

Minutes of the regular meeting of the Inland Wetlands Agency of October 3, 2007.

A. Roll Call

Present: Barbara Bell, Allan Cegan, Jim Connors, Lynne McNamee, Steve Munson and Phil Fulco.

Absent: Ken Cowden, Scott Koschwitz, Joel Levitz, Bob Nunno and Jack O'Connell.

Fulco called the meeting to order at 7:30 p.m. and deemed Bell the voting alternate.

B. Public Comments

None.

C. New Business

1. Pre-Application IW-PA-07-037: 52 Noble Avenue, SmithCraft Real Estate – proposed installation of a drainage pipe with work within 100' of a wetland in the Wepawaug River Watershed.

MaryRose reported that this is a request by SmithCraft to install a storm sewer at 52 Noble Avenue to alleviate flooding concerns on the street. The proposed storm line would discharge to Tory Brook in the Wepawaug River Watershed. She visited the site this afternoon and a picture sheet showing the proposed location of the storm sewer was distributed. The proposal is for a temporary disturbance to install the storm line. The area will then be seeded and stabilized. Ron Wassmer was present to answer any questions.

Fulco clarified that the SmithCraft project is outside of this area and that this is a public service verses a problem with the site. MaryRose confirmed this.

Mr. Bell, property owner, stated that he is granting the City of Milford a permanent easement and SmithCraft a temporary easement. Wassmer stated that once the pipe is installed they will restore the area to its present condition. They volunteered to do this to help with pre-existing flooding conditions in the area. There will be a 24" pipe; Mr. Bell stated that his property is at the low point of the road. The plans were submitted to the City Engineer and the easement was submitted to the City Attorney. DJM will be the contractor for the project and they are local. They will leave the existing line as is. Wassmer stated that the problem is that the discharge is well below the streambed and constantly silts up. Bell asked where the flooding area is. Wassmer reviewed this on the plans and stated that it is out in the street; from Broad Street to this property and there are no catch basins. Mr. Bell stated that if the plan is approved he can sell his row boat; water comes up to his knees. Munson asked why the existing drainage backs up and if it is pitched. Wassmer stated that it is pitched and silt builds up; the drain is always underwater and there is almost always sand. Mr. Bell stated that there is presently a 12" pipe and it is 80% full of silt and sand. Munson asked if there was any way to make the existing pipe more useful. Wassmer stated that

that would require a lot of work from the Sound back. Bell asked how the pipe was sized. Wassmer stated that the pipe was sized based on the hydrology study, aerial maps and this is the largest pipe that could be put in here. He further stated that to size a pipe for a 100 to 500 year storm would be unrealistic; they are trying to alleviate the problem.

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

The Designated Agent issue a Jurisdictional Ruling for the installation of a drainage pipe within 150' of a watercourse in the Wepawaug River Watershed based on the information in the file and presented this evening and the plans entitled "Storm Sewer Plan and Profile, Noble Avenue, Milford, CT" by CCG, 1 sheet dated 9/27/07 with conditions including:

- Proper soil erosion and sedimentation controls must be installed and maintained while the site is disturbed.
- A bond of \$3,100.00 must be posted with the MIWA for S & E controls and an asbuilt showing finished 2' contours and locating all site structures.

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

The motion carried unanimously.

2. **Pre-Application IW-PA-07-040: Marion Avenue, Jeff Attolino** – proposed construction of a single family residence with construction and grading within 100' of a wetland or watercourse in the Housatonic River Watershed. MaryRose reported that this is a proposal for a single-family house on a 0.6 acre lot on Marion Avenue. Jeff Attolino (the potential purchaser) requested a pre-application review of the proposal as sketched on the plans. The wetlands are in the Housatonic River Watershed. The house being proposed is a slab on grade. The Soil Science report was distributed. Mr. Attolino was unable to be in attendance. No action taken due to applicants' absence.

D. Old Business

1. **Violation IW-V-07-017: 55 Peck Street, Mark & Sylvia Scheets** – clearing and dumping debris within 150' of a wetland or watercourse in the Wepawaug River Watershed without a permit. This item has been tabled until the fall.
2. **IW-A-07-015: Market Place, Jeff Arotsky** – proposed of a single family residence and driveway with construction and grading within 100' of a wetland or watercourse in the South Central Shoreline Watershed. MaryRose reported that this is a proposal for a single family home to be constructed within 10' of a wetland with a proposed deck within 7' of a wetland in the South Central Shoreline Watershed. Cegan, Connors, Fulco and Koschwitz walked the site on 9/29/07; it was clear and seasonable. Bell, McNamee, and Munson walked the site on 10/3/07; it was foggy and warm. Cowden walked the site on his own this morning. On the site walks, commissioners viewed the stakes showing the house corners and the ribbons showing the wetland flag locations.

The location of the deck was estimated in the field using the rear left house corner and wetland flag #4.

