

Minutes of the regular meeting of the Inland Wetlands Agency on April 18, 2007.

**A. Roll Call**

Present: Barbara Bell, Allan Cegan, Jim Connors, Ken Cowden, Scott Koschwitz, Joel Levitz, Lynne McNamee, Steve Munson, Bob Nunno and Phil Fulco.

Absent: Jack O'Connell.

Fulco called the meeting to order at 7:30 p.m. and deemed Bell the voting alternate.

**B. Public Comments**

Ann Berman, 75 Pellham Street – stated that she is the Chairman of the Environmental Concern Coalition and she praised the IWA for all of their passion for the wetlands, the concern for the community and the protection of wetlands. However, she stated that she felt that the IWA has dropped the ball on one project on North Street and she brought pictures of the area that is flooded. Planning and Zoning lost the project and was sued by the applicant and the judge eliminated one building in the project. She showed pictures of Walnut Street and North Street, the green, Calf Pen Meadow and Gulf Pond after the last storm stating that this last storm was only a 25 year storm verses a 100 year storm like that in the early 80's and all of these areas had a lot of water. She further stated that even on her street the hydrology changes when one tree is removed, when soil is added or removed, if asphalt is added it all changes. Wetlands are there to protect the area.

**C. New Business**

1. **IW-A-07-015: Market Place, Jeff Arotsky** – proposed construction of a single family residence and driveway with construction and grading within 100' of a wetland or watercourse in the South Central Shoreline Watershed. Fulco reported that this application is on the agenda for the first time and can be heard at the 5/2/07 meeting.

**D. Old Business**

1. **Application IW-A-07-005: 187 Plains Road, WDC Milford Assoc. Limited Partnership Corp.** – proposal to fill 0.0986 acres of wetlands to construct 2 hotels and a conference center with construction, parking and grading in and within 150' of wetlands in the Beaver Brook Watershed. MaryRose stated that this is the proposal for 2 hotels, a conference center and an office building at 187 Plains Road. The applicant proposes to fill 0.0986 acres of inland wetlands for construction, parking and grading in the Beaver Brook watershed.

The Agency hired Codespoti & Associates for a third party review of this application. We have not yet received their comments. The review includes an engineer to review the engineering and hydrology and a Professional Wetland

Scientist to review the wetland delineation, impacts mitigation proposal and a Herpetologist to review the potential for a vernal pool on the site as suggested in the Jackson Report.

We have received a letter granting an extension of our 65-day review period to June 8<sup>th</sup>. This will allow the applicant time to submit information we have requested and the Agency time to review the new material and the third party review

Bell had some questions that have been submitted to the consultant, were addressed and distributed.

**2. Application IW-A-07-011: Southworth Street, Greg Field, BAMF Homes –** proposed single family home with construction and grading within 150' of wetlands and the Beaver Brook Watershed.

MaryRose reported that this is a proposal for a single-family home with work within 150' of a wetland in the Beaver Brook watershed. Joe Codespoti Jr and Greg Field are here this evening to present the application.

Joe Codespoti, Jr. of Codespoti and Associates reviewed the plan and noted at wetland flag 8 the location of the new catch basin. A single family home is proposed with a split rail fence, 10' off of the wetland and he feels this is the best location for the house. The hill on the property would require massive grading and further impact to the wetlands if the house were to be located in this area.

