

Minutes of the Regular Meeting of the Inland Wetlands Agency on March 04, 2020.

A. Roll Call

Present: Daniel Bedeker, Ranjit Bhawe, Matthew Connors, Ken Cowden, Scott Marlow, Steve Munson and Jason Zammiello.

Absent: Jim Connors, Dave DeFlumeri and Brendan Magnan.

Also Present: MaryRose Palumbo and Lisa Streit

Munson called the meeting to order at 7:30 p.m. and deemed M. Connors the voting alternate.

B. Pledge

All stood for the Pledge of Allegiance.

C. Public Comments

None.

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MILFORD INLAND WETLANDS

D. New Business

- 1. IW-PA-20-004: 354 North Street, McAllen Construction** – maintenance removal of tree and debris blocking drainage swale in and within 150' of a wetland or watercourse in the Wepawaug River Watershed.

MaryRose reported that this is a request by Mike McAllen of McAllen Construction on behalf of Al Subbloie, the property owner, to do maintenance on the property at 354 North St. They are requesting to remove a tree, the roots of which are blocking the outlet from a drainage swale and to remove accumulated debris from the drainage swale. Per the photo sheet distributed, the tree root has caused water to stand in the drainage swale. Leaves and twigs, etc. have also started to accumulate in the swale. They are proposing to remove the material to an upland area close to the building and stabilize with erosion controls. Mike McAllen was present to answer any questions.

Mike McAllen, 52 Sherwood Dr, Prospect CT stated that the tree roots blocked where the water should flow. It looks like it was cut with a chainsaw in the past. Removal of the tree will allow about a foot of drainage.

Bedeker stated he remembers that the property has been abandoned for some time. McAllen stated that they are cleaning it up and doing maintenance. Bhawe asked if they have looked at alternatives to cutting the tree. The outlet pipe is quite full. McAllen said that the State has a concrete barrier along the edge of the Wepawaug River and there is no way around removing the tree and the root. Marlow asked how long it would take to remove, and if they are proposing anything to control erosion during this process or rip rap to stabilize afterward. McAllen stated that it is pretty cut and dry what they need to do and it shouldn't take long.

MaryRose noted that they would need to have erosion controls on site and plan the work for when there was no rain forecast to prevent erosion into the River. The property is located in the flood zone; any rip rap would need to be large enough to stay in place in a flood event. The swale should re-vegetate fairly quickly.

This pre-application is before us for the first time this evening the Agency can:

- Ask questions.
- Request additional information.
- Move that a full application is required.

Marlow moved that the Designated Agent issue a Jurisdictional Ruling for pre-application IW-PA-20-004: 354 North St for the Maintenance removal of tree and debris blocking drainage swale in and within 150' of a wetland or watercourse in the Wepawaug River Watershed *This action will not have an impact or effect on the physical characteristics of the adjacent wetlands and watercourses*” That is my motion. The motion was seconded by Cowden and carried unanimously.

E. Old Business

1. IW-V-19-083: 48 Cambridge Avenue, Wayne Wyman – filling and grading within 100' of a wetland in the Housatonic River Watershed without a permit.

MaryRose reported that this is a violation issued 12/13/19 based on a complaint received in Zoning. A significant amount of fill has been placed to the south of the house. The Milford GIS shows wetlands within 100' of the fill. From the topography on the Milford GIS mapping, the grade change on the lot in the area of fill is approximately 12', the lot depth is approximately 92'. The order was upheld in December and the property owner, Wayne Wyman, was given until 2/15/2020 to submit a soil report, topographic survey and remediation plan. In addition, the Agency required that sedimentation and erosion control measures be added to the site to prevent degradation of the wetlands. Mr. Wyman has installed silt fencing along the property line and halfway down the slope.

On 2/20/20 MaryRose visited the site with Mr. Wyman also present was Professional Wetland Scientist William Kenny and his assistant. Mr. Kenny sampled several areas on Mr. Wyman's property and the adjacent City property to the South. He did not find Inland Wetland Soils. The topography appeared that there may be wetland soils on the private property to the south of the City property but there was no permission to enter that site to investigate. Based on Mr. Kenny's findings Mr. Wyman's work is greater than 100' from inland wetlands. While the Agency can reach beyond the 100' upland review area if an activity in a non-wetland or non-watercourse area impacts or has the potential to impact or affect wetlands or watercourses, there does not appear to be the potential for impact here. Mr. Wyman has protected the offsite natural resources by maintaining the erosion controls. He is planning on stabilizing the slope with grass in the spring. Mr. Wyman's surveyor was working on the plan last week. She left a message for Mr. Wyman requesting the Soil Scientist report or the surveyors map so that the Agency would have documentation on which to release the violation. He stated that he does not have either yet. The site is stable; the goal is to use this area as a parking area.

As this is a violation with an order compliance deadline of 2/27/20, this evening the Agency can:

- Ask questions
- Wait for documentation to release the violation
- Release the violation

A discussion followed of possible actions of the Agency. The general concern was that the fill may not be stable and could run into the wetlands and documentation is needed to show that there are no wetlands on site. The Agency would like to leave action open until the plan and report are received.

No action taken.

F. Minutes

A motion was made by Marlow, seconded by Cowden to accept the minutes of 02/19/2020 as presented. The motion carried with Bhavé abstaining.

G. Staff Report

- The synopsis of experience was emailed last week; please update and return to the office.
- Information from Darcy Winter about the DEEP training program has been emailed; please let the office know if you are going to sign up.
- The DPLU will be sponsoring training on 4/30/2020 by UCONN Clear – Land Use Training Academy. It will be from 7-8:30 pm. Attendance is strongly encouraged.
- The IWA has been signed up for a table at The Environmental Concerns Coalition (ECC) 50th anniversary of Earth Day to be held 4/25/20 on the Green from 9:30 am-3:30 pm with a rain date of 5/2/20. MaryRose is working on a display and an educational activity. Please let her know who would like to help at the table at the event.
- MaryRose has spoken to several people about proposed projects or modifications of old projects that will be coming in over the next several months.

Site Status:

- Welch's Point Rd Pump Station is nearing completion; the rear of the station is planted and has almost 80% stabilization – waiting for spring growth.
- The Flax Mill Bridge project is starting.
- 0 Tanglewood Circle –mitigation monitoring is ongoing we have received 3/10 reports (monitoring anticipated through 2023). Minor work to remove invasives was required from the December 19 monitoring report. Next report is due in spring 2020.
- 24 Cooper Ave – ongoing.
- Ford St / Bailey Ln –houses, landscaping and fencing are complete – waiting for last area of grass to grow for bond release.
- Terrace Rd is ongoing.
- Wheelers Woods – ongoing.
- Eastern Steel Rd – Rail Road Culvert – construction complete, minor corrections to site work and final stabilization to be completed.

- Beaver Brook Boardwalk – complete, parking area will be done in phase 2.
- 63 Chester St is ongoing.
- Westmoor Rd is ongoing.
- Sailor's Lane pump station is complete except for landscaping that will be done in the spring.
- Daniels St (Stonebridge patio) ongoing.
- Florence Av is ongoing – stone swale and galleys are installed.
- Platt Lane is ongoing.

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

H. Chair Report

The next meeting will be March 18, 2020 in Conference Room C. Please let the office know if you cannot attend.

There being no further business to discuss, a motion was made by Marlow, seconded by Cowden to adjourn at 8:20 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved