

A. Roll Call

Present: Brendan Magnan, Ranjit Bhave, Jim Connors, Heather Donaldson-Gladue, and Julie Valvo.

Absent: Daniel Bedecker, Matthew Connors and Steve Munson.

Also Present: MaryRose Palumbo and Lisa Streit.

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, he 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. At the 10/04/23 meeting the Agency required that the property owner:

1. Submit a mitigation monitoring bond calculation by 10/10/23 *Mr. Capra submitted a revised mitigation and monitoring bond estimate that matches the original approved site plan on 10/11/23 in the amount of \$30,185.79*
2. Submit the required mitigation monitoring bond by 10/14/23 *Mr. Capra is having difficulty obtaining a surety bond and has emailed that he is working on it.*
3. Install the plantings per the original approved plans and New England Conservation Wetland seed mixture as required in the mitigation monitoring report by 10/15/23 *Planting began on 10/17/23.*
4. Submit mitigation monitoring reports by a professional wetland scientist at planting installation and twice a year for three (3) years by June 30th and November 30th on the status of the plantings and any invasive control that is required. *MaryRose reminded Mr. Capra that the installation inspection report is due now. He sent a request for the report to Jim Mc Manus on 10/31/23*

The outstanding items are the posting of the surety bond and the planting installation monitoring status report. Site walk notes and photos from 10/17/23 when they began installing the plants are in the documents link.

This evening the agency can:

- Ask questions.
- Take no action.
- Modify the violation.
- Release the violation.

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

I move that cease-and-desist order IWC-23-0005 1 Avalon Drive, be tabled with the Compliance Officer reporting as bond is posted and the mitigation monitoring reports are received until fall 2026.

The motion carried unanimously by roll call vote.

E. New Business

- 1. IW-23-0066: 354 North Street, AS Reality, LLC** – proposed installation of closed loop geothermal wells for heating and cooling with work within 150' of a wetland and watercourse in the Wepawaug River Watershed.

MaryRose reported that this is a proposal by AS Reality LLC for installation of a geothermal heating system with work within 150' of a wetland and watercourse in the Wepawaug River Watershed. The proposed work area is located between the building and the Wepawaug River on the south side of the building. A portion of the work area is approximately 15' from the Wepawaug River. They are proposing to install 26 tubes up to 500' deep for the geothermal system.

This evening representatives from AS Reality are here to present the application. Al Subbloie, Kurt Hoffmann, and Dayna Lynn.

Subbloie stated that he owns the building and purchased it about 5-6 years ago and he is the CEO and Founder of Budderfly Inc. They are energy focused and part of the overall strategy is to become energy efficient. Hoffmann stated that the process is to exchange heat with the ground – a heat transfer. The well will be encased down to bedrock (30 – 40”), Pictures of the site were shown and oriented to the plan. The plan with the well bores was reviewed as well as the silt fence location. This is a closed loop geothermal system and totally self-contained. All of the wells and piping will be 4' below grade. They will not change the grade of the land upon completion. The would like to begin work next Monday and have paid for the permit.

MaryRose reviewed the application process and that this application is on the agenda for the first time and no action can be taken until the next regular meeting.

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 1/01/23. Petition deadline is 11/15/23.

No action taken.

2. IW-23-0067: 0 Peck Lane; Indian Lake Association Inc. – Proposed routine maintenance on the Indian Lake dam with minor work in and within 100' of a wetland and watercourse in the Indian River Watershed.

MaryRose reported that this is a pre-application for a Jurisdictional Ruling by the Indian Lake Association to do recommended maintenance on the Indian Lake dam at 0 Peck Lane. The Association had a dam safety inspection in March of 2022 and is finalizing DEEP authorization to do the recommended work. Work is proposed to begin in November to repair the sluice gate; work on the minor spalling and the pins requires warmer weather and will likely be done in the spring. The DEEP authorization requires notification of the municipality, which is why they are before the IWA this evening. MaryRose believes that this falls under Section 4 and the Agency can issue a Jurisdictional Ruling for the maintenance work.

Dr. Edward Lisi is the president of the Indian Lake Association and was in attendance to answer any questions.

