

Minutes of the Regular Meeting of the Inland Wetlands Agency on January 20, 2016.

A. Roll Call

Present: Cathy Collins, Ken Cowden, Dave DeFlumeri, Carol Dunn, Lily Flannigan, Brendan Magnan, Steve Munson, Daniel Schopick and Philip Zetye.

Absent: Jim Connors.

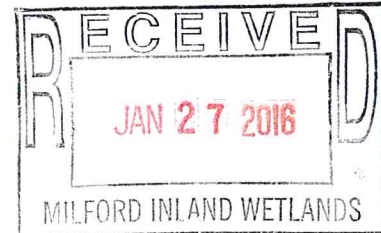
Also Present: DPLU Director Joe Griffith, MaryRose Palumbo and Lisa Streit.
Collins called the meeting to order at 7:30 p.m.

B. Pledge

All stood for the Pledge of Allegiance.

C. Public Comments

None.



D. Old Business

A motion was made by Munson, seconded by DeFlumeri to hear items D.1. 0 Tanglewood Circle lot 28 and D.2. 0 Tanglewood Circle Lot 29 together. The motion carried unanimously.

1. **IW-A-15-064: 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-15-065: 0 Tanglewood Circle Lot 29, April Culver** – proposed single family home with construction, grading and filling in and within 100' of wetland in the Housatonic River Watershed.

MaryRose reported that these applications are a proposal 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 0 Tanglewood Circle Lot 28 is to fill 845 sq. ft. of wetland with 12,577 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 and to create 2,004 sq. ft. of wetland. They are also proposing a pervious driveway with a gravel reservoir area for stormwater treatment.

The proposal for 0 Tanglewood Circle Lot 29 is to fill 814 sq. ft. of wetland with 13,046 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 and to create 1,499 sq. ft. of wetland. They are also proposing a pervious driveway with a gravel reservoir area for stormwater treatment.

The Agency walked the sites on 1/14/16; the weather was clear and seasonably cold. All Commissioners with the exception of Connors walked the site.

At the last meeting Schopick asked about the applicant on the application form. Attorney Lynch has added trustee after April Culvers' name on both applications.

The Agency asked for a Third Party review. It is anticipated that the contract will be signed this week with LandTech and at that time a timeline from LandTech can be obtained for when the review will come back to the IWA. MaryRose recommended that scheduling the public hearing be postponed until the time frame is known from the consultants.

Bob Wheway, PE of Codespoti & Associates stated that the letter has been forwarded to Ms. Culver regarding the third party review and he agrees with waiting to schedule the Public Hearing until the third party review.

Collins confirmed that the set backs are the same for this application. Wheway confirmed this and stated that the setbacks stay with the property form the ZBA approval in 2015 which are 30' setbacks (25' was denied).

Flannigan stated that she asked about how many large trees are to be removed and sees now that some are in the creation area. Wheway stated that there is one large one on Lot 29 that is close and could be welled off to save. Flannigan asked if they are creating a wetlands area between the houses, how many would be left/removed. Wheway stated that at the back edge trees will have to be removed to adjust the elevation to the wetland. He supplemented that plantings to provide additional canopy and this can be done here as well.

DeFlumeri asked if the existing wetland is being disturbed. Wheway stated that the area beyond construction is remaining as is.

MaryRose asked what the height of the rubble wall is to be. Wheway stated that it would be 3'. MaryRose asked if they considered anything on top for delineation placards. Wheway stated that this can be done.

No action taken.

E. New Business

1. **IW-A-15-068: 45 Cooper Avenue, Avial Suarez** – proposed elevated residence with construction 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 at 45 Cooper Avenue in the South Central Shoreline Watershed. Avial Suarez is proposing to build his elevated home on this property. The previous house was removed after the damage from Storms Irene and Sandy. The house is proposed 14.5' from the inland wetland line with a deck 11' off the inland wetland line. Tidal wetlands are located off of this property. Mr. Suarez is proposing rain gardens on either side of the residence for stormwater management per DEEP requirements. Suarez has submitted and received a review by CT-DEEP Natural Diversity Database. The review was distributed and stated that they do not anticipate negative impacts to state listed species in the area based on the information Mr. Suarez provided in his application.

Mr. and Mrs. Avial Suarez as well as Oswaldo (father) were present. MaryRose visited the site; the previous house has been removed. Gravel and grass are on site. The plan was reviewed. Hay bales in the rear of the property are proposed. Hollow pilings for the house are proposed. There will be no stock pile in the rear. Decks are to be cantilevered. The original house was 516 sq. ft. the proposed house is 688 sq. ft.

Magnan asked about water treatment for run off. Avial Suarez stated that gutters will go to rain gardens on both sides of the house. Magnan asked about specs for the rain garden. MaryRose stated that this is item 6 on the plan. Avial stated that plantings will be for salinated water due to the area.

