

Minutes of the Regular Meeting of the Inland Wetlands Agency on October 21, 2009.

A. Roll Call

Present: Barbara Bell, Allan Cegan Jim Connors, Jon Higgins, Joel Levitz, Lynne McNamee, and Phil Fulco.

Absent: Ken Cowden, Steve Munson and Jim Richard.

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

B. Pledge

All stood for the Pledge of Allegiance.

C. Public Comments

None.

D. New Business

1. 2010 Calendar

A motion was made by Connors, seconded by Cegan to approve the 2010 meeting calendar as presented. The motion carried unanimously.

E. Old Business

1. Application IW-A-09-035: 90 Heenan Drive, 90 Heenan Drive, LLC – a proposed 28 unit multi-family development of modular homes with construction and grading within 100ø of wetlands in the Indian River Watershed.

MaryRose reported that this is a proposal to remove 2 existing dwellings and multiple auxiliary structures and construct 28 units of modular homes. There are no wetlands on the site; there are wetlands on the adjacent property owned by the Ryder Woods Homeowners Association. This proposed development is within 18ø of the wetland line at its closest point. Ron Wassmer was in attendance to present this application.

Wassmer stated that the project is within the 100ø review area and proceeded to orient the site location and plan. There are wetlands adjacent to Farley Brook and this was reviewed on the plan on the adjacent property. Tom Pietras, Soil Scientist, delineated the wetlands and there are no wetlands on site. The site is zoned for modular homes. The topography and access points were reviewed. There is no development proposed on the slope. Sheet C-15 of the plans was reviewed which shows activity in the 150ø review area. This activity is homes and the road. The proposed wetland treatment basin was reviewed as well as the drainage system; drywells and detention galleys, oil grit separator and the flow to

Farley Brook. Stormwater management was reviewed. A galley was sized for each home as well as the road. The proposed plantings were reviewed and the split rail fence along the property line.

Fulco asked about the manhole south of the project. Wassmer stated that this was a storm drain and reviewed the discharge on the plan. Fulco asked what property the flow discharges on. Wassmer stated that a boxed culvert is proposed which will go under Heenan Drive to Farley Brook. Wassmer stated that he does not anticipate a lot of stormwater leaving the site based on the soil types and site conditions.

MaryRose asked if percolation tests were done. Wassmer stated that they were and there were three percolation sites.

Levitz asked if MaryRose was ok with this plan. MaryRose stated that the plan was dense in some areas but that there are buffers. Her concern was the open swale along unit 28. However, the plans were reworked to address this. Wassmer stated that a pipe was added and he reviewed this on the plans. Levitz asked about snow plowing as this is a concern for wetlands. Wassmer stated that a fence is proposed 20' from the road and there are stockpile areas and this was reviewed on the plans.

Fulco asked about vehicle traffic. Wassmer stated that there are 2 cul-de-sacs and there is driveway parking; 2 spaces per unit. 90 Heenan Drive, LLC will own the lot and individuals will own the units so 90 Heenan Drive will be responsible for plowing and maintenance. There will be driveway pick up for garbage; no dumpsters.

Bell asked that the pervious surface be compared to proposed and existing. MaryRose stated that page 1 of 3 on the application dated 9/21/09 has this information. Bell stated that .12 acres is covered impervious now and .29 acres is proposed. Wassmer clarified that that was in the review area. Bell asked about the middle section. Wassmer stated that this is a 25% slope and will remain wooded with medium sized trees; underground utilities will cross this. Bell asked about stabilization. Wassmer stated that the slope was created from previous blasting on the site; if there is ledge then there will have to be blasting. Sedimentation and Erosion control measures will be used and it will be loamed and seeded and left to vegetate. A 25' swath is needed for crossing; there will be a 2' wide trench and this clearing is for machinery.

Fulco asked about a map for the review area. Wassmer stated that it was sheet 15. It was reviewed that 4 home sites and utility construction would be in the review area.

