

Minutes of the Special and Organizational Meeting of the Inland Wetlands Agency on January 08, 2014.

A. Roll Call

Present: Alan Cegan, Cathy Collins, Ken Cowden, Carol Dunn, Lily Flannigan, Richard Lutz, Brendan Magnan, Justin Margeson and Steve Munson.

Absent: Jim Connors and Dave DeFlumeri

Streit called the meeting to order at 7:30 p.m.

B. Organizational Meeting

Streit called for nominations for **Chairman**: A motion was made by Munson, seconded by Margeson to nominate Collins Chairwoman. There being no further nominations, they were closed. Streit cast one vote deeming **Collins** Chairman.

Collins reviewed that the Vice Chairperson shall perform the duties of the Chairperson during the absence or incapacity of the Chairperson and such other duties as the Chairperson may direct. She then called for nominations for **Vice Chairman**: A motion was made by Munson, seconded by Cowden to nominate Magnan Vice Chairman. There being no further nominations, they were closed. Streit cast one vote deeming **Magnan** Vice Chairman.

Collins reviewed that the Parliamentarian shall perform duties of the Chairperson and Vice Chairperson during the absence or incapacity of both the Chairperson and Vice Chairperson and such other duties as the Chairperson may direct. The Parliamentarian shall rule on questions of procedure in accordance with Roberts Rules of Order. She then called for nominations for **Parliamentarian**: A motion was made by Munson, seconded by Lutz to nominate Cegan Parliamentarian. There being no further nominations, they were closed. Streit cast one vote deeming **Cegan** Parliamentarian.

A motion was made by Munson, seconded by Cegan that the Compliance Officer acts as the Designated Agent for the Agency. The motion carried unanimously. MaryRose's resume is on file in the Agency office.

C. Pledge

All stood for the Pledge of Allegiance.

D. Public Comments

None.



E. New Business

1. **IW-A-14-001: 0 Westmoor Road, Field & Son Builders, LLC** - Proposal for a single family home with work within 100' of a wetland in the South Central Shoreline Watershed.

This item is on the Agenda for the first time and can be discussed at the next meeting.

2. **IW-A-14-002: 1595 Boston Post Road, C & G Milford, LLC** - Site redevelopment with removal and construction of buildings, drainage and grading in and within 100' of a wetland or watercourse in the Indian River Watershed.

This item is on the Agenda for the first time and can be discussed at the next meeting.

F. Old Business

1. **IW-V-11-049: 945 North Street, Barretta Realty Associates LLC** - Storage of wood, material and debris within 150' of a wetland or watercourse in the Wepawaug River Watershed without a permit.

MaryRose reported that there is no new information on this item until April. The site is stable.

2. **IW-V-13-022: 37 Lakeside Road, Brad Frederick and Britnei Artz** – clear cutting trees and stockpiling material without a permit within 100' of a wetland and watercourse in the South Central Watershed. Information to be submitted by 2/19/14.

No action taken; information is to be submitted by 2/19/14.

3. **IW-V-13-063: 30 Cedar Hill Road, Nancy Smith** – removal and deposition of silt and material from a pond and intermittent watercourse with work in and within 100' of a wetland or watercourse in the Indian River Watershed without permit. Work to be completed by 5/7/14.

No action taken; information is to be submitted by 5/7/14.

G. Minutes

A motion was made by Cegan, seconded by Munson to accept the minutes of 12/4/13 as presented. The motion carried unanimously.

H. Staff Report

In your mail this evening is the Milford Code of Ethics from the Code or Ordinances, an excerpt from the Book and a 1992 memo that was issued by the City Attorney's office on

the *Carr v Bridgewater* case. Please read or reread the information and if you have any questions please let MaryRose know.

Also in your mail this evening is a synopsis of Commissioner Experience. Please mark up the synopsis and return it to the office. It will be updated and distributed at the next meeting. The purpose of the synopsis is so that other Commission members and applicants will know what your areas of expertise are.

A contact sheet was also distributed for any corrections to be made. This will also be distributed at the next meeting.

As a reminder/refresher when commissioners sit on the Agency and review applications they are to be unbiased and review the information that is presented. If there is a question or additional information is deemed you can either ask the applicant at a meeting to provide that to you or you can contact MaryRose and she will ask the applicant to provide that information at the next meeting. Researching information outside of the record is inappropriate and could taint an Agency decision. Please see Assistant City Attorney Debra Kelly's memo from June 2013.

The IWA process is a fair and open process where the applicant presents information and the Agency reviews it to determine if it complies with the City of Milford IWA Regulations. We cannot rule on or speak to the P&Z or ZBA regulations or things in the purview of other City, State, or Federal Agencies.

If you would like to see information other than has been presented please ask as early as possible in the process so that the applicant is given a fair chance to comply with your request within our 65 day review time frame.

If friends, neighbors or citizens approach you to discuss or 'just tell you one thing' about an application please explain to them that it would be better if the entire Agency was able to consider their information. If they continue to try and talk to you about an application you need to just walk away. Ex parte communication isn't always your fault but it is in the best interest of you and the Agency to avoid tainting a decision.

- Grove St Pump station and sewer project final paving and planting will be in the spring.
- Indian River Interceptor is on hold.
- Sanitary Sewer Infill's No. 1 final paving will be in the spring.
- Cascade Blvd- Garden homes is ongoing.
- Way Street is ongoing.
- Girl Scout Pool is ongoing.

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

I. Chairwoman's Report

The IWA is a democratic body. In some instances you may be in the minority or the majority on a decision. In all cases the goal is to apply the IWA Regulations as outlined in the Ordinance and Statutes. A former Chairman (John Ludtke) liked to say that if both the applicant and opponents are upset with the Agency after a decision then we have done our jobs as the Wetland Statute is a balance Statute. It is not the charge of the Agency to prohibit people's use of their property; it is our charge to balance their rights to use their land with the protection of the wetland.

The Statues require that we look at the wetlands only. Wetland case law has given us the requirement that plants and animals that may use the wetland for a portion of their life cycle can only be considered if a nexus can be drawn between the loss of that species and the loss of that wetland.

The next regular meeting is on Wednesday, January 22, 2014.

There being no further business to discuss, the meeting adjourned at 8:15 p.m.

Respectfully submitted,



Lisa Streit

These minutes have not been accepted or approved.