MaryRose reviewed an aerial photo of the site for orientation. Connors asked if MaryRose has seen the site. She stated that she has.

Dr. Lisi reviewed the Contractor information and that Abdul Quadir is the City Engineer for the City of West Haven and re recommended and obtained Terry Marine Group out of Bridgeport. Quadir is also a homeowner in the Indian River Lake and on the Association. Dr. Lisi reviewed the history of the site; there was a drowning 50 years ago and the sluice was closed and bent so that it could not be opened and this now must be repaired per the DEEP.

This evening the Agency can:

- Ask questions.
- Take no action.
- Request additional information
- Require a full application.
- Approve the pre-application.
- Deny the pre-application.

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

I move that the Designated Agent issue a Jurisdictional Ruling for pre-application IW-23-0067: 0 Peck Lane for the maintenance of the Indian Lake Dam as described in the Project Summary and other reports in the file and at this meeting. 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 by roll call vote.

F. Minutes

A motion was made by Connors, seconded by Donaldson-Gladue to approve the minutes of 10/04/2023 as presented. The motion carried with Magnan abstaining.

G. Staff Report**The City of Milford is hosting Freedom of Information Act training on 11/08/23**

There will be two sessions for the FOIA training on 11/08:

10:00am – Program Room of the Milford Public Library

1:00pm – City Hall Auditorium.

The training will be open to City of Milford staff, elected officials, and board/commission members. A link is included to the FOI Commission website in MaryRose's draft meeting notes if you would like to review the Act or have specific questions: [The FOI Act](#)

CACIWC Annual Meeting is 11/11/23

MaryRose will send out the information for the 2023 CACIWC Meeting. The Keynote speaker will be UConn Prof James O'Donnell. The workshop topics are listed on the CACIWC.org website: [CACIWC Annual Meeting 2023](#). The registration form was emailed on Monday. Please let the office know asap those that are planning on attending. There is a short window to get the checks cut for this training.

Report on 10/11/23 Board and Commission Fair at City Hall

Chairman Magana and MaryRose attended Mayor Smith's Board and Commission Fair at City Hall on 10/11/23. The event featured presentations from current board and commission members who provided insights into their roles, responsibilities, and the impact they have on the community. The event was well attended and it was great to hear about all the various Commissions where people volunteer to keep the City moving forward. A listing of the Boards and Commissions that attended and the slides are in the reference link that Taft created for you [HERE](#)

Spotted Lantern Fly

The Department of Agriculture is working on the Spotted Lantern Fly Program in CT. Spotted Lantern Fly (SLF) is an invasive species. Large numbers of SLF have been found in Milford in recent weeks. MaryRose was contacted to inform commissioners that they are advising citizens to remove most of their preferred food source, Ailanthus altissima (tree of heaven), leaving one or two standing to treat with a systemic insecticide. This method in theory forces the adults to feed on the treated trees or disperse elsewhere. Tree of Heaven can be found in wetlands and marshes. MaryRose asked that anyone with concerns contact her to let me know they are taking the trees down on advice of USDA to avoid concerns with clearcutting.

Tree of Heaven

MaryRose has added links in the notes to information on Tree of Heaven [Tree-of-Heaven \(Ailanthus altissima\) | Connecticut Invasive Plant Working Group \(uconn.edu\)](#) and the Spotted Lantern Fly [CT Spotted Lanternfly](#)

Community Development – Economic Development Strategic Plan

I sent you a link to the slide deck for this meeting held 9/20, and 9/26 and Taft has added to your reference page. The link is [HERE](#) you can still send input to Julie Nash, JNash@milfordct.gov the Economic Development Director.

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	Ongoing		
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, changing to a rain garden		
114,122,124,128 Merwin Ave	Ongoing	8/29/23	
40 Morehouse Rd	Ongoing		
690 New Haven Ave	Asbuilt received, monitoring reports due through 6/2026	6/23	6/26
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	Waiting on reports	

	stormwater association to be worked out with developer/lot owners before bond release.		
Wheeler Farms Rd	Waiting on final review		
523 Wheeler 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 November 15, 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 Donaldson-Gladue, seconded by Connors to adjourn at 8:05 p.m. The motion carried unanimously by roll call vote.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.