

Minutes of the Regular Meeting of the Inland Wetlands Agency on August 5, 2015.

A. Roll Call

Present: Cathy Collins, Allan Cegan, Jim Connors, Ken Cowden, Carol Dunn, Lily Flannigan, Brendan Magnan, Justin Margeson and Daniel Schopick.

Absent: Dave DeFlumeri and Steve Munson.

Also Present: Joe Griffith, MaryRose Palumbo and Lisa Streit.

Collins called the meeting to order at 7:30 p.m. and deemed Dunn and Schopick the voting alternates.

B. Pledge

All stood for the Pledge of Allegiance.

C. Public Comments

None.



D. New Business

- IW-PA-15-032: 6 Wayne Road, Matthew Battaglia** – proposed 16' x 12' 2 – story addition with construction within 100' of a wetland in the South Central Shoreline Watershed.

MaryRose reported that this is a pre-application request for a 16' x 12' 2-story rear addition with work within 47' of a wetland in the South Central Shoreline Watershed. Mr. Battaglia is proposing to replace his existing 16' x 16' deck, which was approved when the house was constructed in 2003, with a 16' x 12' addition with a bedroom on the first floor and a sunroom on the second floor. The plans being passed around show the East side of the house with the existing deck and undisturbed vegetation in the buffer area to the wetland line which is beyond the large tree with the plaque. The house, deck and grading were permitted with a Jurisdictional Ruling in 2003. The site is stable and fairly unchanged from the time the final inspection was done in 2008. The property owners did come to the IWA in 2012 for removal of trees from the rear property line that were dropping limbs into the yard and removal of invasives. The site is in compliance with that approval. Connors stated that the room will have less chance of debris in the wetlands verses a deck and the deck was already approved. Collins stated that roof and gutters are a concern but there could be a rain garden. MaryRose reviewed the topography and slope to the wetlands. Photos from MaryRose's phone were passed around for viewing. MaryRose stated that the applicant has been respectful of the wetlands. Cowden stated that he is concerned with setting a precedent. Schopick stated that jurisdiction is over the land and not the people.

Magnan stated that he would like a full application. Cowden agreed. MaryRose questioned what the IWA would want; a survey, engineered plans, reflagging? Cowden stated that the photos show the topography and slope and the boundaries are already there. Connors stated that a survey and reflagging would be the same cost as building the addition. MaryRose reiterated that each application is acted on based on its own merits. Flannigan stated that she does not feel an entire application is needed and would be comfortable with a Jurisdictional Ruling with down spouts to a rain garden. Dunn agreed. Margeson stated that it is the same foot print as the application. Cowden stated that his concern is who designs the rain garden. Cegan stated that he feels it should be a full application. Schopick stated that he feels it should be a full application; there is significant disturbance with the same footprint. If the applicant came in with significant information this may be sufficient. Magnan stated that he feels there needs to be really clear specifications; no survey or reflagging is necessary. MaryRose clarified that the IWA wants drainage information and protection for construction. Connors stated that the house is draining on the ground now. The IWA would like the applicant to come to the next meeting to discuss more information. MaryRose will explain the process to him. No action taken.

E. Old Business

A motion was made by Connors, seconded by Cowden to hear items E.1. and E. 2. together. The motion carried unanimously.

1. **IW-A-15-017: 0 Tanglewood Circle, Lot 28, April Culver** – proposed single family home with construction, grading and filling in and within 100' of wetlands in the Housatonic River Watershed.
2. **IW-A-15-018: 0 Tanglewood Circle, Lot 29, April Culver** – proposed single family home with construction, grading and filling in and within 100' of wetlands in the Housatonic River Watershed.

MaryRose reported that these proposals are for two single family homes with construction, grading and fill in and within 100' of a wetland in the Housatonic River Watershed.

The proposal for Lot 28 is to fill 1,836 sq. ft. of wetland with 13,052 sq. ft. of work in the 100' upland review area for the construction of a house and yard and access to a septic system for a single family home.

The proposal for Lot 29 is to fill 3,919 sq. ft. of wetland with 16,043 sq. ft. of work in the 100' upland review area for the construction of a house and yard and access to a septic system for a single family home.

The applicant is proposing to use a rubble wall to delineate the edge of the filling and the wetland on both lots. They are also proposing pervious driveways with

gravel reservoir areas for stormwater treatment on each lot. A petition has been received with 51 signatures requesting a public hearing on this application.

The IWA held site walks on 7/7/15 and 7/13/15. There was not a quorum at the 7/13/15 walk. An extension of time has been received on this application to 9/13/15 to start the public hearing.

