

**A. Roll Call**

Present: Brendan Magnan, Daniel Bedeker, Ranjit Bhawe, Jim Connors, Matthew Connors, Steve Munson, Gerry Panico and Lisa Tryon.

Absent: Dave DeFlumeri and Heather Donaldson-Gladue..

Also Present: MaryRose Palumbo and Lisa Streit

Magnan called the meeting to order at 7:30 p.m. and reviewed the guidelines in hosting remote meetings 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.

M. Connors was declared voting alternate.

**B. Pledge**

All stood for the Pledge of Allegiance.

**C. Public Comments**

None.

**D. Old Business**

1. **IW-PA-22-0050: 45 Woodmont Road, 45 Woodmont, LLC** – proposed tree and vegetation clearing for building addition with work within 100' of wetlands and watercourses in the Indian River Watershed.

MaryRose reported that this is a pre-application request by the property owner to allow clearing of trees and vegetation within 100' of wetlands and watercourses in the Indian River Watershed for a future addition project. Wetlands were flagged on the property by William Kenny Associates on 2/16/22. The updated site plan submitted 11/03/22 for this proposed clearing application shows a potential proposed addition, with associated parking, grading and stormwater systems. The initial plan and revised plan were included in the meeting links. The Agency saw a pre-application for a similar application on this site in June.

The application states that there is 0.96 acres of proposed clearing in the upland review area approximately 11' from the wetland line at the closest point. The applicant has put a red silt fencing line on the site plan to show the proposed limit of clearing.

Clear-cutting of vegetation on a Commercial property is not exemption under section 4 of the MIWA regulations and will require an IWA application and permit.

Connors stated that he goes by this site daily and has seen clearing of trees. MaryRose showed areas of clearance but will go out to view the area.

Magnan asked for clarification of the demarcation. MaryRose showed the FEMA flood zone line compared to the wetland line.

The applicant was not in attendance; the IWA discussed a full application and possible site walk; no action taken.

## **E. New Business**

- 1. Modification IW-A-16-045: 553 West Avenue, Metro 553, LLC** – Proposal for modification from 342 apartments to 189 and eliminating wetland crossing with associated parking, access drive, and grading work within 150' of wetlands in the Beaver Brook Watershed.

MaryRose reported that this is a modification request for the 342-unit apartment complex that was approved in 2016 for 553 West Avenue. The new owner is proposing to modify the project to a 189-unit apartment complex with stormwater, parking, and grading within 150' of wetlands in the Beaver Brook watershed. This proposal eliminates 0.09 acres of wetland filling and the access drive to School House Road that was approved by the Agency in 2016.

The plans were submitted to the City Engineer last week, his review was added to the links this afternoon. The applicant submitted a response to the City Engineer late this afternoon. MaryRose spoke to the City Engineer and the TPA response is acceptable to him. The City Engineer stated that there was a typo in his memo that mentioned wetland filling. No wetlands are proposed to be filled with this modification.

This evening Attorney Chris Smith was in attendance to present the modification request this evening.

Atty Smith introduced Blake Smith of Metro Star, Director of Development and gave an overview of the project and team

Attorney Chris Smith, overview of site is a reduction of apartments from 342 to 189 residential units and reviewed the reductions in impacts and no adverse impact to a wetland or watercourse to the satisfaction of the statutes.

David Sacco PE, TPA Design group, 85 Willow St New Haven CT. oriented the site and landscape plan. They are proposing five buildings plus parking both under buildings and along the drive. They eliminated the connection to Schoolhouse Road and the crossing of Beaverbrook. They tried to integrate the design into the site as much as possible. It was designed to flow with the topography and to utilize the central part of the site that is a meadow area. He noted the ROW to the Iroquois gas pipeline. They have concurrence in principle for a roadway and utility crossing with Iroquois. Speaking to the plan, Sheet Development Scope Comparison Sheet, he reviewed the approved crossing of Beaver Brook and Army Corps approval for work in the flood zone and compensatory storage. They have reduced the work in the upland review area on the site. They are proposing compensatory storage and an excavation to compensate for filling in the flood zone with the minimal

amount of work done. They have had a flood study done and found as proposed there is no increase in flooding.

