

Minutes of the Regular Meeting of the Inland Wetlands Agency on March 16, 2022.

**A. Roll Call**

Present: Brendan Magnan, Daniel Bedeker, Ranjit Bhawe, Jim Connors, Matthew Connors, Dave DeFlumeri, Heather Donaldson-Gladue, Steve Munson, Gerry Panico.

Absent: Ranjit Bhawe, Dave DeFlumeri, and Lisa Tryon.

Also Present: MaryRose Palumbo and Lisa Streit.

Magnan called the meeting to order at 7:30 p.m. and deemed M. Connors the voting alternate and reviewed the 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-PA-22-0010: 177 Seabreeze Avenue, Michael Seaberg** – Proposed second story sunroom and deck addition and access stairs with work within 100' of a wetland or watercourse in the South-Central Shoreline Watershed.

MaryRose reported that this is a request for a sunroom, deck, and access stairs with work within 50' of a wetland in the South-Central Shoreline Watershed. She visited the property on 2/16/22 and met with Mr. Seaberg. Her site walk memo was in the documents tab. The proposed addition is within 55' of the wetland line, with silt fencing proposed within 30' of the wetland line. The applicant is proposing stormwater infiltration for the added impervious area. Currently the yard is grassed approximately to the wetland line and is stable. The applicant and contractor are aware that no excavated material may be placed in the wetland area without additional permitting.

This house was permitted by this Agency in 2002 with a split rail fence with markers midway between the house and the wetland line. Mr. Seaberg said that only the portion of the fence by the driveway remained when he purchased the property. It was rotted and he removed it. He was unaware of the fence required by the original approval. Mr. Seaberg had told MaryRose that he may not be able to attend this evening due to his work hours.

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.

MaryRose showed a picture of the site and oriented its location, near East Shore Middle School. The proposed work is 55' away from the wetlands line. The site is stable. This type of project is allowable per the IWA regulations under Section 4 for homeowners' use of property. Munson noted that in 2002 split rail fencing rotted but now we do vinyl fencing and asked if there has been any intrusion into the wetlands. MaryRose reported that the site is stable and there does not seem to be any intrusion into the wetlands.

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

I move that the Designated Agent issue a Jurisdictional Ruling for pre-application IW-PA-22-0010: 177 Seabreeze Avenue for a second story sunroom and deck addition and access stairs as shown on the undated unsigned sketch in the file and drawing entitled "*177 Seabreeze Ave. Milford, CT Addition / Renovation*" by JMR Architectural Design Consultants, LLC. This action will not have an impact or effect on the physical characteristics of the adjacent wetlands and watercourses. The motion carried unanimously.

**2. IW-PA-22-0018: 45 Brewster Road, Monika Edman - Proposed 15' above ground pool with work within 100' of a wetland in the South-Central Shoreline Watershed.**

MaryRose reported that this is a proposal for a 15' round above ground pool within 39' of the wetland line in the South-Central Shoreline Watershed. She visited the site on 3/15/22 and her site walk notes are attached in the documents. This house was permitted in 1989 by the MIWA, currently the yard is grassed and stable. The homeowner is aware that the material excavated for the pool may not be placed in the wetland without additional permitting.

MaryRose showed pictures of the site

Monika Edman, 45 Brewster Road, Milford, CT, stated that she is requesting consideration for a 15' round above ground pool on their property.

M. Connors expressed concerns with a large pool water discharge into wetlands if say a tree fell on the pool. MaryRose stated that it isn't a common occurrence and should dissipate. Pool water would be considered wastewater and it cannot be backwashed into the wetlands. Ms. Edman stated that the tree that could have fallen on the pool was removed when it fell a few years ago. Bedecker asked if this would be in a similar location as the pool next door as seen in pictures. Edman stated that it is but hers is smaller at 15' vs 18', the neighbors is closer to the wetlands, and she has a bigger yard.

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.

