

**A. Roll Call**

Present: Brendan Magnan, Daniel Bedeker, Ranjit Bhawe, Jim Connors, Matthew Connors, Heather Donaldson-Gladue, Steve Munson and Lisa Tryon.

Absent: Dave DeFlumeri and Gerry Panico.

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. Old Business**

1. **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 and the status of the existing well. This application was presented at the last meeting.

In a letter to the applicant's consultant on 3/14/22 MaryRose reviewed the proposal and requested missing items or information to be corrected or updated and submitted for a completed application. The application form information was submitted by email on 3/16/22. She spoke with Doug Reich of Fuller Engineering yesterday who stated he didn't realize the missing information was required for a completed application and he would try to submit before this meeting.

Information was submitted by email at 12:30 this afternoon after notes and reviews had been sent to commissioners for this evening. The City Engineer was provided digital plans at 12:30pm this afternoon by email as well, on preliminary review he noted several issues that will require additional review. MaryRose did a preliminary review this afternoon and found several items that appear incomplete from her initial review. She recommended holding a decision until she has a completed application.

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).

Doug Reich, Landscape Architect, Fuller Engineering, 525 John St Bridgeport CT didn't feel that the changes requested were significant; possibly some problems in the electronic submission appears that the updated set was submitted today. He is happy to speak to the changes submitted today. Engineering, E&S and connection to City Sewer hasn't changed nor has water supply connections but did his best to address the items from the 3/14/22 memo. He addressed the Pre-app missing info on 3/16 which is also included in tabular forms on drawings submitted today.

Reich further stated that there is no grading so there is no grading plan. Regarding the missing legend, he feels there isn't a need for a legend because items are called out on the plans. Utilities are shown. They now know that municipal water is not available in the street. E&S and anti-track apron are shown. They are not disturbing the northern part of the site, so they did put a silt sack in the drainage structure. The entire portion of the work area has siltation fence as a precaution. Errant notations from a 1985 version of E&S plan have been updated to 2002 plan notations. The existing well is shown as the water supply. They are abandoning the existing septic system. He spoke with the Health Department and was told that the septic system could be crushed or filled in. In his opinion, filling is the best option to allow the structure to be driven on. He hasn't changed anything since the initial application just drafting and initial changes on the plans. They are acceptable to having conditions of approval and feel that this work is not significant in terms of inland wetlands, there is no disturbance in the wetlands.

A complete set of documents signed and sealed are required in order to go through the approval process.

No action taken.

## **E. New Business**

- 1. IW-A-22-0029: 238 Zion Hill Road, GAMS, LLC** - Proposed 3-lot subdivision with one existing home. Construction and grading within 150' of wetlands and watercourses in the Wepawaug River Watershed.

MaryRose reported that this is a request for a three-lot subdivision, with one existing house, with work within 150' of a wetland in the Wepawaug River Watershed. There is no wetland on the property. There is a wetland on the opposite side of Southworth Street. The closest work proposed

for this site is the required widening of the street to City standards. That work is approximately 85' from the wetland. This Agency approved a two-lot subdivision for this property in 2012 that was never built. Ron Wassmer of CT Civil Group was in attendance to present the proposal and answer any questions.

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).

Wassmer reviewed that this is a 3 lot subdivision with an existing single family home and barn on site. There are no wetlands on site; there are wetlands east of the site on Southworth Street. He proceeded to review the 150' review area on the plans and the location of the 5' road widening as required by Public Works, minor street widening, a house, driveway and utilities locations.

Wassmer proceeded to review the erosion control plan which will have silt fencing, anti-tracking pads and protection around the drainage. The site/location was oriented and the existing conditions reviewed.

Munson questioned what was approved in 2012. MaryRose stated that that plan had 2 lots and the road work was the same. Munson asked if the driveways would be paved. Wassmer stated that they would be. Magnan stated that these are new plans and should be reviewed on its own and questioned how much wider the road area would be with the sidewalk. Wassmer stated that it would be 4-5' verses 5'6' closer to Zion Hill Road. M. Connors asked about the silt fence area. Wassmer reviewed this on the plans.

No action taken.

2. **Violation IWC-22-0010: 0 New Haven Ave., Anthony Monaco** – clearing trees and brush, depositing chipped material within 100' of a wetland or watercourses in the Indian River Watershed without a permit.

MaryRose reported that in response to a complaint she visited the site at 0 New Haven Av on 2/24/22 and found Ian Bogan of Bogan's Tree Service clearing brush and trees from the front of the property and blowing the chips over the disturbed area towards the wetlands. Mr. Bogan stated that Mr. Monaco had hired him and assured him that he had a permit to do the work. Mr. Monaco came to the property and stated that his realtor had done all the necessary paperwork to clear and put material on the site. MaryRose had sent a pre-application form on 10/21/21 to Mr. Monaco's realtor to Dan Delvecchio of Coldwell Banker, but never received or acted on an application for the property.

MaryRose reviewed the permitting requirements and additional stabilization needs of the site with Mr. Monaco. He stated that he would have his attorney and architect contact her to do the necessary paperwork. We have not been contacted by Mr. Monaco or his professionals. MaryRose's field report and photos of the site are included in the documents tab on the agenda. MaryRose also included a soil report from Ken Stevens of Soil Science and Environmental Services from 2007.

