

**A. Roll Call**

Present: Brendan Magnan, Daniel Bedeker, Jim Connors, Heather Donaldson-Gladue, Gerry Panico, Steve Munson, and Lisa Tryon.

Absent: Ranjit Bhawe, Matthew Connors and Dave DeFlumeri,

Also Present: MaryRose Palumbo and Lisa Streit

Magnan called the meeting to order at 7:30 p.m. and reviewed: As we continue to host remote meetings, she 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. **IW-PA-21-0086: 1500 Windward Road, Milford River Associates** – proposed 6-building condominium expansion with construction, grading and drainage work within 100' of a watercourse in the Housatonic River Watershed.

MaryRose reported that the Public Hearing scheduled for this item has been postponed until 3/2/2022 due to a publication error. The Public Hearing will not be held this evening. She reminded all commissioners that for this application, if they have any questions to please email or call her and she will forward those questions to the applicant to be answered at the Public Hearing.

There is no action to be taken on this item this evening.

2. **Notice of Violation IWC-2022-0003 615 Plains Rd., 615 Plains Rd, LLC** – School bus storage, maintenance, and dispatch facility w/outdoor fueling station with work completed within 100' of an inland wetlands or watercourses in the Housatonic River Watershed without a permit.

MaryRose reported that this is a violation issued to Andrew and Jason Julian for work within 100' of a wetland without a permit on their property at 615 Plains Rd. Mr. & Mr. Julian were in the process of obtaining permits to renovate their property to make it a bus storage, dispatch and maintenance facility with an outdoor fueling station. In reviewing the proposal for their Planning and Zoning application MaryRose visited the site and found the work to be essentially completed including work

adjacent to an intermittent watercourse. She issued an order on 1/13/2022. That order was upheld and modified at the 1/19/2022 meeting, requiring that erosion controls be installed by 2/1/2022 and the professional Wetland Scientist report/planting plan and bond calculation be submitted by 2/28/2022.

The sedimentation and erosion controls were installed on 1/27/2022 before the storm on 1/29/2022. The Project Engineer, Ron Wassmer, submitted site photos, taken on 1/27/22, of the fiber waddle installation. Wassmer has also submitted a site plan with the plantings which was not required until 2/28/2022. The bond would be posted after the Agency reviews the planting plan and approves the bond. Planting and final stabilization on this site cannot happen until spring.

The property owners are scheduled to go before the Planning and Zoning Board on 3/1/2022 for their approval to use the site. The Planning Board needs a report on the status of the site from the IWA. The site has been stabilized, the Agency has required stabilization plantings and a bond calculation. The property owners have asked that the IWA report be sent to Planning and Zoning so that their 3/1/2022 hearing before the P & Z may move forward.

The property owners have complied with the IWA's order to date and have begun work on the planting plan. Once the IWA approves the planting plan and bond, the site cannot be stabilized until spring. The IWA could send the response to P & Z stating that the property owners have worked with the IWA to rectify the violation and have stated on the record that they will complete the stabilization when the weather permits.

This evening the Agency may:

- Ask questions.
- Ask for further information.
- Modify the violation.
- Release the Violation.
- Refer the Violation the City Attorney's Office for resolution

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

I move that regarding the cease-and-desist order IWC-2022-0003 615 Plains Rd, the Compliance Officer respond to the P & Z transmittal for 615 Plains Road that the property owners have worked with the IWA to stabilize the site and have stated on the record that they will complete the stabilization when the weather permits. The property owner still under the order to submit the wetland professionals review and bond by 04/01/2022 and the seed mixture is to be installed by 5/15/22.

The motion carried unanimously.

## **F. Minutes**

A motion was made by Connors, seconded by Munson to accept the minutes of 01/19/22 as presented. The motion carried with Tryon abstaining.

## **G. Staff Report**

MaryRose welcomed everyone and noted a few reminders:

1. Commissioners cannot talk about an application that is before you with anyone but staff outside of the meeting room. If you are approached by concerned citizens, please refer them to MaryRose or to

a public hearing so that whatever their concerns are they can be presented to the entire Agency. This is to ensure that everyone is making decisions on the same set of facts and information with no outside bias. As learned in the DEEP training, outside research on an application before the Agency is considered ex parte communication and could impact any decision the Agency makes. If there are any questions, please review with MaryRose.

2. CT DEEP IWA Commissioner training is available online. MaryRose will send the information for it when it is available. She forwarded the educational information links to the past [CT DEEP IW training page](#) where there is past training information and videos as well as [UConn Land Use Academy training](#). Please let MaryRose know if you sign up and when your certificates are received.
3. The CT Conference of Municipalities (CCM) held a free webinar for elected and appointed officials on ethics, FOIA and conducting public meetings on January 20, 2022. MaryRose emailed the video and materials from the webinar to commissioners on 1/25/22. Please let her know if you are unable to access it.
4. Please be sure the office has the correct email and phone numbers for commissioners.
5. Please let MaryRose know what your preferred method of plan review is. If you would like a paper set of plans on all applications or just larger applications so that she can get you what you need to review the proposals.

The office continues to be with busy with inquiries, bond release requests and minor reviews and other reporting. We continue to have flooding complaints come in and are working through them to address the concerns.

#### Site Status:

- 0 Tanglewood Circle –waiting on the permittee to schedule meeting to walk the site and take photos for review at an upcoming meeting. He has stated he will contact MaryRose for the walk.
- 30 Bridgeport Ave – waiting on asbuilt.
- Florence Ave – modified permit has not been taken out.
- 17 Maddox Av – waiting on bond release.
- 114 – 122 – 124 – 128 Merwin Ave – ongoing. The berm has been installed behind 122 & 128.
- 33 Pearl Street – ongoing.
- Terrace Rd is completed, waiting on asbuilt review.
- 161 West Rutland Rd – ongoing.
- Wheelers Woods – ongoing, completion anticipated in February, plantings are in and doing well.
- Milford Cemetery – 420 West River St – plantings were installed, and site has been stabilized for winter.
- 16 Marsh Street will be starting this week.

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

## H. Chair Report

Magnan reiterated Section 10 is the Criteria to be used in making a decision on an application. Ethics, Ex parte Communication, FOIA, CCM training; MaryRose sent the link to the training and the meeting information.

The next meeting will be the Public Hearing and Regular Meeting on March 02, 2022, 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, seconded by Munson to adjourn at 7:45 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.