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

I move that the Designated Agent issue a Jurisdictional Ruling for pre-application IW-PA-22-0018: 45 Brewster Road for the installation of a 15' round above ground pool and as shown on the sketch in the file on drawing in the file. This action will not have an impact or effect on the physical characteristics of the adjacent wetlands and watercourses.

The motion carried unanimously.

**3. IW-PA-22-0022: 25 Randy Road, David Salinas - Proposed 18' x 36' inground pool with patio surround and landscaping work within 100' of a wetland in the Indian River Watershed.**

MaryRose reported that this is a proposal for an 18' x 36' inground pool with patio surround and landscaping within 88' of a wetland in the Indian River Watershed. She met Mr. Salinas and Dell Rodrigues of Dell Pools onsite on 3/07/22 to review their proposal and her site walk notes from 03/15/22 were in the documents. The site has a conservation easement along the rear and a sanitary sewer easement on the south and rear of the property. The applicant is proposing to move the existing stormwater galleys to a new location to accommodate the pool and patio. Currently the yard is grassed and stable to the conservation easement which remains in its natural state. The homeowner is aware that the material excavated for the pool and patio may not be placed in the wetland or upland review area without additional permitting. This house was permitted in 2006 by MIWA.

MaryRose reviewed pictures/oriented the site. Location of the proposed plan was staked out on the pictures/site. Dell Rodrigues of Dell Pools, LLC, was available to answer questions.

Connors is in favor of the project. Munson stated that he feels that the plantings make up for the impervious area.

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.

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

I move that the Designated Agent issue a Jurisdictional Ruling for pre-application IW-PA-22-0022: 25 Randy Road for the installation of an 18' X 36' inground pool with patio surround and landscaping including relocation of the stormwater galleys as shown on the plans entitles "*Site Plan Salinas Residence 25 Randy Rd Milford, Connecticut*" by Torrison Stone & Garden, 1 sheet, dated 11/05/21 revised 3/08/22. This action will not have an impact or effect on the physical characteristics of the adjacent wetlands and watercourses.

The motion carried unanimously.

**4. IW-PA-22-0023: 500 Anderson Avenue, Jeff Attolino - Proposed accessory building with work within 100' of a wetland in the South-Central Shoreline Watershed.**

MaryRose reported that this is a proposal for a 24' x 24' accessory building with a 12' x 24' porch within the 100' upland review area in the South-Central Shoreline Watershed. The accessory

building is proposed approximately 46' from wetland line on this property and within 33' of the wetland line on the adjacent property. She visited the site on 3/15/22 and her site walk notes are attached in the documents. This house was permitted in 2004 by the MIWA with a split rail fence with markers, both are still on site. Currently the yard is grassed and stable, the area behind the fencing is in its natural state. The wetland line is located 15-20' behind the split rail fencing on the site. The contractor is aware that the material excavated for the footings may not be placed in the wetland without additional permitting.

MaryRose reviewed pictures of the site, wetland markers and the site plan. Jeff Attolino stated that he built the house, and the owner is looking to expand.

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.

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

I move that the Designated Agent issue a Jurisdictional Ruling for pre-application IW-PA-22-0023: 500 Anderson Avenue for the construction of a 24' X 24' accessory building with a 12' X 24' porch as shown on the plan entitled "*Boundary Survey prepared for 500 Anderson Ave, Milford, Connecticut*" by Paul J. Stowell, 1 sheet dated 10/18/21 rev 3/16/22. This action will not have an impact or effect on the physical characteristics of the adjacent wetlands and watercourses. The motion carried unanimously.

**5. IW-A-22-0021: 883 North Street, Andreas Gavrielidis** – Proposed reconstruction and renovation for proposed Deli with construction and site work within 150' of wetlands in the Wepawaug River Watershed.

MaryRose reported that this is a proposal for renovation and reconstruction of an existing building for a Deli with work within 150' of wetlands in the Wepawaug River Watershed. The property owner and his contractor started work on this building without City permits and are now working to get permitted to construct on the site. A portion of the building was removed and is now replaced. The gravel parking area and grassed area adjacent to the wetland are stable. The applicants' consultants are working with the Health Department on abandonment options for the onsite septic system.

