. 1 is ongoing.

134 Old Gate Lane – the restaurant is ongoing.

Cascade Blvd- Garden homes is ongoing.

Magnan asked about educating the public regarding wetlands and suggested New Home Owner information on the Milford website front page; information on permitting and wetland responsibilities.

The IWA will be busy with applications for the next several meetings please remember to call or email if you are unable to attend a meeting, especially site walks and public hearings.

H. Chairwomen's Report

The next meeting will be a site walk on 5/9/13 at 6:30 p.m. at 121 West Main Street.

The next regular meeting will be on 5/15/13.

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.