

A. Roll Call

Present: Brendan Magnan, Daniel Bedeker, Ranjit Bhawe, Dave DeFlumeri, Heather Donaldson-Gladue and Steve Munson.

Absent: Jim Connors, Matthew Connors and Jason Zammiello.

Also Present: Joseph Griffith, MaryRose Palumbo and Lisa Streit

Magnan called the meeting to order at 7:30 p.m. 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. **VIOLATION IWC-21-0011: 53 Westmoor Road, Evan and Eva Haley** – gazebo, concrete patio, inground pool, stockade fence, lawn and piles of yard waste within 100' of wetlands in the South-Central Shoreline Watershed without a permit.

MaryRose reported that this came before the IWA in January for a garage. The applicants found that there were encroachments when they purchased the home. As part of the approval for the garage they were to work with the City Attorney to resolve the encroachment. Mr. Haley worked with Jeremy Grant, the City's Open Space Manager, and the decision is to remove the encroachment and to provide stabilization.

Mr. Haley stated that everything already existed when he purchased the property; he will remove the metal gazebo that is on the patio, remove 10' of the concrete patio as well as the fence back to the property line.

Magnan asked about stabilization. Haley stated that he will seed with wild grass seed and hay for stabilization. MaryRose stated that a saltwater mix would be used. Haley stated that the pool was not permitted, and he has met with Planning and Zoning and there is no problem with the garage and pool. DeFlumeri asked about the timeframe of the work. Haley stated that the deadline is 7/31/21 but he hopes to do the work in April/May.

MaryRose stated that at the initial hearing for a violation issued by the Designated Agent, the Agency must:

- Uphold the violation.
- Uphold and modify the violation.
- Release the violation.
- Refer the violation to the City Attorney's office for resolution.

The following motion was made by Munson and seconded by Donaldson-Gladue:

I move that cease-and-desist order IWC-21-0011 63 Westmoor Rd, be upheld and the violator be ordered to:

- Properly install soil erosion and sedimentation controls on the site to prevent material from entering the wetland during the removal and stabilization.
- Remove the encroachments on the City of Milford property in the upland review area.
- Submit a plan to stabilize the disturbed area with native salt tolerant vegetation and seed mix to the Inland Wetland Office by 4/15/21.
- Stabilize the disturbed area, watering as necessary for the plantings to survive.
- Submit an asbuilt showing that the encroachments have been removed by 7/31/21.
- Property owner shall obtain all permits, including, but not limited to, Inland/Wetland, Planning & Zoning and Building, that may be required to resolve and legitimize the concrete patio, gazebo, and swimming pool.

The motion carried unanimously.

2. **IW-21-0010: 0 French Drive, City of Milford** – construct public restrooms in support of approved athletic fields with work within 100' of a wetland or watercourses in the South-Central Shoreline Watershed.

MaryRose reported that this is a proposal by the City of Milford for a restroom and equipment building at 0 French drive with work within 100' of a wetland in the South-Central shoreline watershed. The 18' X 30' building is proposed 1' off the wetland line with the silt fencing located about 12' into the wetland area. As proposed, there would be impact to approximately 180 sq ft of wetlands if the silt fencing is installed as proposed. The difficulties on the site are the location is in a flood zone requiring elevation of the building and a ramp for ADA access, an existing 24" storm sewer line and the proximity of the wetlands to the road. In the meeting link there are photographs of the proposed building location.

MaryRose oriented the plan to the photos and stated that the City is trying to put the restroom between the 2 fields; the stormwater pipe limits location as well as the flood zone. Based on this, the building must be raised and requires a handicapped ramp.

Munson asked how deep the water is. MaryRose stated that it was a couple of feet and will run continuously. Munson asked about its function and if there were amphibians. George Logan, Soil Scientist, stated that there are no threatened or endangered species when this was studied. It was a detention basin which lost some capacity with overgrowth. DeFlumeri asked if they would be clearing the invasives. MaryRose stated that they are trying to control them as they are capable.

Chris Saley, PW Director, stated that this is a very challenging site, and they prefer the location of this side of the street due to concerns with kids crossing the street to use the restroom. The stream to Pond Point has not been maintained in years, the goal is to try to do some maintenance.

Magnan asked if alternatives were considered. Saley stated that it is a very challenging site, and the concern was safety. Due to capacity issues they wanted to make sure it was big enough and wanted

a permanent structure verses port-o-pottys. Magnan asked if there was rear access to the building. MaryRose stated that there is not; the only doors are in the front. MaryRose stated that the largest concerns would be during construction, which is why there is a need for silt fencing. This was reviewed on the plan. Magnan suggested a low barrier to restrict access/dumping. Saley stated that he has no problem with a barrier; they need to have amphibious equipment to access for cleaning.

MaryRose stated that this is before the IWA for the first time, this evening the Agency can:

- Ask questions.
- Ask for further information.
- Schedule a site walk.
- Schedule a Public Hearing (no petition has been received as of 3/3/2021. Petition deadline is 3/17/21)
- Take no action.

Magnan asked about signage for the wetlands and if the Agency felt that a site walk was needed. Munson stated that the pictures and information presented were sufficient and does not feel a site walk is necessary. Magnan asked about a Public Hearing. Bedecker stated that it does not appear to be any residential homes near this property and does not feel a Public Hearing is necessary.

