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MAY 13 2020

Minutes of the Regular Meeting (via ZOOM) of the Inland Wetlands Agency on May 06, 2020.

MILFORD INLAND WETLANDS

**A. Roll Call**

Present: Brendan Magnan, Daniel Bedeker, Ranjit Bhave, Jim Connors, Matthew Connors, Ken Cowden, Dave DeFlumeri, Scott Marlow, Steve Munson and Jason Zammiello.

Also Present: DPLU Director Joe Griffith, MaryRose Palumbo and Lisa Streit

Magnan called the meeting to order at 7:30 p.m. and reviewed guidelines in hosting remote meetings to ensure business runs efficiently and that all statutory and administrative rules are followed:

1. In accordance with the Freedom of Information Act and Governor Lamont's executive orders, this meeting is being recorded and will be made available on the City of Milford website.
2. During this meeting, if members of the Inland Wetlands Commission would like to speak, please utilize the "raise your hand" feature via Zoom. All participants will be muted during the meeting unless recognized by the Chair.
3. After being recognized to speak, please state your name and address prior to making a statement.

**B. Pledge**

All stood for the Pledge of Allegiance.

**C. Public Comments**

None.

**D. New Business**

1. **IW-A-19-079: 30 Bridgeport Avenue, Sharon & Edward Chickos** – proposal for a deck and garage additions with grading and stormwater within 100' of a wetland and or watercourse in the Housatonic River Watershed.

MaryRose reported that this is a request by Edward & Sharon Chickos for deck and garage additions to their house at 30 Bridgeport Av. They are proposing to construct a wooden deck on the rear of the house, a garage addition on the front of the house and stormwater system with grading within 100' of the Housatonic River. The site was flagged 12/18/19 by Bill Kenny of William Kenny Associates; that report was in your mail packets. The stormwater system will provide underground detention with overflows to an energy dissipater with excess water sheet flowing across gravel to the Housatonic River. Revised plans were submitted on 4/30/20 adding more stormwater galleys per the City Engineers' recommendation. This has been reviewed by the City Engineer who noted it to be satisfactory in his 5/1/20 memo. The applicant has proposed silt fencing to protect the resource during construction.

Edward & Sharon Chickos the property owners and Jack Mack, the engineer for the site were in attendance for any questions.

As this application is before us for the first time this evening the Agency cannot make a decision but can:

- Ask questions
- Ask for further information
- Schedule a site walk
- Schedule a public hearing (*no petition has been received as of 5/6/20. Petition deadline is 5/20/20*).

MaryRose reviewed her site walk report/photos and oriented them to the plan. There are no inland wetlands on the property; there are tidal wetlands on the north west portion of the site.

Munson questioned if the IWA walked the adjacent property. MaryRose confirmed that the IWA walked the site of Dockside Brewery 1-2 years ago. Munson stated that he sees no problems with the site and referencing the City Engineers' memo he feels that everything has been addressed and he has no concerns with the plans.

Marlow agreed and stated that he sees no huge concerns. Magnan agreed and stated that he is impressed with the stormwater treatment and the mitigation is also satisfactory. Cowden agreed and stated that the plan is creating more drainage and the property was on septic and will now be on the City sewer system is a bonus.

It was deemed that a site walk would not be necessary. No action taken.

## **2. Appointment of a Liaison to the Planning & Zoning Board POCD (Plan of Conservation and Development) Sub-Committee**

There was discussion of Scott Marlow being the MIWA Liaison to Planning & Zoning for the Plan of Conservation and Development (POCD) based on his experience with Planning and Zoning. The Plan of Conservation and Development happens every 10 years. The next one is due in 2023. A motion was made by Munson, seconded by DeFlumeri that the Chair appoint Marlow Liaison to the Planning & Zoning Board POCD. The motion 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. The order was upheld in December and the property owner, Wayne Wyman, was required to submit a soil report, topographic survey and remediation plan. In addition, the Agency required that sedimentation and erosions 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 as required.

Mr. Wyman was in attendance to answer any questions.

On 2/20/20 MaryRose visited the site with Mr. Wyman; also present was Professional Wetland Scientist William Kenny and his assistant. Mr. Kenny did not find Inland Wetland Soils on the property. Based on his 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 this spring. Mr. Wyman has submitted a photo of the survey entitled "*Property & Topographic survey on 48 Cambridge Av, Milford, CT 06460*" by Paul Stowell Land Surveying, 1 sheet, dated 3/2/20 and the soil report by William Kenny of William Kenny Associates dated 2/20/20. The Agency had concerns that the material could erode and impact the offsite wetlands. The plan and soil report were added today and were sent in the updated mail packet. MaryRose visited the site today and saw no evidence of significant erosion. Her site walk memo with comparison photos from December and today was emailed this afternoon. MaryRose recommended release of the violation.

Munson moved that cease and desist order IW-V-19-083: 48 Cambridge Avenue be released based on the information received this evening. The motion was seconded by Cowden and carried unanimously.

#### **E. Minutes**

A motion was made by Munson, seconded by Marlow to accept the minutes of 03/04/2020 as presented. The motion carried with Connors, DeFlumeri and Magnan abstaining.

#### **F. Staff Report**

- The CT DEEP training program is up and running. Initially there were a few issues; if you signed on and had trouble, they are suggesting that you try again or restart the course as the issues have been corrected. There are 8 modules in the training and each can take about an hour. You can stop and restart the modules as you have time. Please let MaryRose know if you sign up/have questions/have completed the class.
- UCONN Clear 0 Land Use Training Academy in Milford has been postponed. We are hoping to be able to run it in the Fall.
- 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 - stabilization bond released.
- 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. They will be installing their rain garden in the next few weeks.
- 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 prepped by DPW, remaining work to be done in phase 2.
- 63 Chester St is ongoing.
- Westmoor Rd is ongoing.
- Sailor’s Lane pump station is waiting on landscaping.
- Daniels St (Stonebridge patio) waiting on asbuilt.
- Florence Av is ongoing – stone swale and galleys are installed, waiting on asbuilt.
- Platt Lane is ongoing.

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

#### **G. Chair Report**

Magnan thanked all for adapting to a ZOOM meeting and stated that any suggestions were welcome.

The next meeting will be May 20, 2020 in Conference Room B. Please let the office know if you cannot attend.

There being no further business to discuss, a motion was made by Munson, seconded by DeFlumeri to adjourn at 8:10 p.m.

Respectfully submitted,



Lisa Streit

These minutes have not been accepted or approved