

Minutes of the Regular Meeting of the Inland Wetlands Agency on August 1, 2007.

A. Roll Call

Present: Barbara Bell, Allan Cegan, Jim Connors, Joel Levitz, Bob Nunno and Phil Fulco.

Absent: Ken Cowden, Scott Koschwitz, Lynne McNamee, Steve Munson and Jack O'Connell

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

B. Public Comments

None.

C. New Business

1. **MIWA 2008 Meeting Schedule** – A motion was made by Connors, seconded by Bell to approve the 2008 meeting schedule as presented. The motion carried unanimously.

D. Old Business

1. **Violation IW-V-07-017: 55 Peck Street, Mark and Sylvia Scheets** – clearing and dumping debris within 150' of a wetland or watercourse in the Wepawaug River Watershed without a permit.

MaryRose reported that this is a violation issued 5/11/07 to Mark & Sylvia Scheets for clearing and dumping debris within 150' of wetlands in the Wepawaug River Watershed. The Agency upheld this violation on 5/16/07. We have tabled the item until the fall. No action taken.

2. **Application IW-A-07-022: 252-256 Melba Street, Melba Realty LLC** – proposal to raze existing building and construct 16 units in 4 buildings with construction, parking and grading within 100' of wetlands in the South Central Shoreline Watershed.

MaryRose reported that this is a proposal for a 16-unit condominium complex on the former site of the Melba Pharmacy. The applicant is proposing to remove the existing building and construct 4 buildings to house 16 condominium units. The wetlands are located on the rear of the parcel with construction of Building "D" approximately 25' away. They are proposing an underground galley system to treat the stormwater runoff with an overflow pipe that will discharge to a riprap dissipater approximately 14' from the wetlands line.

Max Case and Ray Oliver were in attendance to present the proposal.

Max Case represents Melba Realty LLC and stated that this is presently a commercial site with an existing old pharmacy in a 1 story building of 5,300 sq. ft. The applicant also owns the grocery store to the west. To the east are 2 residential homes; across the street is Bayshore condominiums.

Ray Oliver described the existing property and locations. The grocery store is to remain as is. There will be an emergency exit from this site to the grocery store parking lot with the entrance to be on Melba Street. Oliver then described the proposed development and the proposed buildings – townhouse with parking for 1 car underneath. All units will have elevators in them to market to 55 and older residents. The proposed finish is brick and wooden shingles. Fences and private hedges will give privacy to the rear yards. A split rail fence and wetland plantings are proposed along the 25' line. Owner will clean any 'junk' from the woods. Garbage will be per unit with a private contractor. There will be by-laws to control the maintenance of the property. Storm drainage was reviewed. Roof and driveway runoff will be collected in an underground galley system with an overflow to the rear towards the wetlands. There will be underground utilities - gas and electric. Snow storage/stockpile will be so that the melt goes into the galley system which will be maintained by the condominium association.

Levitz stated that he lives in the area and wanted to know if some of the grocery store property is being used for this site and further stated that the area gathers water all of the time. Oliver stated that they are adding 16,000 sq. ft. from the grocery store property to the pharmacy site so that the flooded area will be dealt with on the new development.

Chairman Fulco pointed out that there is grass proposed for that area verses the existing paved area. Case stated that there is currently a berm that separates the sites and that will be removed and this should be a benefit as well.

Bell stated that from the plan there are backyards proposed close to the wetlands and she asked if the applicant could work with the Compliance Officer to make sure that those unit owners are aware of what to do about that. Oliver stated that they could.

Fulco stated that they are condos and the owners would only own the unit and that all of the property is common ground and would be controlled by an Association. The IWA would look for provisions in the by laws that there would be no fertilizers or pesticides used.

Oliver stated that large plantings would be added to the area as well and proceeded to review the planting line, fence line and the existing trees. Bell asked if there was ledge in the area. Oliver stated that the borings have not been done yet but there is evidence from shallow digging that there is no ledge and that there

is no ledge at the Saranor Apartments next door either. The Soil Scientist report is in the applicant file.

Chairman Fulco wants the maintenance of the drainage system in the condominium documents in the conditions as well as fertilizer and pesticide restrictions behind building D.

The following motion was made by Connors, seconded by Cegan:
After duly considering all relevant factors, I move to approve application IW-A-07-022: 252-256 Melba Street based on the plans entitled "256 Melba Street, Milford, Connecticut" by Architectural Services, 4 sheets, dated as follows: SP-1 & SP-2 -6/19/07, SP-3 -4/3/07, SP-4 4/26/07. Sheet SP-2 revised 7/3/07 and the map entitled "Property Survey #232-234 Melba Street Parcel 38A, #252-254 Melba Street -Parcel 2, Milford, Connecticut" by CT Consulting Engineers, 1 sheet dated 2/5/07, 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:

- Fertilizer and pesticide restriction behind building D.
- Stormwater structure maintenance plan to be included in the condominium documents for the development.
- A \$6,906.00 permit condition bond shall be posted with the MIWA.
- The permit is issued 8/1/07 and expires 8/1/11.

The motion carried unanimously.

E. Minutes

Nunno referenced the minutes of the 7/18/07 meeting regarding Cherry Street and stated that his concern was the snow shelf and that it is not 5'. Fulco stated that the snow shelf is 5'. MaryRose stated that both Ron and Gary Wassmer checked this and it is 5'. Fulco stated that the area to measure is the edge of the road to the sidewalk and it is 5'. A motion was made by Connors, seconded by Levitz to accept the minutes as presented and carried unanimously.

F. Subcommittee Reports

None.

G. Staff Report

MaryRose reported that the next meeting is on 8/15/07 and that if anyone is unable to attend to please call the office.

Bell asked about the Health Department question from the last meeting. MaryRose has not spoken to Dr. McBride yet.

Project status:

122 Cherry St – Snowshelf surveyed at 5' – plantings in, site stabilized, awaiting asbuilt

Milford Crossing – under construction.

Milford Market Place – under construction.

Milford Point Road – Good Shepherd Daycare - under construction.

Milford Power Housatonic Water Supply – under construction.

Milford Sewer Project - completed awaiting asbuilt and final inspection

Milford Sewer Project – Housatonic Plant Upgrades under construction

Milford Sewer Project – Beaver Brook Plant Upgrades under construction

West Ave Condos – under construction.

YMCA mitigation work complete awaiting final inspection.

H. Chairman's Report

Fulco will not be available for the next meeting therefore, Koschwitz or Nunno will chair the meeting.

The next regular meeting will be on 8/15/07.

There being no further business to discuss, the meeting adjourned at 8:10 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.