The City Attorney's office reviewed the contract for Third Party review and requested some changes. MaryRose is waiting on the approval of the changes and re-review to sign and get the review started. She anticipates that the review will be submitted by the end of August. She recommends no action or that a public hearing be scheduled.

The following motion was made by Connors and seconded by Schopick:
Due to the receipt of a petition with 51 signatures and that this application may have a significant impact on the wetlands or watercourses; I move that a public hearing be scheduled for September 02, 2015. The motion carried unanimously.

3. **IW-A-15-020: 701 North Street, Stone Preserve, LLC** – proposed 63 unit residential community with construction, parking and grading within 150' of an offsite wetland or watercourse in the Wepawaug River Watershed.

MaryRose reported that this is an application for a 63 unit planned residential community at the Stone property at 701 North Street with work within 150' of wetlands on adjacent properties. There are no wetlands on the site. There are wetlands to the North and West on the Orchards Golf Course owned by the City and on a privately owned rear lot to the Southwest.

The IWA has hired LBG to do a Third Party review of this application. MaryRose has walked the property with this consultant and the applicants' consultants on 8/3/15. She anticipates correspondence from LBG before the next meeting. No action taken.

F. Planning and Zoning Transmittal Reviews

1. **IW-JR-2015-027: 717 Bridgeport Ave., DHS Realty LLC** – proposed addition to auto dealership with no work proposed within 100' of a wetland or watercourse in the South Central Shoreline Watershed.

MaryRose reported that this is a proposal for an addition at Steven's Ford at 717 Bridgeport Avenue. The site is located in the Housatonic River Watershed. No work is proposed within 100' of a wetland or watercourse. *"Proposed Additions and Alterations Stevens Ford, 717 Bridgeport Ave, Milford, CT"* by Westcott & Mapes, Inc. cover & 9 sheets dated 7/7/15 and best management practices as described in the CT DEP *"2002 Erosion and Sedimentation Control Guidelines"*. She feels that the project will have no negative impact on the wetlands and

proposes that she responds to the P & Z transmittal that the MIWA is not requiring a permit for this proposed activity. Should the plans change, the MIWA office will need to review the proposed changes to determine if additional permitting is necessary at that time. MaryRose reviewed the drainage flow of the site. Collins questioned why these were coming before the IWA as they have not in the past. There are no wetlands within 100' of the proposed work on the site.

G. Minutes

A motion was made by Connors, seconded by Cowden to approve the minutes of 7/7/15 as presented. The motion carried unanimously.

A motion was made by Connors, seconded by Schopick to approve the minutes of the 7/13/15 meeting as presented. The motion carried with Flannigan abstaining.

It was noted that on page 6, paragraph 5, sentence 3 – should read pervious verses impervious. A motion was made by Connors, seconded by Schopick to approve the minutes of the 7/15/15-minutes as amended. The motion carried with Flannigan abstaining.

H. Staff Report

A copy of The Habitat was distributed. There is a good article by Janet Brooks on Motions to Approve or Deny Wetland Applications. CACIWC has also announced that the Annual Meeting will be at Villa Capri in Wallingford on Saturday, 11/14/15. Dr. Klemens will be the keynote speaker this year. Collins, Magnan, Flannigan and Dunn will be attending. Please let the office know if you would like to attend.

Site Status:

- Burnt Plains Road – MaryRose will be meeting Scott Farquharson before the next meeting to review the status.
- Indian River Interceptor is on hold this week but they should start back up next week.
- Sanitary Sewers Infills No. 2 (Plains Road/Shelland Street/High St./White Oaks Ter.) Final paving/stabilization work is ongoing.
- Way Street work is ongoing, house #28 is completed.
- West Main Street is ongoing – mitigation plantings are in.
- 1595 Boston Post Road project is ongoing.
- 86 Old Field Lane is ongoing.
- 134-142 Old Gate Lane – parking lot is complete, foundation is poured.
- Naugatuck Avenue – the site preparation for the remediation work at the Devon Station has begun. Once the site is prepped, there will be a dredge working in that area of the Housatonic River.
- CT DOT is working on the cells under the I-95 Bridge over the Wepawaug at North Street. The erosion controls and turtle protocols are in place to protect the Wepawaug River during the work period which runs through the fall.

Please call the office if you are unable to attend a meeting.

I. Chair's Report

Please be mindful of exparte communication. Everyone is doing a great job. The next meeting will be 8/19/15.

A motion was made by Connors, seconded by Dunn to adjourn at 8:10 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lisa Streit".

Lisa Streit

These minutes have not been accepted or approved.