While out of date, that report shows wetlands along the drainage swale on the southwest side of the property and across the north side of the narrow portion of the property. The rear of the site is tidal wetlands associated with Turtle Creek. The work was done within 100' of a wetland and watercourse without permits.

Neither the property owner nor his consultants attended the meeting.

This evening the agency can:

- Ask questions.
- Uphold the violation
- Release the violation
- Modify the violation

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

I move that cease-and-desist order IWC-22-0010: 0 New Haven Av, be upheld and modified to require the property owner to complete installation or submit the information required in the order by the following dates:

1. Properly install soil erosion and sedimentation controls by 4/12/22
2. Hire a certified soil scientist or professional wetland scientist by 4/19/22
3. Submit the required A-2 survey with T-2 accuracy by 5/02/22
4. Submit a detailed mitigation and planting plan for review and approval by 5/02/22

The motion carried unanimously.

- 3. Violation IWC-22-0011: 918 Wheelers Farm Road, Freedom Vines, LLC** – excavation, deposition and pollution in and adjacent to Turkey Hill Brook with work in and within 100' of a watercourse/wetland in the Housatonic River Watershed.

MaryRose reported that this violation is in response to a complaint of material from a stone wall being put into Turkey Hill Brook. She visited the site on 3/21/22 with Tara Mustakos-Wassmer of the Milford Health Department and Dan Paparazzo and another man from Clear Cutting Services from Woodbury, CT had a machine and was removing a stonewall. The adjacent driveway was disturbed dirt with tracks leading to Turkey Hill Brook. Mr. Paparazzo stated that he had put the stones into the brook and didn't realize that permits would be required. MaryRose explained that putting material into or removing material into a watercourse requires a permit, as well as working within 100' of a wetland or watercourse. She looked at the material in the stream, took one photo and was told to leave the property by a man that appeared on the balcony of the home. She asked if he was the property owner, he told her that he was not, he rented the property. He also stated that he had kids on the property and did not want anyone taking photos on the site and told her to leave the property. As she was leaving the site, she instructed Mr. Paparazzo to stabilize the area he had disturbed with silt fencing, hay bales or choir fiber logs to prevent erosion of the disturbed yard and driveway area into the Brook.

On 4/5/22 MaryRose was contacted by Ron Wassmer of CT Civil Group and he informed her that he would be surveying the site and would be contacting Bill Kenny of William Kenny and Associates to flag the wetlands on the site. MaryRose explained her concerns with lack of protection of the watercourse with the significant rain projected this week. He stated he was going to the site and would speak with the property owner about getting erosion controls installed. MaryRose received an email later that afternoon from Ron Wassmer, forwarded from Raymond Testo, with photos of haybales installed sideways (twine side touching ground) along the brook with stakes. Stones visible

in her photos from 3/21/22 appear to be removed from the brook in the 4/05/22 submitted photos. Mr. Wassmers' email chain included an email to Bill Kenny requesting a contract for wetland delineation at 918 Wheelers Farms Rd.

MaryRose reviewed a GIS map of the property and site photos from the 3/21 site walk and photos submitted 4/5/22.

Ron Wassmer, PE LS, CT Civil Group, Research Drive in Milford, has been working with Mr. Testo and Freedom Vines on a Zoning application. He learned of this violation on Monday. He went to the site yesterday and expressed MaryRose's concern that the area may erode in the rains this week. Caveat that Mr. Testo is not a construction worker and the erosion controls were put in to his best understanding.

This evening the agency can:

- Ask questions.
- Uphold the violation
- Release the violation
- Modify the violation

Magnan asked Mr. Testo if he was on board with hiring a Wetland Scientist. Mr. Testo stated that he was and that he also grants permission for MaryRose to enter the site with Mr. Wassmer to review the erosion controls.

The following motion was made by Connors and seconded by M. Connors;  
I move that cease and desist order Violation IWC-22-0011: 918 Wheelers Farms Road, be upheld and modified to require the property owner to complete installation or submit the information required in the order by the following dates:

1. Properly install soil erosion and sedimentation controls by 4/14/22
2. Hire a certified soil scientist or professional wetland scientist by 4/14/22
3. Submit the required A-2 survey with T-2 accuracy by 5/13/22
4. Submit a detailed mitigation and planting plan for review and approval by 5/13/22

The motion carried unanimously.

## **F. Minutes**

A motion was made by Connors, seconded by Donaldson-Gladue to approve the minutes of the 03/16/2022 regular meeting as presented. The motion carried with Tryon abstaining.

## **G. Staff Report**

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

As a continuation of the 50<sup>th</sup> anniversary celebration of the CT Inland Wetlands and Watercourses Act the CT Water Planning Council will be doing several outreach and education events. May 11 from 12-1pm will be a session on *Wetlands and Climate Change Resiliency* and June 8 from 12-1pm will discuss *Rivers & Watercourses: The Importance of Riparian Zones*. Both sessions are via Zoom, and I will send out sign up information as it is available.

MaryRose also reminded anyone that hasn't completed the CT Inland Wetland Commissioner Training Course that it is available: [CT DEEP Municipal Inland Wetland Agency Comprehensive Training Program](#)

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.
- 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.
- 201 Kings Highway – ongoing.

Commissioners attended the CCM training on parliamentary procedure. Munson listened to it and felt most of those involved in the seminar were BOE people with more emphasis on a set of problems we haven't yet encountered. Control in contentious. No suggestions.

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 20, 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 Donaldson-Gladue to adjourn at 8:40 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.