

Minutes of the Regular Meeting and Public Hearing of the Inland Wetlands Agency on December 20, 2017.

A. Roll Call

Present: Brendan Magnan, Nathan Buchok, Jim Connors, Ken Cowden, Dave DeFlumeri, Carol Dunn and Steve Munson.

Absent: Lily Flannigan, Daniel Schopick and Philip Zetye.

Also Present: MaryRose Palumbo and Lisa Streit.

Magnan called the meeting to order at 7:30 p.m. and deemed Buchok the voting alternate.

B. Pledge

All stood for the Pledge of Allegiance.

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C. Public Hearing

MILFORD INLAND WETLANDS

- Magnan reviewed that this is a public hearing, it is a formal proceeding, please respect the process by only speaking when you are called upon and giving your name and address for the record when you speak, spelling as necessary for the Recording Secretary. If you must talk to each other during the meeting please be courteous and go outside in the hallway so as not to disturb the other members of the public and the Agency who would like to hear the presentation. Please silence all cell phones.
- Explanation of the Rules: The applicants will present any additional information, when they are finished the public may speak for and then against the application. The applicant will then rebut /answer the questions *after* all members of the public that wish to speak have spoken - there is no give and take between the applicant and the consultants. The public then may speak again *to the issues that were covered in the rebuttal*. Then the Agency will ask their questions of the applicant.
- Please speak only to items in the jurisdiction of the MIWA - wetlands, watercourses, and wetland habitat. Zoning Issues are not under our review. This public hearing is for a modification to an existing permit. The Agency is reviewing the modification request only. I will ask you to stay on the topic of wetlands and the modification before the Agency this evening or will ask that the next speaker be given the floor.
- The application before us this evening does not propose any work within a wetland or watercourse. The applicant is proposing to work within the 150' upland review area. Under Section 2 of the MIWA regulations within the 150- foot *upland review* areas the intent is to review the proposed activity and to apply *only such restrictions as are needed* to avoid adverse impacts in the inland wetlands and watercourses and are not intended to be exclusionary setbacks.

1. **IW-A-17-043: 67 Prospect Street, 67 Prospect Street, LLC** –proposed office with 44 one bedroom apartments above and associated infrastructure within 150' of a wetland or watercourse in the Wepawaug River Watershed..

Magnan noted that a petition has been received regarding this application and a Public Hearing is being held.

MaryRose reported that the Certificates of Mailing have been received and are in the file. The file contents list is updated and is available for viewing in the Inland Wetlands Office.

Pat Rose, Rose-Tiso & Co, 35 Brentwood Av, Fairfield, CT confirmed that the certificates of mailings were received. Rose stated that some FEMA questions came up after the site walk that he

would like to address. He reviewed the FEMA map for this site; the site is outside of the 100 and 150 year flood areas and is at elevation 34, which is approximately 12' above the cross section for flood zone AE (22.3) as shown on the FEMA map. He proceeded to review the existing survey showing the wetlands boundary and the 150' review area. They are proposing mixed use commercial office space which will have office space on the main level, 44 parking spaces underneath and 44 one bedroom apartments above. On sheet SP-1 he pointed out that 98% of the site slopes to the rear of the property and that a very small portion drains to Prospect St. That runoff then runs down along Prospect St and drains to the catch basins that are at the railroad underpass. Those catch basins drain to the Wepawaug River.

William Kenney, Professional Wetland and Soil Scientist; Principal of Kenney Associates, Fairfield Ct, Kenney stated that he was retained to find the location of the Wepawaug River and to look at that wetland /watercourse and a wetland in the cemetery that is 850' east of the property. He reviewed what impact the proposed development might have on those wetlands and watercourses. He stated that this is a 1 acre site, relatively flat, sand and gravel, well drained. Much of the site drains east. The project is 130' from the river and 850' from the nearest wetland. In his opinion there will be no adverse affect on the wetlands and watercourses due to this project. There are no direct impacts because there are no wetlands on the site. He said that when there are no direct impacts you then look at indirect impacts. Given the distance from the property there will be no adverse impacts in the short term due to construction. Looking at the long term impacts he said that the site is served by City sewer. He then looked at stormwater management. They considered the rainwater that lands on the roofs and pavement and looked at what happens in the average storm (roughly 0.5" every 3 days). They also looked at the 1" rainstorm event in order to capture the pollutants from the first 1" of runoff. He said that by directing water to catch basins then through a subsurface recharge system located under the parking lot along the south side of the property allows water to be collected and slowly infiltrate. The system is designed to hold three times the volume needed, provides substantial protection for stormwater quality and exceeds the state standards. Due to the fact that the property is small and far removed from the wetland it is his opinion that there will be no adverse impacts to the wetlands