Atty. Lynch stated that this is the same application that was previously submitted. Gary Wassmer stated that during construction there would be a construction fence, woodchip mulch and construction easements of all the wetlands. There will be a split rail fence for delineation and protection. Connors asked if there would be a basement and if so what would be done with the excavation. Wassmer stated that there would be a walk out basement and the driveway is pitched up from the road. MaryRose asked about down spouts and roof drainage. Wassmer stated that the roof drains would go to a level spreader. Bell asked about the square footage of the house/deck and the amount of cut/fill. Wassmer stated that the deck would be 10' x 10'; the house would be 28' x 38' (1150 – 1200 sq. ft.); and the amount of cut would be minimal as they will need the fill for the driveway area. They will need more fill than excavation. Fulco stated that with the kind of slope and the flow would revert to the lawn and go into the wetlands (it is a 26' to 17' slope); he is concerned with chemicals for the lawn. Wassmer stated that there would be a minimal amount of lawn and does not know the extent of care it would need. Connors suggested no action until there could be input from an expert from the IWA due to the legal aspect. Wassmer stated that they are proposing shrubbery and bushes for filtering before the wetlands. Munson asked if it will be a one or two story house. Wassmer stated that it would be a 2 story house. Munson stated that base on that the lawn would not get much light then. Atty. Lynch clarified that an expert is not a requirement. No action taken.

2. **Application IW-A-07-030: 767 Bridgeport Avenue, Stephen Courtney** – proposed construction of a parking lot with paving and grading within 100' of a wetland or watercourse in the Housatonic River Watershed. MaryRose reported that this is a proposal of Courtney Honda for a parking area with paving and grading within 100' of wetlands in the Housatonic River Watershed. A portion of the area is currently utilized as a dirt parking lot. Mr. Courtney would like to pave and curb it. Mr. Courtney was present and stated that the site is gravel now with a chain link fence and he would like to retain the large trees. There are catch basins in Marion Avenue that lead up to this area. MaryRose stated that silt sacks verses filter fabric is preferred per the City Engineer. Mr. Courtney stated that there are 100' tall trees; beautiful oaks that he would like to save. Connors questioned if there would be enough water for their large root system if the area is paved. Mr. Courtney stated that there is paving within 5/6' of large apple trees in another area and they are thriving. Bell stated that apple trees are not that big; these are large and need quite a bit of water; oak trees are different and this may be a problem. Mr. Courtney stated that there are other oaks that look the same and are thriving and he would be happy to show the site. Fulco stated that the applicant is making an effort to save them; they could be removed and the proposal is not based on saving the trees. Bell stated that it is a collaborative effort. Connors stated that grates in the pavement could help the trees. Fulco suggested seeking opinion from an Arborist. Bell asked about the berm. Mr. Courtney stated that it is top

soil that came from the property; it is not natural; he would like to peel it off and put it across the street. A 5' buffer of grass and shrubs at the edge of the property is proposed. Mr. Courtney strongly does not want to extend the storm drains per Bruce Kolwicz; this will add to the flooding. Fulco asked if pavers were considered. Connors stated that this was not realistic, is cost prohibitive and not good to park cars on. Munson agreed and stated that pavers require sealer as well and salt can't be put on them and they can not be shoveled with metal. Fulco stated that Public Works is concerned with runoff to catch basins, run off to trees is a concern, a grate was suggested. Fulco stated that he would like to see a proposal and it be reviewed by Public Works or the City Engineer. Mr. Courtney will get input from Mr. Garcia (Engineer) and an Arborist and come back. MaryRose stated that leaving crushed stone around the canopy is a suggestion as well.

E. Minutes

A motion was made by Connors, seconded by Bell to accept the minutes of 9/19/07 as presented and carried unanimously.

F. Subcommittee Reports

None. Bell stated that there is an event tomorrow on climate change by the ECC and Clean Energy Task Force. They are sponsoring a conversation and would like as much participation as possible. Topics include: transportation, carbon dioxide and green buildings. This will take place at Harborside School from 6 – 9 pm. There will also be a movie at 4:30 p.m. on Warming of CT.

G. Staff Report

- The next regular meeting will be on 10/17/07, please let the office know of your attendance.
- The dates for the DEP Segment III training were distributed. There will be two different course offerings. One on Environmental Management and Wetland Mitigation and the other is on Vernal Pool Ecology and Monitoring. Please let the office know of your attendance.
- Bell asked about the articles in the paper about mitigation of chemicals in wetlands on Wampus Lane. MaryRose stated that they are doing excavation and the EPA has come down. This has been on going and there will be a 3 year monitoring period when it is complete.

H. Chairman's Report

- The CACIWC flyer was distributed and the annual meeting will be on 11/10/07. Please let the office know of attendance.
- There was an article in the Habitat Newsletter regarding acceptance/denials of applications. This newsletter has good information to review.

The next regular meeting will be on 10/17/07.

There being no further business to discuss, the meeting adjourned at 8:40 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.