

A. Roll Call

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

Also Present: MaryRose Palumbo and Lisa Streit.

Magnan called the meeting to order at 7:30 p.m. 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 and 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 1/17/24 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. At the 2/07/24 meeting the Agency modified the violation to require a map/ sketch / drawing showing the structures / and improvements be submitted for determination if they are permissible under section 4 of the MIWA regulations as Uses Permitted as of Right. The Agency needs to ensure that the improvements that they are being asked to permit are on the property at 68 Surf Ave.

Ms. McDonald submitted a sketch on 2/16/24 it is in the meeting documents along with Section 4 of the Regulations. The concerns are that the structures are on Ms. McDonald's property and not the Right of Way, as the Agency cannot permit improvements without the permission of the property owner.

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

This evening the agency can:

- Ask questions.
- Modify the violation (change the date that wetland flagging and mapping is required by)
- Release the violation (issue a Jurisdictional Ruling for the structures that are allowable under Section 4)
- Refer the violation to the City Attorney

Magnan stated that at the last meeting we requested specific location information as to where the structures were on the property. He understood that the Compliance Officer requested the information be placed on a GIS map for a more accurate representation of the locations on the parcel. The IWA can't approve improvements that may not be on the owners' property. It is incumbent on the property owner to supply the Agency with relevant information in order to make a decision. The available information does not clearly show where the improvements are in relation to the property line / City Right of Way.

Liz McDonald 68 Surf Ave – stated she was nervous and feels that the committee is against her. She stated that she has allowed the Compliance Officer on her property, she has done pictures, the IWA looked at aerials, she provided the structures and the dimensions on her sketch. She stated she feels that she has satisfied what has been asked of her. She feels unsure if there are really any issues.

Magnan stated the IWA is a citizens committee of eleven and are with her and are not against her. He reviewed that McDonalds options are that she can work with MaryRose directly or she can choose to document and hire a Land Surveyor or the final option which would be to refer this to the City Attorney. Magnan further stated that the agency is not trying to be punitive but are trying to work with the property owner to bring her site into compliance with the Regulations.

McDonald stated that she needed to weigh these three options and left the meeting.

It was discussed that the City's Right of Way is a paper street extension of Willow Street. There is no asbuilt on file for this site. It was discussed that the City may have some information from the City property as well as the property next door that was recently built.

After some discussion the following motion was made by Connors and seconded by Valvo:

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 **3/14/24** the property owner be required to:

- Submit a more accurate rendering of the structures on the property.
- Staff to request review of the Willow St ROW line by City Engineering.

The motion carried unanimously by roll call vote.

- 2. 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. At the last meeting the Agency asked about silt fencing and the proposed disposal location of any excavated material. The Silt fencing and a stockpile area have been added to the plan in the documents.

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)

The following motion was made by Connors and seconded by M. Connors:

I move that after duly considering all relevant factors, I move to approve application IW-24-0003: 50 Bolt Lane based on the plans entitled "Survey of Property prepared for Patrick B. Oser and Sophina L. Oser of Parcel Designated as No. 50 Bolt Lane situated in the City of Milford, New Haven County, State of Connecticut" by Flanagan's Surveying & Mapping, 1 sheet dated 1/17/24, rev 2/15/24, the information in the file and presented this evening, for the following reasons:

- This action will not have an impact or effect on the physical characteristics of the adjacent wetlands and watercourses.

With conditions including:

- The Permittee must submit a construction plan prior to taking out the permit.
- Soil Erosion and Sedimentation controls as outlined on the plans and in the CT DEP "2002 Erosion and Sedimentation Control Guidelines" must be installed and maintained on the site until the property is stabilized.
- Compliance with the City Engineers requirements for stormwater.
- The Permittee must have Wetland Boundary Markers installed on the site along the wetland line at 25' intervals.
- A \$2,000.00 bond must be posted with the MIWA for S&E controls, border plantings, wetland boundary markers and an asbuilt showing finished 2' contours and locating all site structures.
- Wetland notification to be placed on the asbuilt and in the property deed to give notification to property owners that permits are required from the MIWA to work on the site. Documentation to be submitted to the MIWA office prior to bond release.
- The permit is issued 2/21/24 and expires 2/21/29 unless otherwise provided by Statute.

That is my motion.

A motion was made by Connors, seconded by M. Connors to modify the motion to remove border plantings from the requirements. The motion carried unanimously by roll call vote.

The original motion as modified carried unanimously by roll call vote.

F. Minutes

A motion was made by Connors, seconded by Ricci to approve the minutes of 02/07/24 as presented. The motion carried, by roll call vote, with M. Connors and Munson abstaining.

G. Staff Report

The office continues to answer inquiries, minor reviews, and submit reports to other departments. Citizens have been noting higher water levels in the streams and ponds. This is most likely due to the higher than average rainfall over the winter.

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. The City currently has a CRS rating of 9 which gives citizens with flood insurance a 5% discount on their flood insurance premium.

MS4 (Municipal Separate Storm Sewer System) Public Works is working on this with Engineering. MaryRose will supply data as requested.

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

- Thanked everyone for their deliberation on the items and noted Alderwoman Ellen Beatty in attendance and thanked her for her interest in the Inland Wetland Agency.
- 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.
- The next meeting will be a Regular Meeting on March 06, 2024 via Zoom.

There being no further business to discuss, a motion was made by Valvo and seconded by M. Connors 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.