They are aware of the Eastern Box Turtle and working with Mr. Popp and the previous review by Matthew Davison. They have a turtle plan.

The stormwater plan was reviewed by the City Engineer. They are proposing a series of underground storage systems that will be run through units to clean before they enter three different points of discharge to Beaverbrook. They are trying to emulate the way stormwater flows around the site now.

Matthew Popp, PWS, LA Environmental Land Solutions, prepared the environmental summary report and based it on the Davidson report from 2016. The main thing he saw was that the meadow is dominated by mug wart (90% of vegetated area). He reviewed changes from the previous plan including removal of the secondary access road and its crossing, and drainage structure. There will be no wetland filling, no wetland crossing, and no temporary wetland impacts where previously there were ½ acre disturbance and 1350 sq. ft. of permanent filling. The existing approval had 4 acres more disturbance in the upland review area than what is currently proposed. When he walked the site, he measured every 400' down from West Ave and looked at the existing approved distance from the disturbance to the wetlands and watercourse. At 400' the disturbance is 30' less. At 800' the disturbance is 50' less, if you go 1200' the distance decreases 65'. They are proposing moving back from the wetland quite a bit. One reason for this was the fire access road in the previous plan that had about 1/2 acre of impervious area. There is a box turtle protocol in place. David Sacco noted one area that floods. That area has invasive knotweed, and they are proposing to remove the invasive knotweed and replant with spice bush (deer and shade tolerant). There are a lot of evergreens that are maturing in age. So, he proposed 20 evergreen trees be planted along the brook to enhance the brook. This project preserves 87% of the site; previously it was 73% mainly due to the removal of the secondary access to Schoolhouse Road.

Connors stated that he feels this plan is a much-improved plan. Munson agreed and questioned if the parking has been reduced. David Sacco referred to page 3 of the report Exhibit A-1, all runoff from paved and surface areas goes through stormwater chambers to preserve the retention volume. These garages do not have floor drains. If required those would be required to go through the sanitary sewers, they will discuss and review with City Engineer as the project proceeds.

Tryon, feels this is a great improvement to the original plan, but is still concerned with material draining into the brook and wants to see a solid landscaping plan to help clean the brook. Matt Popp stated that the stormwater gets treated before discharged and there is a planting list on the plan. David Sacco reviewed the treatment plan; there are deep sumps to catch sediment, then treatment units to catch floatable (trash and oil) catching 80% then into the system which releases water back into the ground similar to the existing to avoid releasing quickly. He estimates that a substantial amount of the runoff will be put back into the ground and not Beaver Brook. There is also the compensatory drainage area to allow water to slowly infiltrate to avoid runoff directly to the brook. Their discharge points are in a natural wooded low-lying area to minimize the area of discharge but allowing for overland flow and minimize what is going into the system with the shortest conveyance train. There are extensive plantings. Oliver Gaffney was the landscape architect on this plan. He has used a lot of native and durable species with minimal maintenance rather than a lawn treatment. Matt Popp stated that in ground infiltration is preferred.

Connors asked about snow removal. Dave Sacco reviewed the planting plan and snow shelf areas and further stated that planting selections in these areas are appropriate to take in account those areas that may be under stress due to snow storage it has been through.

Magnan questioned in the event the snow shelves are not adequate, if the plan would be to take the snow offsite. David Sacco stated that there is the ability to move it around on site. Blake Smith stated that they don't anticipate that to be an issue and they maintain their own properties. They feel they have designed the site to accommodate snowfall in CT but if there were an issue, they would remove it offsite.

Magnan – speaking to the stormwater treatment and drainage plan, asked if it was the expert testimony that the plan addresses all of the modern requirements and extreme weather conditions. David Sacco stated that it is designed to be complaint with the City of Milford regulations the standard of care is to simulate the existing conditions and has a slight decrease in runoff and adequate retention.

Attorney Smith stated that the site design meets the CT DEEP 2004 Stormwater manual and the CT DEEP 2002 Erosion and sedimentation control manual. David Sacco said that the latest data from NOAA in rainfall intensity and volume were used. Attorney Smith said that the idea for this modification was to stay within the scope of the reviewed activities and reducing or eliminating impacts that were approved. Every effort was made to ensure there are no adverse impacts to the wetlands from this proposal.