McNamee asked about the stormwater detention basin. Wassmer stated that this was on sheet C-15; it is an underground galley system with an existing basin off

site that was constructed more than 20 years ago. McNamee asked about alternatives considered. Wassmer stated that they are not proposing to alter any wetlands and are only in the review area, so there are no alternatives. McNamee stated that site 28 the unit and driveway are quite close. Wassmer stated that work needs to be done with care and that no alternate is proposed. McNamee asked about the site long term. Wassmer stated that there will be markers and fencing.

Bell asked if there would be any fill brought in. Wassmer stated that there would be to the upper area. Bell asked about the area closest to #28. Wassmer stated that it is close to grade, there will be a concrete pad within 10' of existing grade and they are not bringing in fill at that location.

Fulco asked about roof run off. Wassmer stated that there will be gutters and downspouts to drywells and a drywell for each unit.

Bell stated that at the Ryder Woods site there were numerous requests for out buildings. Fulco stated that at this site the property is rented and at Ryder Woods they own the property. Wassmer stated that each unit has a small shed area in anticipation of this 6' 8" x 8'. MaryRose asked if the air conditioning unit is also included in the calculations for impervious area. Mike Phipps of CCG stated that they were. Bell asked if any insight could be gained from a site walk. MaryRose reviewed the site and its existing structures on the site. This project is proposing to phase construction top and bottom of the slope but utilities have to be done all at once. S & E Control measures are proposed. Bell stated that she is concerned with the slope. MaryRose stated that as a requirement of the permit S & E controls are inspected and monitored and reports submitted weekly. Connors stated that rock does not erode a lot in heavy rain. Wassmer stated that it is not a very erosive soil on site.

Fulco stated that this is a large project but the work in the review area is minor and the protections are sufficient.

The following motion was made by Connors and seconded by Higgins:
Mr. Chairman, after duly considering all relevant factors, I move to approve application IW-A-09-035: 90 Heenan Drive; Map 91, Block 807, Parcel 2 based on the plans entitled "*Rolling Meadows of Milford Affordable Housing Improvement Drawings*" by CCG, cover & 15 sheets dated as follows: Cover, sheet C-2 to C-14 -4/21/09, Sheet C-1 6/6/04/09, Sheet C-15 dated 9/21/09, sheet C-10 revised 10/16/09, 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:

- Prior to issuance of the permit, the stormwater calculations and infiltration rates are reviewed and approved by the Milford Engineering Department as required in Bob Wheway's memo of 9/3/09 to Bruce Kolwicz.
- A bond to be calculated must be posted with the MIWA for S&E controls, border plantings, wetland boundary markers and an asbuilt showing finished 2' contours and locating all site structures.
- A bond to be calculated for mitigation plantings and monitoring must be posted with the MIWA for the stormwater pre-treatment area. The area must be monitored for a period of 3 years to ensure that the area is stabilized and functioning as designed.

The permit is issued 10/21/09 and expires 10/21/14.

The motion carried unanimously.

2. Application IW-A-09-036: 169 Oronoque Road, David Field – proposed 3-lot subdivision with 1 existing home with construction and grading within 150' of a wetland in the Wepawaug River Watershed.

MaryRose reported that this is a proposal for a 3-lot subdivision with one existing home and two new homes. On Lot 1 the house is proposed within 22' of the pond, Lot 2 is the original home on the property and on Lot 3 the proposed grading is within 45' of the wetlands on Lot 2. Several lot configurations were reviewed prior to this proposal being submitted. Jeff Gordan of Codespoti & Associates was in attendance to present this application on behalf of Dave Field.

