

Minutes of the Regular Meeting of the Inland Wetlands Agency on November 19, 2008.

**A. Roll Call**

Present: Barbara Bell, Allan Cegan, Jim Connors, Joel Levitz, Lynne McNamee, Jim Richard and Phil Fulco.

Absent: Ken Cowden, John Ludtke, and Steve Munson.

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

**B. Public Comments**

None.

**C. New Business**

1. **Application IW-08-044: 30 Lavery Lane, William German** – proposal to fill 400 sq. ft. of wetland to construct a road and to convert 1.2 acres of upland review area to farmland including 8 structures, a pool and a deck within 100' of a wetland in the Housatonic River Watershed.

MaryRose reported that this is a proposal by Bill German to use a portion of his property as a farm under section 4.1a of the MIWA regulations. There was a non quorum site walk on this property on 11/1/08 and there is a scheduled Public Hearing on 12/3/08. If there are any questions, MaryRose can forward them to the applicant for the Public Hearing. Levitz questioned if the issue brought up at the last meeting regarding a change in use of animals on site was addressed. MaryRose stated that it has not and she will have an answer by the next meeting.

2. **Application IW-A-08-052: 598 West Avenue, Barrett Outdoor Communications** – proposal to construct a billboard, access drive and install plantings within 150' of a wetland or watercourse in the Beaver Brook Watershed.

MaryRose reported that this is a proposal by Barrett Outdoor Communications to construct a billboard and access drive within 150' of a wetland in the Beaverbrook watershed. The proposal is to install a monopole and billboard facing the South bound traffic on I-95. The Applicant has worked with the Milford Wastewater Division to move a fence on the pump station property to decrease the amount of impact for an access drive to the monopole site. They have also proposed to construct the monopole and billboard face with minimal disturbance to the existing vegetation on the site (the site has been recently disturbed by construction of Gloria Commons) and to add white pines and blue

berry bushes to the area. Ray Paier of Westcott & Mapes is here to present the application this evening.

Ray Paier, along with Bruce Barrett speaking to sheet 3 of 4 – overall site composite map - orientated the Agency to the site and proposed work. The billboard is to be in the southwest corner of the Gloria Commons property. There are 3 signs owned by Barrett off of Erna Avenue which would be removed equaling 2800 sq ft of sign space to be replaced with 1 sign eliminating negative impacts.

Speaking to sheet 4 of 4 the plan was orientated to the site. Wetlands were flagged by Tom Pietras of Soil Science and Environmental Services of Cheshire about 1 year ago. The access drive would be gravel. There is lawn area on the easement established when the Gloria Commons site was constructed. There is an outflow pipe for the detention basin. The sign was pushed as far north away from the wetlands as possible within the easement to minimize the disturbance of the upland review area. There is 0.08 acre in the easement and all work is in the upland area for construction.. Care was taken to minimize the disturbance of the existing vegetation. Soil and Erosion control measures were reviewed on the plans. It is only a one sided sign with visibility to I-95 southbound traffic only. The West Avenue side is screened by the existing trees. The applicant has worked with Wastewater and Public Works to move an existing chain link fence closer to the pump station to construct the access drive without impacting the trees. There is a potential for limited pruning for crane access and moving the fence pushes further away from the wetlands. There will be a gate access for the driveway to prevent public access to the area. The area is currently fenced. The sign is illuminated in accordance with the regulations – minimal passive light, it is not back lit and there is no light scatter from the sign.

Paier feels this proposal is an improvement by removing the existing 3 signs, less disturbance and they are adding screening plants and requests approval. The existing signs would allow for much greater tree clearing for greater visibility not impact to the wetlands or watercourse and the applicant has worked to move as far from the resource as possible and adding screening plants as discussed.

Fulco asked that the proposed plantings be reviewed. Paier – 4 pine trees that will fill in a lawn area that will add to screening from West Ave and 6 blueberry bushes to attract various species

McNamee asked if there would be any proposed impact from the shade of the board on the wetland. Paier stated that the site is currently densely vegetated and so dark now and the sign will be lower then the trees so there should not be any impact.

