

Minutes of the Regular Meeting of the Inland Wetlands Agency on June 4, 2008.

A. Roll Call

Present: Allan Cegan, Jim Connors, Ken Cowden, Joel Levitz, John Ludtke, Lynne McNamee, and Phil Fulco.

Absent: Barbara Bell, Steve Munson and Jim Richard.

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

B. Public Comments

None.

C. New Business

- 1. Pre-Application IW-PA-08-027: 90-92 Woodmont Road, Frank Wilde –** proposal for the construction of a new office building and parking area within 100' of a wetland or watercourse in the Indian River Watershed.

MaryRose reported that this is a proposal by Frank Wilde of the W & W Machine Company for a 3,800 sq. ft. office/storage building and associated parking area with work within 18' of a wetland in the Indian River Watershed. Mr. Wilde has an existing business on the property and is interested in expanding both office and storage space. A retaining wall is proposed 18' from the wetlands on the property and the proposed edge of new pavement would be 20' from the wetland line. The proposal calls for a Cultec system to treat the stormwater on the property. Pictures were distributed for review. Mr. Wilde was present to review his proposal.

The location of the wetlands were identified on the plans. McNamee asked if losing wooded area would have impact on any life in the wetlands. MaryRose stated that based on previous applications, the IWA can not consider wildlife, only wetlands. McNamee referenced the regulations as of 6/6/01 page 6 of 31 regarding the extent of losing woods to wetlands. MaryRose stated that the land was historically a farm and the farmer passed away 15 years ago; the property was since mildly farmed by the family. Mr. Wilde purchased the property in 2000. The applicant has increased underground stormwater and there may be minor loss of shade but the building may compensate for this. Mr. Wilde stated that the area is flat to the wetlands. Ludtke asked what the current business is. Wilde stated that it was W & W Machine next to Avalon Apartments and Nappa Auto Parts. Ludtke asked if there would be any vehicle access. Wilde stated that there would be on the side by space 7 of the parking area; ground level entry. Ludtke asked if there would be truck maintenance. Wilde stated that there would not be; it would be for warehouse use.

Fulco clarified that treatment of the drainage would be into one catch basin then to the stormwater treatment facility and that there would be maintenance required. MaryRose stated that the Cultec system is what has been seen on larger applications and this was reviewed. A maintenance plan would be needed by an Engineer that drew it up or the Cultec people. Fulco stated that he is concerned with drainage. MaryRose stated that it is an engineered plan. Ludtke stated that he has no problem with this plan conceptually as long as there is a maintenance plan due to the level of development in the area and there is plenty of mitigation with the clean up of the galleys. Levitz agreed as long as there is a maintenance plan from an Engineer. Ludtke asked for MaryRose's input. MaryRose stated that she does not see impact to the wetland. There is a balance with use and loss of vegetation and there will be no digging involved. She would like a maintenance plan and an asbuilt and it would be monitored similar to a full application. Fulco stated that he would like to see snow areas on the plans; plowing to the back corner, etc. Wilde stated that that is presently where it goes.

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

Mr. Chairman, I move that the Designated Agent issue a Jurisdictional Ruling for 90-82 Woodmont Road for construction of a new office building, parking area, stormwater controls and grading as shown on the plan entitled "Improvement Location Survey-Proposed, W & W Machine Company, 90 Woodmont Road, Town of Milford, New Haven County CT" by Clarence Blair Associates, Inc. 1 sheet dated 1/11/06 with conditions including:

- There will be no work within 15' of the wetlands on the property.
- Proper soil erosion and sedimentation controls must be installed and maintained while the site is disturbed.
- A bond of \$5,100 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.
- Prior to issuance of a permit a snow removal plan and stormwater maintenance plan will be submitted.
- The Jurisdictional is issued 6/4/08 and expires 6/4/13.

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

The motion carried unanimously.

2. **Pre-Application IW-PA-08-030: 30 Lavery Lane, William German** – proposal to convert .72 acres of wetland and 2.73 acres of upland review area to farm land in the Housatonic River Watershed.