No action taken.

A motion was made by Munson, seconded by DeFlumeri to hear items D.3. and D.4. together. The motion carried unanimously.

3. **IW-21-0008: 122 Merwin Ave, CP Mooney LLC** – proposed construction of a single-family home with wetland creation and other work within 100' of wetlands in the South-Central Shoreline watershed.
4. **IW-21-0009: 124 Merwin Ave, CP Mooney LLC** – proposed construction of a single-family home with wetland creation and other work within 100' of wetlands in the South-Central Shoreline watershed.

MaryRose reported that these applications are proposals for single family houses on two lots in an existing subdivision. The Agency approved permits for lots A & D in October with conditions. Those lots are currently under construction.

These proposals are for 2 similar houses with a 3:1 wetland mitigation to filling ratio. The applicant is proposing to fill 1,437 sf of wetlands on lots B & C and create 710 sf of wetlands on Lot D and 3,742 sf of wetlands on lots A & B for a total of 4,452 sf of created wetlands. The mitigation plan was designed by William Kenny & Associates.

Mr. Mooney will be submitting site plans for both lots and wanted to review this portion of the proposal this evening.

Cal Mooney & Bill Kenny were in attendance to present the projects and answer any questions.

Mooney stated that they will mitigate the phragmites and it will be meadow grass with a split rail fence and there will be a small vegetative berm and feels the finished product will be better than not doing anything. The houses will have uniformity of all 4 lots. William Kenny, Professional Wetlands Scientist and Landscape Architect, stated that he performed the wetland delineation, and

this project will have three times the creation area verses what is being eliminated. This was reviewed on the plans. It is a relatively flat site, and they will be lowering the terrain to create a wetland habitat. Due to the site location, this should be very successful. The plan is to eliminate the phragmites while providing a reasonable rear yard, ensuring wetlands protection.

Munson stated that a 3:1 ratio is a guideline and feels this design is very good. He questioned what material the fence would be; concerned about longevity. Mooney stated that he would prefer a wooden fence and the posts can be treated. He feels it is a more natural beauty and less obtrusive.

Bhave stated that the berm looks to be barely 1' tall and questioned if it would be a long-term barrier and also asked if fertilizers would be used in the lawn. Mooney stated that the berm is a minimum of 1' and could be taller. Kenny stated that they are proposing that the berm be a filtration system and reviewed this on the plan. Magnan questioned if this is sustainable. Kenny stated that it is if it is well vegetated as proposed and it could be up to 18" to 2'. Donaldson-Gladue agreed with the larger berm. Magnan stated that he feels this plan is an improvement to what the site is today and that it is designed well.

MaryRose showed pictures of the site and oriented them to the plan and suggested a long-term maintenance plan. Kenny reviewed the proposed maintenance plan on the plans submitted. MaryRose stated that she would like to see something for the homeowners.

These items are on the Agency for the first time this evening, the Agency can:

- Ask questions.
- Ask for further information.
- Schedule a site walk.
- Schedule a public hearing (*no petition has been received as of 3/03/21. Petition deadline is 3/17/21*)
- Take no action.

Donaldson-Gladue stated that she does not feel that a site walk is necessary based on the information and photos presented. Munson agreed and does not feel a Public Hearing is warranted.

No action taken.

F. Minutes

A motion was made by Munson, seconded by DeFlumeri to accept the minutes of 02/03/21 as presented. The motion carried unanimously.

G. Staff Report

- The office continues to be with busy. DPLU is assisting with phones and clerical support until Barbara's position can be replaced. There are several complaints that she is working on that the Agency should see in the next few months. Online applications for Inland Wetland permits are being worked on through the new permitting software, Muncity.

Site Status:

- Flax Mill Lane Bridge construction is complete. They will likely need to reseed the area in the spring.

- 0 Tanglewood Circle –mitigation monitoring is ongoing we have received 3/10 reports (monitoring anticipated through 2023). Minor work to remove invasives was required from the December 19 monitoring report. Next report is due in Fall 2020. Removal of invasive was recommended by the site monitor. Permit holder removed but they grew back. He said he would remove them again and ensure the tree gets replanted to be reported on in the November inspection. Waiting on report.
- Terrace Rd is ongoing
- Wheelers Woods – ongoing
- Beaver Brook Boardwalk – boardwalk and parking lot complete. Rain garden to be completed in the spring.
- Florence Av is ongoing – stone swale and galleys are installed waiting on asbuilt.
- French Drive Fields – ongoing
- Lansdale Av Fields – ongoing
- 30 Bridgeport Av – ongoing
- 17 Maddox Av – ongoing
- 31 & 33 Pearl St – ongoing
- Sewer lining under Stonebridge Pond – ongoing; should be starting in the next two weeks.
- Gulf Pond Pump Station maintenance – ongoing.
- 63 Westmoor Road – permit taken out.

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

H. Chair Report

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.

The next meeting will be March 17, 2021 via ZOOM. Please let the office know if you cannot attend.

There being no further business to discuss, a motion was made by Munson, seconded by Donaldson-Gladue to adjourn at 8:50 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.