Manny Silva, Civil Engineer, Rose-Tiso & Co, 35 Brentwood Av, Fairfield, CT - reviewed SP-1 and the existing conditions on the site; which include a house, inground pool, parking area and overgrown meadow. In their design they tried to maintain the direction of flow. Flow to west is collected by Prospect St and directed to the catch basins by the railroad underpass. The remainder of the site there are snouts on the catch basins, this is the first step in the storm water treatment train. They directed all water that currently goes to the rear of the site into a storm water gallery system that has an 8,192 cu. ft. capacity where 8,137 cu. ft. is required. It is spread out to recharge the groundwater over a larger area. They analyzed the 10 and 25 year storm events for the site. Due to the location of the site there is no where to actively discharge the water from the storm water system. They have elected to retain all water onsite. There should be no runoff or 100% retention up to the 25 year storm. After the snouts, which take out the floatables, water then goes into the galleys where it is filtered and then enters the soil where that continues to filter it until it hits the ground water table. DEEP would require a 75' long level spreader for this site; they are providing a 200' long level spreader because they have the ability to in this flat area. This will have an increase in water quality and a decrease in volume. Silva proceeded to review the Sedimentation and Erosion control plan. They are proposing silt fencing on site and silt sacks will be used in the onsite catch basins during construction to prevent sedimentation. Once the site is stabilized, the silt sacks will be removed and a clean system will be used for the site. They are also calling for an anti-tracking pad to prevent siltation onto Prospect Street.

Silva addressed the City Engineers comments as they pertained to wetlands from his letter dated 12/18/17 and submitted this evening. **Soil Tests Required** - Silva stated that on Friday, 12/14/17 they dug two test holes on the site and that the soil was a sandy gravel pretty much as described by Mr. Kenny. They dug down 8' and there was no seasonal high ground water. **Is the Level Spreader long enough** – this has been increased to 200' and won't see water on a daily basis unless there is 5 or more inches of water. **Storm Water Management Plan** – Silva referred to SP-2, they are proposing that the system be inspected and vacuumed every 6 months. This plan will follow on the land records and will be provided to the property management.

Magnan called for those **IN FAVOR** of the project:

None.

Magnan called for those **AGAINST** the project:

Kate Orecchio, 165 North Broad Street, stated that this project will take down a house that covers about 1/8 of the property and build a project that will cover close to 90% of the land. On Broad Street there are catch basins and even if there is 1" of water you can't even walk down the street until the leaves are cleaned out of them. All of the water will go down to the river. We get big storms once or twice per year and this drainage doesn't seem adequate.

Ray Oliver, representing the Cemetery Association, the adjacent property stated that Bob Hiza, Engineer looked at the plans and feels there is no high level overflow. This project is working towards a 25 year storm event when we have had many 100 year storm events. Flow will spill onto the cemetery property and destroy graves. They stated that 2 percolation tests were done; many more are needed. The DAR building perennially has water issues; infiltration is not as great as they claim. This site would go from 30% to 90% impervious surface and he is very concerned with the Engineering. The only solution is an overflow system from the gallery that would go to the Wepawaug River.

Steve Rathbun, 44 Prospect Street, stated that he is concerned with the snow shelves; he doesn't see any. During the last snow, snow was plowed across the street to the park. Snow will find its way to the river. Companies who do the plowing don't care; he has been dealing with this for years. Snow storage on site or to haul it away is costly.

Bill Derry, 75 Prospect Street, stated that he has lived here since 2004 and he has two sump pumps now. Water problems are a concern with coverage of black top.

