

**A. Roll Call**

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

Absent: Steve Munson.

Also Present: MaryRose Palumbo and Lisa Streit.

Magnan called the meeting to order at 7:30 p.m and deemed there was a quorum and welcomed new member Buddy Field as the voting alternate for this meeting.

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.

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 2/21/24 meeting the Agency modified the violation to require a map/sketch / drawing showing the structures / and improvements be submitted by 3/14/24 for determination if they are permissible under section 4 of the MIWA regulations as Uses Permitted as of Right. The Agency also asked that City Engineering review the Willow St ROW. The Agency needs to ensure that the improvements that they are being asked to permit are on the property at 68 Surf Ave.

On 2/28/24 MaryRose met with Liz MacDonald's husband, John Shea, who is working towards creating a site sketch using maps from the adjoining properties as a reference. They are proposing to submit a sketch by the Agency's 3/14/24 deadline.

Ms. McDonald had emailed last week that they would not be at tonight's meeting due to a previous commitment and will be submitting a sketch as required by 3/14.

MaryRose recommended no action by the Agency at this time. The property owners were working towards creating a plan for submittal by 3/14/24 and the Agency can review options at the 3/21/24 meeting.

This evening the agency can:

- Ask questions.
- Take no action.
- 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.

No action taken.

## **E. New Business**

1. **IW-23-0067: 0 Peck Lane, Indian Lake Association, Inc.** – proposed routine maintenance on the Indian Lake dam with minor work in and within 100' of a wetland and watercourse in the Indian River Watershed.

MaryRose reported that this is a pre-application for a Jurisdictional Ruling by the Indian Lake Association to do recommended maintenance on the Indian Lake dam at 0 Peck Lane. The Association had a dam safety inspection in March of 2022 and is finalizing DEEP authorization to do the recommended work.

On 11/01/23 the Agency approved a Jurisdictional Ruling for the Indian Lake Association to do repairs to their dam / sluice gate. The current approval was to repair the stem and support frame for the Association Dam. Unfortunately phase 1 of the approved dam repair plans determined that they cannot just replace the stem and frame and must replace the sluice gate. The revised proposal will require lowering the lake up to 4' for up to a week while the entire gate is replaced. They must apply to DEEP for the work. The DEEP application requires notification of the municipality, which is why they are before you this evening. MaryRose believes this falls under Section 4 and the Agency can issue a Jurisdictional Ruling for the maintenance work.

Dr. Edward Lisi is the president of the Indian Lake Association and was in attendance to answer any questions.

This evening the Agency can:

- Ask questions.
- Take no action.
- Request additional information
- Require a full application.
- Approve the pre-application.
- Deny the pre-application.

Dr. Edward Lisi, president of the Indian Lake Association, explained the history of how the gate was broken and the proposal to fill. The lake was dredged to about 30' in the 1980's but the dam is not that deep. They have also applied to the Fisheries who feel that the aquatic life will be fine with the

water level lowered for a week. By being able to fix this gate they will be able to return the lake to the normal level and have the gate operable in case of an emergency. DEEP only requested that the Town be informed.

Magnan clarified that DEEP is regulating this. MaryRose confirmed this. Dr. Lisi stated that an application has been submitted to the DEEP and is a lengthy and costly process and this is the one opportunity to complete this. They are just looking to meet the obligation of the process to notify the MIWA of the plan. Guidelines will be created, and the sluice will be opened once per year to ensure that it is operable.

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

I move that the Designated Agent issue a Jurisdictional Ruling for pre-application IW-24-0020: 0 Peck Lane for the maintenance of the Indian Lake Dam as described in the Project Summary and other reports in the file and at this meeting. That is my motion.

The motion carried unanimously by roll call vote.

## F. Minutes

A motion was made by M. Connors, seconded by Connors to approve the minutes of 02/21/24 as presented. The motion carried, by roll call vote, with Field 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.

### **There is a bill before the state legislature to require training for IWA Commissioners.**

Milford is fortunate in that the IWA staff and majority of Commissioner have received training Certificates from DEEP and several members and Staff have completed UConn Land Use Academy (LUA) Training. If anyone would like to take LUA training there are several virtual and physical training options coming up. As always the CT DEEP IWA Commissioner training is available online [Training for Inland Wetlands Agencies \(ct.gov\)](https://clear.uconn.edu/training/land-use-commissioner-training/). There are links for training in the draft meeting notes and on the IWA Commissioner Page.

<https://clear.uconn.edu/training/land-use-commissioner-training/>  
**Land Use Commissioner Training Calendar**

CT Land Use Commissioner Training	
Today	Thursday, February 29
Thursday, February 29	
7:00pm	Putting Community Puzzle Pieces Together - Virtual
Thursday, March 21	
12:00pm	Basic Training Webinar Series - Virtual/online
Thursday, April 18	
12:00pm	Basic Training Webinar Series - Virtual/online
Saturday, April 27	
8:30am	CLEAR Land Use Academy - Basic Training
Showing events until 4/30. <a href="#">Look for more</a>	

**There is a bill before the state legislature concerning the establishment of riparian buffers and revision of certain inland wetlands provisions.** This would be to develop buffers and setbacks from waterways and wetlands and require certain inland wetlands training and materials. The text and the tracking information for those bills are in the draft meeting notes.

Tracking:

[https://www.cga.ct.gov/asp/CGABillStatus/cgabillstatus.asp?selBillType=Bill&bill\\_num=HB5218](https://www.cga.ct.gov/asp/CGABillStatus/cgabillstatus.asp?selBillType=Bill&bill_num=HB5218)

Text of the Bill: <https://www.cga.ct.gov/2024/TOB/H/PDF/2024HB-05218-R00-HB.PDF>

This bill was reviewed in a public hearing on February 28 by the Environment Committee. There was considerable testimony submitted, almost all in support, which can be viewed here:

[https://www.cga.ct.gov/asp/CGADisplayTestimonies/CGADisplayTestimony.aspx?bill=HB-05218&doc\\_year=2024](https://www.cga.ct.gov/asp/CGADisplayTestimonies/CGADisplayTestimony.aspx?bill=HB-05218&doc_year=2024)

### **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. MaryRose is collecting the annual report data in preparation for Milford's 5 year cycle visit. At the visit, the 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. FEMA has asked for revision of some of the submitted materials. 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. Magnan asked for clarification of what MS4 is. MaryRose reviewed that this is to address clean water. Milford is in an MS4 community and is trying to meet the goals by signing off on Planning and Zoning plans for erosion control, that sedimentation is to remain on site and to ensure infiltration of stormwater.

### **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	Bond released		
201 Kings Highway	Ongoing		
104 Lavery Lane	Ongoing		
114,122,124,128 Merwin Ave	Ongoing	8/29/23	
40 Morehouse Rd	Ongoing, adding 2 <sup>nd</sup> 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	
Wheeler's Farms Rd	Waiting on final review		
523 Wheeler's 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

- Magnan reviewed the training available and thanked those that have completed them as there has been a lot of discussion on this at various meetings and Milford has a high number of trained commissioners versus other towns.
- New commissioner Buddy Field was introduced. Field stated that he is a builder and feels he can contribute his practical experience as a commissioner and looks forward to learning more and participating in training.

- The next meeting will be a Regular Meeting on March 20, 2024 via Zoom. An in person meeting will be held soon and may be held twice a year going forward. The technology of holding in person meetings is being looked into.

There being no further business to discuss, a motion was made by Connors and seconded by Valvo to adjourn at 8:10 p.m. The motion carried unanimously by roll call vote.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.