Bell stated that the only alternate proposed would cause more impact to the wetlands and she asked if there were any alternatives considered that would cause less impact. Codespoti stated that they feel the proposed plan is the best alternative. Bell asked if there is an alternative with less impact. Codespoti stated that this plan has the least impact and there is no other alternative. Bell stated that the IWA generally considers alternatives with less impact and a smaller house would have less impact. Bell stated that she is not clear without seeing the site what the topography is and she cannot tell the contours from the map. Codespoti referenced the map contours and stated that the area is pretty flat; less that 2' to Southworth Street and the finished floor of the house is at 101.5 and with the garage it is at 100 and then the property goes straight up hill to 140. Bell asked about the contour to the street. Codespoti stated that it is not on the map, it ends at the lot. Bell asked about the elevation to the wetlands. Codespoti stated that it is basically flat and is used as a dumping ground and that material would have to be removed in order to determine that. Munson asked if the house would be on slab or have a basement. Codespoti stated that this hasn't been worked out yet. Greg Field, applicant, stated that he has built 6 houses on this street and the area is gravel with no water table. The homes on both sides of this lot have full basements with a septic system and there are no problems or water. The wetlands are due to the hill and he will try to do a basement. Fulco asked about roof drains and runoff. Codespoti stated that it would tie into the existing storm system with

a 4" pipe to the new catch basin. There are Planning & Zoning constrictions for the house location as well and these limits are on the plan. Field stated that he put the smallest house possible that would have the least impact to the wetlands for this lot. Bell asked the distance from the corner of the deck and wetlands flag 12. Codespoti stated that he estimates that it is 14-18'. Field stated that MaryRose suggested putting the deck on the opposite side of the house so people won't be walking off towards the wetlands. There will be a regular wood deck; water would go right through it. Codespoti stated that the site is a literal dumping ground and this project would clean it up and mitigate this. There was a discussion on the significance of moving the deck or just relocating the stairs.

The following motion was made by Connors, seconded by Cegan:

After duly considering all relevant factors, I move to approve application IW-A-07-011 based on the plans entitles "Southworth Street prepared for BAMF Homes, Milford, CT" by Codespoti & Associates P.C., 1 sheet dated 1/9/06, the information in the file and presented this evening for the following reasons:

- This action will not have a negative impact or effect on the physical characteristics of the adjacent wetlands and watercourses.
- A feasible and prudent alternative does not exist because of rock ledge.
- With standard conditions including:
  - Plantings between the split rail fence and wetlands
  - A bond to be calculated to be submitted prior to any site disturbance to insure that the site development will proceed and will be completed according to the approved design.

The permit is issued 04/18/07 and expires 4/18/12.

The motion carried unanimously.

#### **E. Minutes**

Bell stated that she wanted to comment on there being more information in the minutes regarding Jurisdictional Rulings and Project Status and commends the staff for this as it is very helpful. A motion was made by Connors, seconded by Munson to accept the minutes of 4/4/07 as presented and carried unanimously.

#### **F. Subcommittee Reports**

None.

#### **G. Staff Report**

- The next meeting will be on 5/2/07, please let the office know if you are unable to attend.
- Ann Berman has asked for someone to staff the IWA information board for Earth Day on 4/28/07 from 10am – 3pm at the Fowler Pavilion. Please let the office know if you are interested.
- Project Status:

122 Cherry St – Sidewalk – under construction

Milford Crossing – under construction.

Milford Market Place – under construction.

Milford Point Road – Good Shepherd Daycare - site work started.

Milford Power Housatonic Water Supply – under construction.

Milford Sewer Project - Holbrook & Lincoln Infill under construction

Milford Sewer Project – Housatonic Plant Upgrades under construction

West Ave Condos – under construction.

YMCA mitigation work complete awaiting final inspection (spring).

- Bell stated that a Walker Pond resident had storm issues; they were afraid of a tree falling and she asked about an update. MaryRose stated that this person lives next to the pump station on Cricklewood and trees were cleared that were in ill health and the resident wanted other trees cleared that were not. The Alternative Education Program has been cleaning up the area and the residents are not happy with people in there. The program will be coming in for a permit to do future work along Walker Pond.
- The Corps of Engineers visited town on Good Friday and walked the Kingdom Life property and want the stormwater discharge from the highway rectified. They are looking at Plains Road plans; they just received the plans and have not walked the site.

The next regular meeting will be on 5/2/07.

There being no further business to discuss, the meeting adjourned at 8:15 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.