

A. Roll Call

Present: Brendan Magnan, Daniel Bedecker, Ranjit Bhawe, Brian Black, Jim Connors, Nick Ricci and Julie Valvo.

Absent: Matthew Connors and Steve Munson.

Also Present: MaryRose Palumbo and Lisa Streit.

Magnan called the meeting to order at 7:30 p.m., welcomed new members Brian Black and Nick Ricci and deemed there was a quorum.

Magnan reviewed: As we continue to host remote meetings, he wanted to take the opportunity to highlight a few guidelines 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. Old Business

1. **IWC-23-0014: 68 Surf Ave and City of Milford Willow Street, Elizabeth M. McDonald** – improvements and material storage on site ad in the Willow Street City ROW in and within 100' of inland wetlands in the South Central Shoreline Watershed without a permit.

MaryRose reported that this is a violation issued 12/28/23 for work in a wetland and 100' upland review area without a permit at 68 Surf Ave. At the 1/03/24 meeting the Agency upheld the violation and required the property owner to work with the Compliance Officer to review what information she has and what is necessary to bring the work into compliance. Such information was to be brought to the Agency for review at the 2/07/24 meeting.

She visited 68 Surf Avenue on 1/22/24 with Stephen Harris, Zoning Enforcement Officer, to meet Liz McDonald the property owner. Ms. McDonald walked them into the rear yard and reviewed the various structures. She stated that the garage existed when they purchased the property. The pool was permitted by Zoning but not by Inland Wetlands. They did not know they needed permits for the lean to, greenhouse, tool shed, and other sheds. MaryRose's site walk notes and photos are in the document link. She also had a Zoom call with Ms. McDonald on 1/31/24 where she reviewed the possibility that McDonald could apply for an exemption under section 4 of the MIWA Regulations for the raised bed gardens. The other structures (sheds, greenhouse and pool) could possibly also be

considered uses permitted as of right by the Agency but she would need a map with the wetland line to review this. Ms. McDonald has concerns with the expense of a survey. MaryRose reviewed photos of the site showing different views as well as aerial photos. McDonald submitted pictures of the site from the summer months versus ones from January 2024, which showed a healthy garden of lush flowers, plantings.

The property owner, Liz McDonald, was in attendance to answer any questions.

The Agency would need to modify the order this evening to give a new date for compliance / submission of information.

This evening the agency can:

- Ask questions.
- Modify the violation
- Release the violation
- Refer the violation to the City Attorney

Connors asked MaryRose's opinion. MaryRose stated that the raised beds could come under the farming exemption, material could not be brought in but the wetland boundary line is unclear. Section 4 of the IWA regulations was referenced and the farming exemption was reviewed. The consensus was that the raised beds qualify as farming. Connors stated that the homeowner has been very cooperative and has cleaned up a lot of the site. Valvo questions permitting the structures. MaryRose stated that they can be authorized or the IWA can have the property owner apply for them and sketch out a map of the site. Ricci questioned if the boat garden is considered a raised bed. MaryRose stated that it did per the pictures. It was recommended that McDonald submit a map, plan or sketch showing the improvements on site using the GIS map so the work can be authorized by the agency.

Liz McDonald, owner, stated that photos were submitted and staff went on site and she questioned what sketching a map would do and that she would prefer not to do that. MaryRose stated that the IWA needs to satisfy the release of the violation based on what is on site and document such. Magnan stated that as the owner, she must document the current conditions, that this is a minimal expectation for the review process to apply under the farming exemption and that the IWA has a statutory obligation to enforce the regulations.

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

I move that cease-and-desist order IWC-23-0014 68 Surf Ave and City of Milford Willow St ROW, be modified and that by **2/19/24** the property owner be required to:

- Submit a plan or sketch showing the locations of the improvements on the site.

The motion carried unanimously by roll call vote.

E. New Business

- 1. IW-24-0003: 50 Bolt Lane, Patrick and Sophina Oser** – proposed installation of a 24' x 24' prefabricated garage and asphalt drive extension within 150' of inland wetlands in the Wepawaug River Watershed.

MaryRose reported that this is an application by Patrick Oser for a 24'x 24' prefabricated garage and asphalt drive extension within 150' of inland wetlands in the Wepawaug River watershed at 50 Bolt Lane. Mr. Oser has submitted a soil report by Soil Science and Environmental Services and a survey with the proposed garage location by Andrew Flanagan, both of which are in the document links along with photos of the site. The site photos show the proposed location of the garage to the existing home, shed swing set and wetlands. The proposed garage is 64' from the wetland and the proposed asphalt driveway is 31' from the wetland line. The Soil Science and Environmental Services report noted shallow fill and woodchips over wetland soils in the front of the property.

The property owner, Patrick Oser, was in attendance to answer any questions.

This is on the Agenda for the first time this evening the Agency can:

- Ask questions.
- Take no action.
- Request additional information
- Schedule a site walk
- Schedule a public hearing (no petition has been received as of 2/07/24. Petition deadline is 2/21/24)

Connors asked MaryRose's input. MaryRose stated that her only concern is if material were to migrate into the wetland. There is no public interest at this time.

Magnan questioned the distance from the wetlands. MaryRose showed this on the plans and stated that the garage is proposed to be 64' from the wetland line and the proposed driveway is to be 31' from the wetland line.

Black questioned if there would be erosion controls to protect the wetlands. MaryRose stated that there are none shown on the plans but could be a requirement and showed possible areas for such.