Ann Maher, 50 Prospect Street, stated that she knows experts are important; but she lives here every day and has seen an increase in flooding and seen the loss of natural draining. The railroad track area floods regularly and this will add more problems. The DAR water problems got worse with the 35 Prospect Street project. Loss of trees are a concern as well as the ability to absorb water.

Anthony Griego, Hamden, is concerned that there may be a colonial cemetery on the property and asked where the flood line was and if there is only one entrance to the property and if it is towards the area that floods.

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Pat Rose reviewed that the line in front is the 150' upland review line, not the flood line. He reviewed the flood zone on the FEMA map. This project is above the flood zone. There will be one entrance/exit. He reviewed snow storage; for the snow removal the intention is to pile snow to the east and truck offsite. They are away from the wetlands and made provision for snow piling in the Southeast corner and then to be removed from the site.

Manny Silva reviewed that there will be a decrease in impervious area towards Prospect Street. He reviewed the current discharge from the house and driveway. The apron is the only area going towards Prospect Street with this proposal. They are dramatically reducing runoff for the site; even in a 100 year storm event. There would be less runoff going towards the cemetery with the proposal. The system will catch water and put it in the ground. Manicured lawn can become non effective. Two test holes were done in different areas and the same soil was found. This system will infiltrate water quickly. Manny Silva said that there was an assumption by the public that there is an increase in impervious towards the front of the property. Currently the downspouts from the front portion of the house and driveway discharge to the front towards Prospect St. In the proposed condition only the driveway apron will be draining into Prospect St. They did not propose draining across the street to the Wepawaug River because it would be a point discharge which is frowned upon by the DEEP. Also the general direction of the flow is east, away from Prospect St. They did not want to change the way the water flows. They dug 2 test holes and did not see variations in the test holes (one in rear and one in front on south side of the property in the area of the proposed storm water system). He said that there was a deep stratum of gravely sand. He said that the property to the south is a little bit lower and their basement may be much lower than they dug. They dug to 8' while the gallery's will go to approximately 5'.

John Swing, 75 Prospect Street stated that not all of the water from the driveway goes to the street; it goes to his property due to the condition of the driveway.

Ray Oliver, stated that the rear and side of the property is more of a meadow and water is being absorbed and is not a problem to the cemetery. This project will be significant; engineering for a 25 year storm even will not be sufficient and will effect the cemetery.

Ann Maher, stated that this area was referred to as a meadow and then compared to manicured lawn. She stated that it all runs to Prospect Street now and either way discharge will go into the watercourse.

Steve Rathbun, stated that he has done plowing and you plow where you can and feels the snow shelf is insufficient.

Attorney Dominick Thomas, for the applicant, stated that he feels that the concerns have been addressed. All of these concerns are outside of the upland review area. The cemetery concerns will be addressed in the Zoning process. The IWA process has correctly pointed out that review of the experts are important. The other issues are drainage issues that are outside of the upland review area and will be addressed by Zoning.

IWA QUESTIONS/CONCERNS:

Buchok asked about Ms. Orecchio's concerns with the maintenance of the catch basins. Silva referred to the Maintenance Plan on SP2; the catch basins will be inspected every 6 months and any sediment over 18" will be vacuumed. The Maintenance Manual is created and will be on record with the Town Hall and the Property Manager. There will be a record; procedure and sign in log and

the Town can inspect at any time. Attorney Thomas stated that if the onsite catch basins are clogged the tenants will call and complain to the Property Manager and they will be maintained. But understand that Milford Public Works has a large number of catch basins to maintain and may not have regularly maintained the basins Ms. Orecchio talked about.

Connors is concerned with the snow shelf; he doesn't see it being hauled off site and it will melt in the river. Attorney Thomas stated that the Plow Company will have a contract with the Property Manager and if it is not adhered to, they will no longer have a contract. To plow the snow across the street is not legal; they will look into this and make sure it is not done.

Cowden asked about the anti-track pad during construction and if there is anything in place if mud and debris was tracked onto the road during a rain event. Silva stated that they are employed as Site Monitors often and try to address this immediately. They will have to have a street sweeper. Cowden stated that he is concerned with mud in the trucks/machinery coming off site onto the road. Silva stated that there is a narrative to the S & E plans stating that it will be monitored. There will be a General Contractor there daily and he must provide contact information and the immediate contact person. Attorney Thomas stated that if it is a rainy day with a lot of mud, machinery/trucks could be washed off on site.