Gordan reviewed the site and plan. This is a 3.5 acre parcel that equals 3 parcels. Otto Theall delineated the site. The parcels were reviewed. There is .73 acres of wetlands on the site. The review area is .72 acres to be disturbed. The soils on the site were reviewed. The disturbed area is a man made pond. The outlet pipe was blocked and has been cleared and this created a fringe area for buffer. Lots 1 and 3 were reviewed; open space is proposed in the rear. The existing driveway area was reviewed. The driveway is proposed to be moved 30' further away from the wetlands and this will be access to all 3 sites. The existing sanitary lateral will be abandoned and the new line to be installed was reviewed on the plans. A number of alternatives were considered:

One was a driveway off of Zion Hill Road & this created a disturbance closer to the wetlands and affected the ground water. With this plan most of the development is in the review area with far more disturbance. The current plan will be able to save a great amount of trees. The rear house is 21.7' away from the wetlands.

A cluster subdivision is being requested from Planning & Zoning; this would have smaller set back requirements and allow the house to be moved back further. Bell questioned what a cluster subdivision was. Gordan stated that this gives the opportunity to drop down two zoning categories. There is no difference in lot sizes but requires lesser set backs. (12' vs. 20' away from the pond). The proposed house locations are for planning purposes. If someone purchases the lot and wants a bigger house or a different location then they must come back before

the IWA. A discussion followed that it is good practice to show that a house fits on a lot and notes are on the plans that further permitting may be required. Depending on the amount of change requested it could be handled administratively or may require a new permit.

McNamee asked about Lot 3 and the stockpile area. Gordan stated that this is an open field area adjacent to the existing driveway and is the least obtrusive area; there is a double row of silt fence proposed after meeting with MaryRose.

Fulco asked if mitigation is the plantings around the pond. Gordan stated that it was and that right now there is no transition area and that is what is proposed. A transition area is usually where habitat/activity takes place. After some discussion the following motion was made by Connors and seconded by Levitz:

Mr. Chairman, after duly considering all relevant factors, I move to approve application IW-A-09-036: 169 Oronoque Road; Map 75 Block 924 Parcel 2C, 2D & 3 based on the plans entitled *Proposed Subdivision Plans Ritchie Farms, 169 Oronoque Road, Milford, Connecticut* by Codespoti & Associates, Cover & 6 sheets dated 8/3/09, 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.*
- A feasible and prudent alternative does not exist because

With conditions including:

- A bond to be calculated must be posted with the MIWA for S&E controls, border plantings, wetland boundary markers and an asbuilt showing finished 20' contours and locating all site structures.
- The permit is issued 10/21/09 and expires 10/21/14

After some discussion, McNamee proposed an amendment to the motion, which was seconded by Connors:

- If a cluster subdivision can be obtained from the P&Z board then the house on Lot 1 will be moved 10' further from the wetland on Lot 1.
- The final location of the deck and house Lot 1 must be reviewed by the MIWA prior to the issuance of the permit.

The amendment carried unanimously.

The original motion with the amendment carried unanimously.

F. Minutes

A motion was made by Connors, seconded by Levitz to approve the minutes of 10/7/09. Bell noted that under the Chairman's Report the sentence should read in the past tense. The ordinance that created the IWA was not changed at the BOA meeting. The minutes are correct that is what the Chairman said but the IWA ordinance was not included in the

BOA meeting. P & Z and Building were. The motion to approve the minutes as amended carried unanimously.

G. Subcommittee Reports

The subcommittee meeting was cancelled. No report.

H. Staff Report

- The office has been busy with resident complaints as well as staff training for the new Cartegraph System.
- Bell asked about the FEMA Flood Maps update. MaryRose reported that the hearing has been rescheduled for the next month or so. Will keep informed.
- McNamee asked about the former Dakota site. MaryRose reported that there is a valid permit on the books and it is valid for 5 years.
- Levitz stated that he viewed the Board of Aldermen meeting and was impressed with the positive comments on the IWA and applauds MaryRose and Fulco for their efforts.

I. Chairman's Report

- Please read The Habitat; always good info.
- Those that are interested in attending, the CACIWIC meeting is on 11/14/09.

The next regular meeting is on 11/4/09.

There being no further business to discuss, the meeting adjourned at 9:10 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.