Schopick asked MaryRose if this proposal was typical to rebuilding proposals in beach areas. MaryRose stated that it is typical to beach areas per FEMA. These are minimal lots and galleys don't work, they hold mosquitoes in the area. State regulates to elevation 2.9 so this is out of perview.

DeFlumeri questioned if gravel would be under the house. Avial stated that it would be gravel. Collins asked if there were houses on either side. Avial stated that the left one was lifted and the other side is elevated. There is one down the street that is being constructed.

Cowden questioned 2 separate rain gardens verses 1 swale. MaryRose stated that this is the homeowners' preference. The wetlands in the back are gravel/grass and will be silt fenced. Cowden asked if they have been delineated typically. MaryRose stated they have. Avial stated that they will plant similar to the side. Cowden recommended vinyl posts in the area due to the water table. Cowden asked about high tides. MaryRose stated that it is behind the tide gate.

Schopick stated that he did not feel a site walk is necessary. Magnan agreed but stated concern with the rain garden viability and asked if it could be bonded. MaryRose stated that it can be. Magnan asked about professionals for the work. MaryRose stated that Mr. Suarez is an Architect.

The following motion was made by Magnan and seconded by Munson:
To approve application IW-A-15-068 45 Cooper Ave based on the plans entitled "*Suarez Residence 45 Cooper Avenue, Milford, CT 06460*" by Atlantic Consulting & Engineering, 1 sheet dated 9/21/2015 last revised 12/31/15, the information in the file and presented this evening, for the following reasons:
This action will not have an impact or effect on the physical characteristics of the adjacent wetlands and watercourses.

With conditions including:

- The Permittee must submit a construction plan *prior* to taking out the permit with a notation on the plan of the construction sequencing and party responsible for erosion and sedimentation control.
- Soil Erosion and Sedimentation controls as outlined on the plans and in the CT DEP "*2002 Erosion and Sedimentation Control Guidelines*" must be installed and maintained on the site until the property is stabilized.
- No soil or material is to be stockpiled to the rear of the site.
- Wetland notification to be placed on the asbuilt and in the property deed to give notification to property owners that permits are required from the MIWA to work on the site.
- a construction and mitigation bond to be calculated must be posted with the MIWA for S&E controls, rain garden and wetland plantings, wetland boundary markers on two PVC 4 X 4 posts and an asbuilt showing finished 2' contours and locating all site structures. Monitoring bond to be held for 3 years.
- The Permittee must submit a certification by the Project Engineer that the completed project meets the design intent of the approval prior to bonds being released.
- The permit is issued 1/20/16 expires 1/20/21 unless otherwise provided by Statute.

The motion carried unanimously.

F. Minutes

A motion was made by Schopick, seconded by DeFlumeri to accept the minutes of 1/06/16 as presented. The motion carried unanimously.

G. Staff Report

Site Status:

- Indian River Interceptor – Closed down for the winter. We continue to have issues with the tarping erosion controls at the WSA and stabilization along New Haven Ave. MaryRose is working with Westcott and Mapes to have the contractor correct.
- Way Street work is complete, asbuilts received mitigation monitoring to continue. One house would like a tree removed stating that it creaks in the wind. The City's

Tree Arborist is going to go out to survey the tree. Cowden stated that trees creak and suggested guy wire being installed during heavy events.

- West Main Street is complete waiting on asbuilt. Mitigation area is in and will be monitored for 3 years.
- 1595 Boston Post Rd project is ongoing; they started the drainage work last week.
- 86 Old Field Lane is ongoing.
- 220 Rock Lane is ongoing
- 134-142 Old Gate Lane has submitted their asbuilt for release of the construction bond.
- 400 Burnt Plains Road: MaryRose has received a letter from the Landscaper regarding the failure of the lawn behind the building in the shaded area. Mr. Sete had determined it was too late in the season to replant after the grass was lost in the drought. He has hayed the area for stabilization and will replant with a shade tolerant mixture in the spring. The agency is still waiting on approval of the hold-harmless letter for rain garden A by the City Attorney's office. MaryRose will follow up with the City Attorney. Cowden asked about the guidelines and that a professional designed the plan. MaryRose stated that the plan was designed by Jen Beno; the owner is not listening to advice. It was deemed that the building has a certificate of occupancy. Schopick asked if the work was bonded. MaryRose stated that there was a letter of credit that has expired. The church was going to bond the work but has not. MaryRose reviewed the process. Schopick suggested the IWA move forward with the process.
- Please remember to email or call the office if you are unable to attend a meeting.

H. Chair's Report

Collins thanked everyone for their participation in the site walk last week.

The next regular meeting will be on 2/3/16.

There being no further business to discuss; a motion was made by Munson, seconded by DeFlumeri to adjourn at 815 p.m.

Respectfully submitted,



Lisa Streit

These minutes have not been accepted or approved.