Munson asked if there was any input from the DAR or the Cemetery. MaryRose stated that someone from the DAR was at the site walk and Ray Oliver represented the Cemetery tonight. Munson questioned that once the project is completed there will be less run off on Prospect Street than currently exists. Silva stated that there would be substantially less and reviewed this on the plans. Munson questioned that flooding would be reduced. Silva stated that it would. Munson questioned the run off to the railroad tracks. Silva stated that it was 98% which is why they didn't want to go that route. Munson asked how far away the railroad track is from the property. Silva estimated it to be 400 – 600'.

Magnan stated that it was conflicting if water should go to the Wepawaug River verses it shouldn't and asked about the effects of the functions and values. Kenney stated that it is not adverse or measurably beneficial impact and is more concerned with the quality of water. Lawn or meadow will infiltrate 1- 1 ½ ", after that the soil gets saturated and will get run off. They are proposing to capture 3X more of the volume of runoff than is required for water quality by the State. The water will be put into the ground to treat and clean. Magnan asked if the street in front acts as a natural barrier. Kenney stated that it is helpful but the project allows better control. They could offer to put silt sack in the catch basins under the railroad bridge, if the city would allow it. The site is flat and acts as a sediment trap. Magnan asked if the snow shelf is sufficient. Kenney stated that that is a legal issue; it can't be put on someone else's property. In a large storm, no one has the capacity and will have to be hauled off site.

MaryRose stated that she received the report from Rose-Tiso addressing the City Engineer's questions and sent it to the City Engineer today and has not received input yet. There were a lot of Planning & Zoning issues for the entire site verses the upland review area. Magnan asked if there is a better time of year for development. MaryRose stated that 98% of the project is outside of the upland review area so she doesn't see any time restraints if done appropriately. She feels erosion controls are key as well as compliance with the City Engineer. Magnan asked Kenney if he felt that the S & E controls were sufficient. Kenney stated that they are. Magnan asked if Kenney had any further recommendations. Kenney stated that he did not.

All members agreed that there was sufficient information to close the Public Hearing. A motion was made by Connors, seconded by Buchok to close the Public Hearing. The motion carried unanimously.

DeFlumeri stated that it was a very good presentation; complete, good visuals and most questions were resolved. He feels snow removal should be a condition. Connors felt it was a great presentation and felt a condition could be – when snow exceeds the snow shelf area the snow must be removed. Cowden would like the front of the property to be monitored/swept based on the weather/time of year. Buchok agreed that it was a great presentation and all concerns were addressed. Dunn asked about site monitoring. MaryRose stated that weekly logs of monitoring are submitted.

The following motion was made by Connors and seconded by DeFlumeri:

I move to approve application IW-A-17-043: 67 Prospect Street, for the construction of an office, 44 apartments and associated infrastructure as shown on the site plans entitled “*Regulatory Submission City of Milford Planning & Zoning Commission Mixed Use Residential Building, 67 Prospect Street, Milford, Connecticut*” by Rose Tiso & Co. LLC, cover and 12 sheets dated as follows SP-1 to SP-7 11/01/17, A-100 to A-203 8/23/17, the *Site Engineering Design Report, Proposed Residential /Office Development, Milford, CT Job No 2173, Prepared for 67 Prospect Street, LLC, 67 Prospect Street, Milford, CT* by Rose Tiso & Company LLC dated 5/25/17 revised 11/01/17, sheet SP-2 12/18/17 and the letter from William Kenny, William Kenney Associates LLC, to Milford Inland Wetland Agency, dated 11/02/17 re “*Wetland and Watercourse Assessment, Multi-Family residential Redevelopment, 67 Prospect Street, Milford, Connecticut*”, 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:

- Construction drawings to be submitted prior to taking out the permit.
- Proper soil erosion and sedimentation controls must be installed and maintained while the site is disturbed.
- Wheel wash station (for tire side walls) is required to be used onsite.
- If site erosion controls fail to hold material on the site. The applicant and its contractors will have the street swept daily until the erosion controls are repaired.
- a bond of \$8,350.00 must be posted with the MIWA for S&E controls and an asbuilt showing finished 2' contours, the 150' upland review line and locating all site structures.
- The Permittee must submit a certification by the Project Engineer that the completed project meets the design intent of the approval prior to the bond being released.
- When the snow exceeds the snow shelf area it has to be removed from the site.
- Additional erosion control materials to be stored onsite to protect or refresh E&S immediately when needed.
- Weekly erosion and sedimentation monitoring reports to be submitted to the MIWA office and Monitoring is required within 24 hours after a significant rain event.
- The permit is issued 12/20/17 expires 12/20/22 unless otherwise provided by Statute.