MaryRose reviewed the plan and oriented pictures to the site. This is the former Pickles Deli.

Doug Rich, Landscape Architect Fuller Engineering, 525 John St, Bridgeport CT, stated that they are working in response to a cease and desist they are not proposing a new waterline; they do not want to disrupt the review area. There is no water in the street, and they feel the well is sufficient for their needs. Their proposal is to abandon the septic system, in the least disruptive manner. They could crush tank and back fill or fill it with an approved material such as gravel or crushed stone. The most disruption is the level spreader to the south of the building that attenuates the stormwater from the roof area for a 50-year storm and the installation of a 1,500-gallon oil water separator. The oil water separator needs formal review by the Health Department.

Rich noted that the galleys for stormwater are not in the 150' upland review area. He stated that there was no disturbance to the site from what his client did; they just didn't get permits for it first.

Munson asked where the leaching fields are and if they will need to be formally abandoned. Rich stated that the system is so old at this site that no one knows where the leaching fields are. As part of the abandonment procedure the septic tank needs to be pumped prior to abandonment.

Munson asked about the foundation if that was disturbed. Rich stated that they basically took off the walls and put the walls back on the existing foundation.

The Agency discussed a possible site walk and determined it was not necessary at this time.

Magnan reviewed that this application 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 3/16/22. Petition deadline is 3/30/22)

No action taken.

**6. IW-PA-22-0025: 69 Riverdale Road, AK Paramount Properties, LLC - Proposed 20' x 15' garage with work within 100' of a wetland in the South-Central Shoreline Watershed.**

MaryRose reported that this is a proposal by the property owner to add a one-car detached garage approximately 30' from the wetland line in the South-Central Shoreline. She visited the site on 03/15/22, her site walk memo is in the documents. The applicant is proposing a 20' x 15' detached garage within approximately 30' of a wetland on this property. Currently the proposed garage area is partially grassed yard and driveway. The yard is grassed and stable to the phragmites at the approximate wetland edge. The contractor is aware that the material excavated for the footings may not be placed in the wetland without additional permitting.

MaryRose reviewed pictures and oriented the site.

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.

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

I move that the Designated Agent issue a Jurisdictional Ruling for pre-application IW-PA-22-0025: 69 Riverdale Road for the construction of a 20' X 15' detached garage as shown on the site plan entitled "*Case Study #6, 69 Riverdale Road, Milford, CT*" by AK Paramount Properties LLC, 1 sheet dated 3/10/22 in the file. This action will not have an impact or effect on the physical characteristics of the adjacent wetlands and watercourses.

The motion carried unanimously.

**F. Minutes**

A motion was made by Connors, seconded by M. Connors to approve the minutes of the 03/02/2022 regular meeting as presented. The motion carried unanimously.

**G. Staff Report**

The office continues to be busy with inquiries, bond release requests and minor reviews and other reporting

Site Status:

- 0 Tanglewood Circle – the owner has stated he will contact MaryRose for the walk.
- 30 Bridgeport Av – waiting on asbuilt.
- Florence Av – a modified permit has not been taken out.
- 17 Maddox Av – bond release project closed.
- 114-122-124-128 Merwin Ave – ongoing.
- 33 Pearl St – ongoing,
- Terrace Rd is waiting on bond release.
- 161 West Rutland Rd – ongoing.
- Wheelers Woods – project completed, waiting on bond release.
- Milford Cemetery – 420 West River Street – plantings were installed, and site has been stabilized for winter.
- 16 Marsh St. – ongoing.
- 690 New Haven Ave – ongoing.

There was a discussion on permitted use as of right reviews. The IWA determined that staff signoffs with Chair oversight was appropriate. These signoffs will be part of the Staff Report at meetings.

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

**G. Chair Report**

The next regular meeting will be on April 6, 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 and seconded by Munson to adjourn at 8:25 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.