Munson questioned the ponded area near I-95. In the last application there was work proposed because the quality of the water was degraded by discharge from the highway. David Sacco stated that that area is outside the area where they are proposing to work. There would be a disturbance to a much larger area to clean up a small area. Instead, they chose to reduce the overall impact on the wetlands.

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 11/16/22. Petition deadline is 11/30/22)

No action taken.

## **F. Minutes**

A motion was made by Munson, seconded by Tryon to accept the minutes of the 11/02/2022 Regular Meeting as presented. The motion carried by roll call vote with Connors and Bhavé abstaining.

## **G. Staff Report**

- A reminder that three Commissioners are up for reappointment in 2023; Commissioners Munson, Panico and Tryon. Please let the Mayor's Office know if you are interested in reappointment. There is an alternate Commissioner vacancy if anyone knows of someone who may like to serve on the

Agency. Please ask them to call their Alderman or Justin Rosen at the Mayor's Office 203-783-3201 [jrosen@milfordct.gov](mailto:jrosen@milfordct.gov)

- As always, the training links have been included in her draft notes and motions if anyone has not completed the DEEP or UCONN training. Please let the office know if either training is completed. If you have completed the Inland Wetland Commissioner Training Course, please be sure that the office has a copy of your certificate. If you haven't completed the CT Inland Wetland Commissioner Training Course it is available: [CT DEEP Municipal Inland Wetland Agency Comprehensive Training Program](#)
- The CT Land Use Academy also has some good online training for Land Use Commissioners at: <https://clear.uconn.edu/luu/index.htm>
- She is still working on the 2023 Hazard Mitigation Plan update and will send an email with a link to the website to take the survey for input on the Hazard Mitigation Plan
  - **HMP23 Public Participation and outreach Survey**
  - English <https://www.surveymonkey.com/r/SCRCOG2023>
  - Spanish <https://www.surveymonkey.com/r/SCRCOG2023espanol>
  - To learn more about the HMP23, please visit the project web page at: <http://scrcog.org/regional-planning/regional-hazard-mitigation>
- The office continues to be very busy with inquiries, complaints, bond release requests, minor reviews and other reporting and City projects.
- The community stake holder meeting for the Hazard Mitigation Plan met on Monday, November 7<sup>th</sup> at 6:00 pm via ZOOM. The link has been included in her notes. Please consider attending the next meeting to learn about this important document. You will need to register to receive the meeting link. The meeting is anticipated to last about 1 hour. The public hearing will be held virtually, and the link to register can be found here: <http://scrcog.org/regional-planning/regional-hazard-mitigation>
- Please let the office know if you have any questions or need additional information on any items before you and information will be requested from the appropriate consultants.

#### Site Status:

- 0 Tanglewood Circle – completed.
- 30 Bridgeport Av – ongoing.
- 1553 Boston Post Road – work is ongoing, site is stable, graded and hydroseeded.
- 67-69 Cooper Ave – ongoing.
- 114-122-124-128 Merwin Ave – ongoing.
- 201 Kings Highway – ongoing.
- Wheelers Woods – project completed, waiting on final review.
- Milford Cemetery – 420 West River Street – ongoing monitoring.
- 16 Marsh St. – ongoing.
- 690 New Haven Ave – ongoing, site is stable.
- 8 Pepe's Farm Road – ongoing monitoring.
- 33 Pearl Street – ongoing, proposing change to stormwater runoff.
- 0 Terrace Road – waiting on final review.
- 161 West Rutland Road – ongoing.
- 104 Lavery Lane – plantings in, seeded, not yet established.
- 0 Quarry Road – ongoing.

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

## **H. Chair Report**

Thanked everyone for their service to the City for the year. He estimated they had attended 24 meetings / 50+ hours and reviewing documents in preparation for meetings.

The next meeting will be December 7, 2022 at 7:30 p.m. via ZOOM. Please let the office know if you cannot attend. Those commissioners that terms are up for reappointment, please follow up with reappointment.

There being no further business to discuss, a motion was made by Connors, seconded by Munson to adjourn at 8:40 p.m. The motion carried unanimously by roll call vote.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.