This action will not have an impact or effect on the physical characteristics of the adjacent wetlands and watercourses.

The motion carried unanimously.

D. Public Comments

None.

E. Old Business

- 1. IW-A-17-048: 690 New Haven Avenue, 690 New Haven Avenue, LLC** – proposed construction of 7 apartment buildings with associated infrastructure within 100' of a wetland or watercourse in the Indian River Watershed.

Dunn left the room and recused herself from participating in discussion of this application.

MaryRose reported that this is a proposal for 19 apartments in seven buildings with construction, storm water treatment, mitigation and grading within 100' of wetlands in the Indian River Watershed at 690 New Haven Av. The Agency walked the property on 11/1/17. We have received an extension of time for this application until this evening 12/20/17. If the Agency proposes to review this application further in January an extension will be needed from the applicant or their attorney.

Attorney Kevin Curseaden, Carroll, Curseaden & Moore, LLC, Milford was present with Mark Glassman representing the applicant. Speaking to aerial photos he gave an overview of the site and orientation to the area, showing commercial and residential zones. He showed the original submission which was for 19 units. After the site walk there was concern with the unit closest to the wetlands. So they removed that unit and slid the units back. The old plan had a unit 19' from the wetland line. The new plan proposes a unit 38.7' from the wetlands taking the IWA's comments into consideration. When projects start they look at highest and best use of the site as allowed by zoning and go through a process to determine what could built – it is a CDDD zone. They have run through a number of alternatives for the site. They included:

- 23 units proposed under CDD 319.2.1 or 8-30g this was rejected by the applicant/owner.
- Single multi-story building would have 36 units rejected by applicant/owner
- Original proposal with 19 units
- The primary proposal now for 18 units.

This proposal has no direct wetlands impact per Jen Beno, Biologist/Wetlands Scientist.

Ron Wassmer, CT Civil Group, submitted the hard copies of the alternative plans and a Maintenance Plan as well as the Soil Science and Environmental Services report.

They reviewed the alternates and settled on the plan for 18/19 units. First alternative was actually a storage garage for a service wrecker, but that was not allowable by zoning.

The plan this evening is dated 12/15/17 eliminates former building 4, which was 19' from the wetlands. The buildings closest point to the wetlands with the current plan is 38.7'; the dumpster was at 4' and is now at 16.5' from the wetland line. A conservation easement has been added on the eastern and northern side. This will ensure in perpetuity that no future application would propose any work any closer then what is being now proposed. The grading and drainage plan has the structures moved slightly to the south as things are moved away from the wetland. Wassmer reviewed the utility plan. On the site walk a circular concrete slab was viewed and indicated that it might be a well. This well/cesspool needs to be abandoned properly under the CT Health Code. The landscaping plan; on the old application, a 24" oak tree was to be removed and it will now remain. The Mitigation plan revision shows a maintenance plan added and a copy of this was distributed. Wassmer reviewed this plan. The snow shelf area was reviewed on the plan; some mitigation plantings have been added. He addressed questions from the previous meeting: upland soils are charleton, canton and suton. The lot area is 58,649 sq. ft. There are invasive species on the site.

