

A. Roll Call

Present: Brendan Magnan, Daniel Bedeker, Ranjit Bhawe, Jim Connors, Matthew Connors, Dave DeFlumeri and Steve Munson.

Absent: Heather Donaldson-Gladue, Lisa Tryon and Julie Valvo.

Also Present: MaryRose Palumbo and Lisa Streit.

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

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.

C. Public Comments

None.

D. Old Business

1. **IWC-23-0005: 1 Avalon Drive; Woodmont Road Owner, LLC** – clearing of trees disturbing the natural and indigenous character of the wetlands and watercourse with work in and within 100' of a wetland and watercourse in the Indian River Watershed.

MaryRose reported that this a violation issued 7/17/23 to Merion Residential for clearing work in and within 100' of a wetland and watercourse in the Indian River Watershed. This site was developed in 2003-2004 by AvalonBay under IWA permit IW-A-98-084. On 7/17/23 The vegetation and plantings approved under the 1998 plan between the Recreation Center / pool area and Woodmont Brook have been cleared and the soil was open.

At the 7/19/23 meeting the Agency upheld the order and required that the property owners remove the stockpile onsite and topsoil, straw, and seed to stabilize the site. This has been done. The Agency required that the property owners retain a certified soil scientist or professional wetland scientist by 8/10. MaryRose received an email from Alan Shepard, PE of NOK Associates on 8/15 that they have been retained to do the survey work and Jim McManus of JMM Wetlands Consultants will flag the property. He said the wetland flagging should happen in the next two weeks and the survey work will be done once the flagging is completed.

This evening the agency can:

- Ask questions.
- Modify the violation.
- Release the violation.

No action taken.

E. New Business

- 2. IW-23-0047: 13 Yale Ave Ma13 Yale LLC** – Proposed Removal of invasive vegetation, replanting native plants within wetlands, fine grading lawn with work in and with within 100' of a wetland and watercourse in the South Central Shoreline Watershed.

MaryRose reported that this is a proposal by the property owners to remove overgrown and invasive species from the yard area on this lot and a portion of the adjoining lot owned by the Morningside Homeowners Association. The work proposed is in and within 100' of a wetland in the South Central Shoreline Watershed. An authorization to apply from the Morningside Homeowners Association has been received. The yard slopes from the intersection of Yale and Market Place back towards Edgefield Avenue. There is approximately a 6' grade change from the intersection to the rear property line. There is an intermittent watercourse that runs just over the property line.

The site plans by the Landscape Architect, the soil report, the Morningside Homeowners Association authorization letter, and MaryRose's site walk notes from 5/03/23 are in the document links. This evening the application is represented by Steve Danzer, the Professional Wetland Scientist for the project. Bradley Baumann is representing the property owner and is also here this evening.

Bradley Baumann, 13 Yale Ave LLC, stated that the vision is to make the property a beautiful entry way into a beautiful community and deferred to Mr. Danzer for the specifics.

Steve Danzer - PhD and Associates LLC, CPSS Stamford on behalf of the Landscape Architect, he identified the wetland on site as a low quality wetland heavily disturbed in the past and an intermittent watercourse buried by invasives. The plan is to remove the invasives and replace them with more functional wetland plantings.

Munson questioned when the disturbance was done on the site and who did it. Also, when was the most recent work done and when was the house last occupied.

Bauman stated that the interior of the house was remodeled in the last 2 years, a tree fell into it and that was fixed, the roof was replaced. His mother-in-law purchased the house in the past 4-5 months. He doesn't know if/ when the fill was brought in. He thinks the last owner moved out in the last 2 years.

Danzer stated that he feels the fill dates back to when the house was originally constructed. Historically the wetlands likely extended further up to the house disturbance around the SW corner of the house.

MaryRose asked Danzer his impression of the quality of the wetland on the site. Danzer stated that the large part has lawn, with one or two skunk cabbages and historic wetlands soil. He said that he went to the intermittent water course and found a few natives along the watercourse but a lot of

invasives and pachysandra (multiflora rose, stinging nettles,) vegetation wise there isn't quality, nothing in there that had any semblance to a natural system. The property to the south is fully developed.

Magnan asked his expert opinion regarding the need for native shrubs so it doesn't get mowed over. Danzer stated that the initial concept was to work with the property as it is now. It is just part of its side yard, not very much usable property and in exchange improve the corridor aspect of the adjacent wetlands.

Magnan requested Danzer ask the Landscape Architect to consider a more balanced approach if there is a better way to restore or preserve the functions and values of the wetland. Danzer agreed to speak with her.

Danzer stated that the wetland is isolated, it doesn't connect to anything, there is a fence and the yard next door. Bedecker reviewed the pictures and slope and questioned if a small berm and wetlands plantings could be considered.

MaryRose asked if they are proposing to change the grade and has concerns with a change in grade creating new drainage issues to the current flow patterns. Danzer stated that they are proposing to bring in some topsoil but no significant change in grade.