Levitz asked about the effects of the heat of the lighting impacting the wetlands. Paier stated that there are no lights on front and the sign will block the light scatter. Levitz asked if the sign was solid or electronic. Bruce Barrett, 47 Point Beach Drive, stated that they do not have any of the LED signs and Milford doesn't allow them.

Bell questioned that the sign would be lower than the trees. Paier reviewed the elevations and contours. Bell asked if it would have a concrete pad with no other support. Paier confirmed this. Bell questioned the 50' setback line on the sight plan map. Paier stated that it is offset from the rear property line and is a Planning & Zoning line. Bell concerned about the trees to the West of the access drive that are not to be removed and with moving the chain link fence and the gravel drive what is the distance/clearance and will those trees be able to be saved as they provide a lot of shade and stability to wetland. Paier stated that he and Barrett and Public Works taped off the distance to ensure the angle of trunks and distance. The drive is 12' wide and there will be 2.5 to 3' distance from the closest trunk and no filling so there would be minimal impact to the roots. Bell questioned why so much area is needed around the sign and if that could be left undeveloped. Paier stated that they used vehicle templates to determine the turnaround area needed but they could pull the gravel in about 5' after construction. Barrett stated that during construction the space is needed to enable a crane to get in to install the sign.

McNamee is concerned with the wetland not currently fenced entirely now and what will the impact to the wetland be with enclosing it entirely. Paier stated that prior to the Gloria Commons development it was a hang out – since the development no adolescent activity in that area. Fulco asked if there was any evidence of wildlife that will be locked in or out. Paier stated that the area is currently fenced and they are only adding a small 12' gate to close area – birds and small mammals will still have access and there is no evidence of large wildlife.

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

Mr. Chairman, after duly considering all relevant factors, I move to approve application IW-A-08-045: 598 West Avenue based on the plans entitled “Billboard Sign 598 West Avenue, Milford, Connecticut 06460 Map 42 Block 304 Parcel 1A prepared for Barrett Outdoor Communications, Inc.” by Westcott and Mapes, Inc. 4 sheets dated 10/22/08, the information in the file and presented this evening, for the following reasons:

- The existence of the structure does not pose long-term adverse impacts to the wetland and the short-term impacts during the construction phase are adequately addressed by the erosion controls and mitigation plantings as described in the plans.
- The short-term impacts during the construction phase shall be mitigated by the following conditions:

- Plantings and erosion controls as per the plan.
  - A \$6,795.00 bond must be posted with the MIWA for S&E controls, plantings and an asbuilt showing finished 2' contours and locating all site structures.
  - This action will not have an impact or effect on the physical characteristics of the adjacent wetlands and watercourses.
- Bell stated that she would appreciate any effort to shortening the hammer head after construction.
- The motion carried unanimously.

**D. Minutes**

A typo was noted on page 7 of the minutes of 11/5/08 – due verses do. A motion was made by Connors, seconded by Richard to accept the minutes as amended and carried unanimously.

**E. Subcommittee Reports**

None.

**F. Staff Report**

- Just a reminder that the December 3<sup>rd</sup> meeting will be a public hearing so please call or email if you are unable to attend so that a quorum can be assured.

**G. Chairman's Report**

- At the CACIWC meeting there were a number of good training sessions that talked about exemptions and those materials will be distributed prior to the next meeting. Cegan stated that they discussed the Stew Leonard's case when conditions were added after the permit was issued. Fulco stated that they got into the issue of clear cutting and definitions. Fulco attended the session on stormwater treatment and best management practices and they gave a checklist of what we should be looking for.
- Levitz stated that at one public hearing people were making comments and we should find out if it is a personnel opinion or an expert opinion. Fulco stated that if they don't state it is a professional opinion then it is incumbent on the person speaking to identify themselves as experts. They must also be willing to back that up.

The next meeting is on 12/3/08 and it is a Public Hearing.

There being no further business to discuss, the meeting adjourned at 8:20 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.