Bedecker questioned if this was a stand alone wetland or intermittent. MaryRose reviewed that the wetland goes under the expansion of Bolt Lane to Flax Mill Brook to the Wepawaug and showed this on the aerial map.

Ricci questioned if the elevation/pitch of the driveway would cause an issue for drainage, oils, etc. MaryRose stated that it was fairly flat and reviewed this on the plans as well as photos.

Magnan asked if it is the intention to put the garage at ground level. Mr. Oser stated that it would be concrete slab.

MaryRose reviewed the field map and there is an area of wood chips and suggested they be raked out or plantings put in. Mr. Oser stated that they have been there for 3 years and are already broken down.

Magnan would like to see simple markings for the wetlands as part of the approval process. This is a layer of protection to prevent further instructions. MaryRose stated that wetland boundary markers could be placed on stakes at the wetland flags.

No action was taken.

F. Minutes

A motion was made by Connors, seconded by Valvo to approve the minutes of 01/17/24 as presented. The motion carried unanimously by roll call vote.

G. Staff Report

1. The Commissioner Synopsis sheets have been added to the Agency webpage. Let the office know if any revisions are required.
2. Please be sure the correct email and phone numbers are on record.
3. Please let the office know how you prefer to review plans. If you would like a paper set of plans on all applications, or maybe just on larger applications so that I can get you what you need to review the proposals.
4. As always, the links to training are on the Commissioner page and in my draft notes and motions.

MaryRose continues to work on the Annual FEMA Community Rating System and MS4 submissions and keep the Hazard Mitigation Action tracker current for the Hazard Mitigation Plan. The office continues to answer inquiries, minor reviews, and other reports. We continue to accept digital applications through the online permitting request system, City Squared, and processing them in the Muncicity permitting software. There are still several issues to work out with the Muncicity software for IWA. Joe Griffith and the provider are working on these issues.

Community Rating System (CRS) FEMA Reporting

MaryRose submitted the Elevation Certificates and permit list from the Floodplain Manager to FEMA CRS/ISO for the annual CRS reporting 2/01/24 deadline. This is an annual report sent to FEMA to remain in the Community Rating System (CRS). The objective of CRS is to recognize communities that are doing more than meeting the minimum National Flood Insurance Program (NFIP) requirements to help their citizens prevent or reduce flood losses. The CRS also provides an incentive for communities to initiate new flood risk reduction activities. This year Milford is due for a Cycle visit where a FEMA representative will review the work that is being done and evaluate if the City can achieve a higher ranking, remain the same or retrograde.

MS4 (Municipal Separate Storm Sewer System) MaryRose continues to work on the MS4 Committee with Engineering and Public Works. The draft annual report will be published on the City website by 2/15/23.

FOI Training

The City hosted a Freedom of Information Act workshop on 11/08/23. There is a link to the FOI Commission website in the draft meeting notes if you would like to review the Act or have specific questions: [The FOI Act](#)

MIWA Reference Page

MIWA Clerk Taft Clark has created a reference page for you all to access. The link is [HERE](#). The page contains:

- MIWA meeting dates (first and third Wednesday at 7:30 pm)
- MIWA Regulations
- MIWA Bylaws

- Milford Ethics Commission Guide
- Past memos from the City Attorney's office on Inland Wetland legal questions and cases
- Training opportunities with CT DEEP and UConn for land use commissioners.
- MIWA webpage
- Milford YouTube page (MIWA meeting videos are available here)
- MIWA meeting Zoom link.

The office has been working on a number of inquiries, complaints, minor reviews, and other reports.

Site Status:

Project Site	Status	Monitoring Reports	
		Last Received	Final Due By
1553 Boston Post Road	Asbuilt received		
30 Bridgeport Ave	Waiting on asbuilt		
0 Cherry St/Jefferson Park	On hold		
67-69 Cooper Ave	Ongoing		
94 Edgewater Place	Asbuilt received		
201 Kings Highway	Ongoing		
104 Lavery Lane	Ongoing		
114,122,124,128 Merwin Ave	Ongoing	8/29/23	
40 Morehouse Rd	Ongoing, adding 2 nd story – no change to footprint		
690 New Haven Ave	Construction bond released; mitigation bond remains through 6/26 monitoring report.	6/23	6/26
8 Pepe's Farm Road	Ongoing monitoring, final fall monitoring postponed until June 2024 by property owner.	June 2023	June 2024
0 Quarry Road	Ongoing, lot 1 & 2 completed, lot 3 under construction		
0 Terrace Road	Waiting on final review.	Spring 2022	Complete
161 W Rutland Rd	Ongoing-several lots have been sold off and individual owners are coming in with minor modifications to the proposed sites. In all cases no work has been proposed in the conservation wetland areas. Issue with stormwater association to be worked out with developer/lot owners before bond release.	Waiting on reports	
Wheelers Farms Rd	Waiting on final review		
523 Wheelers Farms Rd	Ongoing.		
260 Old Gate Lane	Ongoing		

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

H. Chair Report

The next meeting will be a Regular Meeting on February 21, 2024 via Zoom.

Please let the office know if you cannot attend and get any questions you have on the applications to MaryRose so that she can forward them to the applicants.

There being no further business to discuss, a motion was made by Connors and seconded by Bedecker to adjourn at 8:25 p.m. The motion carried unanimously by roll call vote.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.