Connors stated that the proposal would create a decent lawn with filtering plants. M. Connors thinks the new plan improves the site significantly and his only concern is that during the clearing process what will the impacts be to the watercourse and the wildlife. Magnan agreed that there would be a net benefit.

This is on the Agenda for the first time this evening the Agency can:

- Ask questions.
- Take no action.
- Request additional information
- Schedule a site walk
- Schedule a public hearing (no petition has been received as of 8/16/23. Petition deadline is 8/30/23)

The Agency asked the application to provide the following information be submitted for review of application IW-23-0047: 13 Yale Ave:

- Clarification of the planting types, (i.e., is native wetland vegetation proposed)
- Clarification on the amount of fill to be brought in
- Confirmation that the proposed work will not impede or create another water problem or drainage issue on the lot or on the Morningside Association property. (Clarification of grading)

No action taken.

3. **IW-23-0051: 204 Honeycomb Lane, Carlos Diaz** – proposed reconstruction of a portion of a single family home, deck and porch on existing foundation with work within 100' of a wetland in the Housatonic River Watershed.

MaryRose reported that this is a proposal by Carlos Diaz to reconstruct a 900 sq. ft. portion of a single family home on an existing foundation at 204 Honeycomb lane in the Housatonic River Watershed. There is a pond on the southwestern portion of the property immediately adjacent to the road. Mr. Diaz is proposing to construct the new living areas on the same foundation. The kitchen and living room have been demolished. MaryRose visited the site today and the lawn area between the foundation and the pond is stabilized with vegetation. There are no open soil conditions and the landscaping surrounding the demolished portion of the house is intact. Her site walk notes are in the documents along with photos of and a video from the applicant submitted of the site that is in the document links.

Mr. Diaz and his contractor William Perfetto, of Perfetto Construction were in attendance.

Carl Diaz, owner, stated that they are not replacing the rear deck, they are only replacing the kitchen and living room areas.

Joe Codespoti, Codespoti & Associates, P.C., stated that this is lot 8 of a subdivision built in 1991-1992. This was the exiting house from 1956. They are proposing to install silt fencing around the pond to ensure it is protected while reconstructing the new portion of the house.

This is on the Agenda for the first time this evening the Agency can:

- Ask questions.
- Take no action.
- Issue a Jurisdictional Ruling
- Request additional information
- Schedule a site walk
- Schedule a public hearing (no petition has been received as of 8/16/23. Petition deadline is 8/30/23)

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

The Designated Agent issue a Jurisdictional Ruling for pre-application IW-23-0051: 204 Honeycomb Ln for the reconstruction of 900sq. ft. of living space based on the information in the file and the plans entitled "204 Honeycomb Lane prepared for Carlos Diaz, Milford Connecticut" by Codespoti & Associates P.C., 3 sheets dated 8/08/23 rev 8/15/23. 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.

F. Minutes

A motion was made by Connors, seconded by DeFlumeri to approve the minutes of 7/19/2023 as presented. The motion carried with M. Connors and Bhavne abstaining.

G. Staff Report

MIWA Clerk Taft Clark has created a reference page for you all to access. The link is [HERE](#) . The page contains:

- MIWA meeting dates (first and third Wednesday at 7:30 pm)
- MIWA Regulations
- MIWA Bylaws
- Milford Ethics Commission Guide

- Past memos from the City Attorney's office on Inland Wetland legal questions and cases
- Training opportunities with CT DEEP and UConn for land use commissioners.
- MIWA webpage
- Milford YouTube page (MIWA meeting videos are available here)
- MIWA meeting Zoom link

The office has been working on a number of inquiries, complaints, minor reviews, and other reports.

Site Status:

Project Site	Status	Monitoring Reports	
		Last Received	Final Due By
1553 Boston Post Road	Asbuilt received		
30 Bridgeport Ave	Ongoing		
0 Cherry St/Jefferson Park	Clearing done, silt fence in		
67-69 Cooper Ave	Ongoing		
94 Edgewater Place	Ongoing		
201 Kings Highway	Ongoing		
104 Lavery Lane	Plantings in, seeded, not yet established.		
32 Alexander Drive	Ongoing		
16 Marsh Street	Asbuilt received		
114,122,124,128 Merwin Ave	Ongoing		
40 Morehouse Rd	Permit taken out		
690 New Haven Ave	Ongoing, plantings in, waiting on monitoring reports	6/23	6/26
33 Pearl Street	Asbuilt received		
8 Pepe's Farm Road	Ongoing monitoring.	June 2023	Nov 2023
0 Quarry Road	Ongoing, lot 1 & 2 completed, lot 3 under construction		
0 Terrace Road	Waiting on final review.	Spring 2022	Complete
161 W Rutland Rd	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. Issue with stormwater association to be worked out with developer/lot owners before bond release.	Waiting on reports	
Wheelers Farms Rd	Waiting on final review		
523 Wheelers Farms Rd	Ongoing.		
260 Old Gate Lane	Ongoing		

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

H. Chair Report

The next meeting will be a Regular Meeting on September 06, 2023 via Zoom.

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.

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.