MaryRose reported that this is a proposal by Bill German under section 4.1a of the MIWA regulations to farm the wetlands on his property. Mr. German has 2 parcels totaling 4.193 acres in rear lots on Lavery Lane. His home and septic systems are on one of the lots. He would like to clear 0.72 acres of wetlands and 3 acres of upland review area to allow for grazing and the growing of crops

including vegetables and trees. Mr. German was in attendance to present his pre-application.

German stated that he does not need to nor does he want to bring in any additional soil. He wants a piece for grazing – harvesting crops, tree planting. This was a family farm for many years and he would like to bring it back. A portion is still owned by himself and his bothers. The red area on the plan is to be rehabbed. It is a real problem area; there is a kennel next door that pollutes the area. Pictures were distributed. In 1975 the whole lot was leveled and it was used to grow Christmas trees; some old ones are still there and will be kept (they are 40-50' tall). His family operates a large farm in Tennessee so he is familiar with farming. It will be fully organic.

Fulco asked if there was a watercourse on site. MaryRose stated that there was and this was reviewed. There was an existing culvert and it was upgraded 12 years ago with the construction of the house and is to remain open. Enhancement is proposed. MaryRose stated that the pond has to be 50' from the septic system. German stated that this was noted on the plan (he did not want to have the plans redone if that was not necessary). MaryRose stated that a better planting plan is needed for enhancement. German stated that there would be lots of ferns and wetland grasses as he wants it to look natural. MaryRose stated that the flow of water could not be changed. German stated that he would keep it straight then. Ludtke stated that fertilizers are a concern. MaryRose stated that trees may or may not take in a swamp environment. Ludtke asked about grazing for horses; antibiotics are a concern with cattle, etc. German stated that grazing would be for goats/horses – he is unsure, he just wants a grazing field, the animals are not set. MaryRose stated that a method of storage and disposal is needed. Fulco stated that more detailed information is needed; engineered plans – plans have to be very firm so as to not pollute or infiltrate the wetlands. Levitz asked if it was Mr. German's kennel. German stated that it was not. Levitz stated that it looks bad according to the pictures and asked if it goes into the wetlands. German stated that it does. MaryRose stated that the kennel washes out to the wetlands per Mr. German and she will go out to the site for a violation. German stated that he really would like to rehab the site and wants to fix the kennel area runoff throughout the site. Ludtke stated that farms are wanted and the IWA is in support of them but it is also the biggest pollutant. German stated that he is planning to grow landscaping trees and he won't need fertilizer. Ludtke discussed the soil with each root ball removed as trees are sold and how this would be handled. MaryRose stated that per the state there can be clearing of wetlands for expansion but this does not allow filling and she has asked for clarification and has not had a response yet. MaryRose further stated that now that there is an actual application she hopes for a quicker response. MaryRose stated that it needs to be determined if this is a use permitted as of right or an application – more information is needed from the State and more information is needed on the watercourse.

MaryRose suggested the following to be submitted:

- A soil report by a Certified Soil Scientist or Professional Wetland Scientist who has flagged both the CT and Federal wetland line on the German properties for this application.
 - A property survey to A-2 standards coupled with a topographic survey to class T-2 standards by a Land Surveyor Licensed in the State of CT. The contours shall be to 2' intervals and the plan will show the location of the newly flagged wetland lines, the watercourse location and existing improvements on the site.
 - A plot plan showing the proposed location of the irrigation pond, access roads, fields, grazing areas and proposed contours.
 - How livestock waste would be handled to be addressed.
 - Any chemical application is to be considered.
 - Explanation of wetland enhancement plan.
- McNamee stated that mosquito control should be addressed.

D. Minutes

A motion was made by Connors, seconded by Cowden to accept the minutes of 5/21/08 as presented. The motion carried unanimously.

E. Subcommittee Reports

Please read and submit any comments on McNamee's draft education document. Funds are available in this year's budget to print these pamphlets but this will need to be done by the end of the month.

G. Staff Report

- The office has been very busy, mostly with small additions, sheds, decks and pools.
- Next years budget has been received. Approximately 2% was cut. These cuts were in Professional Fees and Services, gas and other propellants, advertising, printing and binding and other supplies and charges.

H. Chairman's Report

No report.

The next regular meeting will be on 6/18/08.

There being no further business to discuss, the meeting adjourned at 8:30 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.