The percentage of impervious area is 40%. The storm drainage plan was reviewed; a 25 year storm analysis was done over a 24 hour period which equals 5.6" of rainfall. The drainage flow was reviewed on the plan; runoff from the parking will be re-introduced through underground galleys. Roof runoff is connected directly to the galleys. Runoff from the parking lot will go to catch basins with sumps and is then directed into a water quality chamber that provides sediment removal through a device as shown on the plans and recommended by DEEP. The last feature of the storm water system is the level spreader. A storm beyond the 25 year system will be directed through the galleys to the level spreader. Pre development there is 7,154 cu. ft. of runoff and post development there is 5,746 cu. ft. Wildlife seed mix is proposed in the mitigation area. There are no tidal wetlands on the site; there are tidal wetlands 25' north of the property. There was a question of the condition of trees along the wetlands; an Arborist/Professional Wetland Scientist will review the site prior to construction. Site monitoring is not included in the plan. However, they are amenable to it.

Jennifer Beno, Biologist/Wetland Scientist – reviewed her report dated 12/20/17. She inspected the site on 11/15/17 for existing conditions and functions of the wetlands. Referring to sheets SP1, GD1, WL1 and EX1; there is a large wetland on the north and easterly of the site. She listed invasive species found on the property and miscellaneous debris and pile of fill onsite which will be removed and mitigated by this proposal. The soils were delineated in March 2016 by Scott Stevens. She addressed the wetlands functions; ground water discharge, wildlife habitat; sediment and nutrient retention and removal; flood water storage and potential fish habitat. Wildlife on site is robins, blue jay, junco and king fisher which are common in CT. There are no direct wetlands impacts with this project as long as the approved S & E controls measures are properly installed and maintained, no untreated storm water runoff is directly discharged to the wetland area, the existing onsite watershed contributing to the wetland is maintained and buffer enhancement measures (plantings and fencing) are properly installed and maintained. The buffer enhancement measures including shrub and tree plantings and invasive species removal will increase the wild life habitat along the wetland edge and will therefore enhance the wildlife habitat function provided by the wetland. She reviewed her recommendations on page 12 of her report.

Wassmer referred to the DEEP 2004 water quality manual regarding volume and stated that 1,992 cu. ft. is required and the proposed galley system holds 5,964 cu. ft.

Commissioners' questions:

Munson asked about the adjacent land; he was looking for a fence to prevent wind blown debris from entering the open space area. Wassmer stated that that area is open space and where storm water discharges and there are no changes proposed; he did not speak to Public Works about fencing on the adjoining property.

Magnan noted that on sheet LS1, the legend refers to a stockade and a chain link fence. Wassmer stated that they are proposing a vinyl split rail fence as stated on detail 2 on sheet D2.

Cowden stated that the building has been removed and the snow shelf has been addressed, he has no other issues.

DeFlumeri asked for a review of the galleys and what happens in a heavy rainfall. Wassmer reviewed the storm water galley system is sized to treat a 25 year storm event; if this is exceeded then the water will flow to the level spreader.

Connors stated he had no issues with the project.

Magnan questioned the elevations on site in relation to the galleys. Wassmer reviewed this on the plan; locations of wetland flag #6 to building R is about 10' and there is about 13' between the retaining wall and wetland flag #5.

Buchok asked if anyone has come into the office to review the plans or called about the project. MaryRose stated that no one has; it has been posted on the agendas since the application was received and for the site walk. Attorney Curseaden noted that it was on social media; a Woodmont Facebook page.

DeFlumeri asked if there is curbing on the site. Wassmer stated that there is on New Haven Avenue and they are proposing a driveway apron and they will be installing sidewalks.

Magnan asked if the Agency wanted a public hearing. The consensus was that they did not.

The following motion was made by Connors and seconded by DeFlumeri:

I move to approve application IW-A-17-048: 690 New Haven Avenue based on the plans entitled "*Site Plan, 690 New Haven Ave, Milford, Connecticut*" by CCG, cover and 11 sheets dated 9/8/17, revised 12/18/17, 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.
- 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.
- 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.
- If the Permittee/owner chooses to change the professionals on the project the resumes and C.V.'s of the proposed new professionals must be reviewed and approved by the Agency to ensure that the professional is familiar with and understands the permit conditions.
- A bond to be calculated must be posted with the MIWA for S&E controls, border plantings, wetland boundary markers and an asbuilt showing finished 2' contours and locating all site structures.
- 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 Permittee hand remove piles of fill and debris as recommend in the SSES report dated 12/20/17.
- Recommendations as outlined in the SSES report dated 12/20/17 are included as conditions of this approval.
- Additional plantings as recommend in the SSES report dated 12/20/17.
- The "690 New Haven Avenue - Maintenance plan must be filed with the deed on the City of Milford land records and a copy given to the owner and management company.
- If the snow stockpiles exceed the snow stockpile areas it must be removed from the site.
- A Mitigation monitoring bond to be calculated must be posted with the MIWA prior to site disturbance for mitigation plantings and a minimum of 5 years of mitigation monitoring by a professional wetland scientist with reports to the MIWA twice a year for a minimum of 5 years. Report to include the status of the site and any recommended corrective actions or amendments to the mitigation plan for best stabilization of the site. If there is recommended corrective action there must be an inspection and a report by the professional wetland scientist within 1

week of the corrective action being taken. If the site has not met the criteria as outlined in the plan by or at the end of year 5, this bond may be held for an additional 5 years or until such time as the site meets the design criteria, whichever is later, with reports continuing twice a year to confirm status. The bond may not be released until the reports have been received, reviewed and approved.

- The permit is issued 12/20/17 expires 12/20/22 unless otherwise provided by Statute. The motion carried with Dunn abstaining.

2. IW-A-17-055: 0 Terrace Road, Molly Rentals, LLC – proposed houses on 3 lots with construction and grading within 100' of a wetland or watercourse in the South Central Shoreline Watershed.

MaryRose reported that this proposal is for 4 houses on approved building lots on Terrace Road with construction and grading within 100' of inland wetlands. The wetland line for this parcel was accepted in 2013 after a site walk and public hearing. This application is for the construction of Lots 4, 4C and 4E. There are no wetlands and no upland review area on Lot 4A. The distances from the wetland line to the proposed disturbance on each lot is:

Lot 4 construction is 40' grading is 35' from the wetland line.

Lot 4C construction is 41' grading is 40' from the wetland line.

Lot 4E construction is 24.8' grading is 45' from the wetland line.

The agency walked the property this afternoon. The weather was clear and seasonable. The most recent snow was 0.5" on Friday 12/15/17 and a trace of rain on Monday 12/18.

Warren Field submitted new plans that incorporated the suggestions from the last meeting. He added split rail vinyl fencing roughly 5' in front of the wetlands and moved the driveway to the front of the house on lot 4 further away from the wetlands. He removed the stock piles from the site.

Magnan questioned the flood line on the plan. Field reviewed that the houses are built above the flood elevation to comply with FEMA and Planning & Zoning.

DeFlumeri questioned the location of the stakes and if a homeowner would want decks. Field stated that lot 4 may have a patio; he did not put a deck on lot 4E due to the proximity. It was discussed that the house could be flipped and then a deck could be added being further away from the wetland.

The following motion was made by Connors and seconded by DeFlumeri:

I move to approve application IW-A-17-055 0 Terrace Rd, based on the plans entitled "*Proposed Site Development Plans 0 Terrace Road Milford, Connecticut*" by Codespoti & Associates, P.C. cover & 6 sheets dated 10/30/13 revised 12/18/17, the information in the file and presented this evening, for the following reasons:

- This action will not have a significant 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.
- 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.
- The silt fence line is the limit of disturbance on the project.

- Vinyl split rail fencing to be placed on the disturbance limit line a minimum of 5' upland of the inland wetland line.
- 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 bond to be calculated must be posted with the MIWA for S&E controls, border plantings, wetland boundary markers and an asbuilt showing finished 2' contours and locating all site structures.
- 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.
- Arborist to review the trees on the site and determine what trees can be saved.
- The permit is issued 12/20/17 expires 12/20/22 unless otherwise provided by Statute.

The motion carried unanimously.

F. Minutes

It was noted that on the first page, 3rd paragraph should read Millard vs Merwin of the 12/6/17 regular meeting. A motion to approve the minutes of the 12/06/17 regular meeting as amended was made by Buchok and seconded by Connors. The motion carried unanimously. A motion was made by Connors, seconded by DeFlumeri to accept the minutes of the site walk on 12/6/17 as presented. The motion carried unanimously,

G. Staff Report

No report.

J. Chair's Report

No report

There being no further business to discuss, a motion was made by DeFlumeri, seconded by Schopick to adjourn at 10:50 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.