

Minutes of the Regular Meeting of the Inland Wetlands Agency on April 01, 2015.

A. Roll Call

Present: Cathy Collins, Alan Cegan, Ken Cowden, Dave DeFlumeri, Brendan Magnan, Justin Margeson, Steve Munson and Daniel Schopick.

Absent: Jim Connors, Carol Dunn and Lily Flannigan.

Also Present: DPLU Director Joe Griffith, MaryRose Palumbo and Lisa Streit.

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

B. Pledge

All stood for the Pledge of Allegiance.

C. Public Comments

None.



D. New Business

1. **IW-M-13-024: 553 West Avenue, Grillo Services, LLC** – proposal for a facility for leaf composting, tree and brush recycling, processing of topsoil, sale of landscaping products and 2 buildings with roads, parking, grading and stormwater improvements in and within 150 of a wetland in the Beaver Brook Watershed. Modification request.

MaryRose reported that this is a modification request for the Grillo Services LLC project on West Avenue that the Agency approved with conditions and bond on 7/24/13 and modified on 11/19/14. The 11/19/14 modification request was for realignment of the buildings and material storage bins on site; an expansion of the stockpile areas, additional drainage improvements, a woodchip berm around the disturbed area and a planting plan. This modification request is for realignment of the driveway on West Avenue per the Police Departments Traffic Review. The proposed change will move the driveway to within 27' of the wetland line and the entrance to within 20' of the wetland line.

The attachment to the modification shows the changes from the original approval to the first modification to this modification request.

Matthew Davison Tighe & Bond's professional wetland scientist showed through testing during the original application that a portion of the wetland that had been flagged was a remnant and no longer functions as a wetland. That accounts for the reduction in wetland and upland review area on the site

The plan revisions you have received this evening include the following conditions of the MIWA approval:

- *500 lbs boulders with wetland boundary markers to be placed on 20' centers around the mitigation areas, roadways and disturbed wetland areas.*
- *6' Green page fence to be installed on the down gradient side of the proposed woodchip berm in the material receiving and stockpile area.*

Mike and LJ Grillo and Fred Mascia of Tighe & Bond are here this evening to present the modification and answer your questions.

Fred Mascia stated that as they were progressing through approvals with the various agencies a traffic study was done for the site. Their plan was for a line of site for cars traveling at 30 miles per hour. The traffic study deemed that cars actually travel at 42-43 mph in one direction and 46 mph on the other side. The speed limit for the road is 25 mph. Based on this traffic study adjustments are required to the entrance of the site to allow for line of site distance needed based on this. This would bring the entrance/driveway to 20' from the wetlands. Plan C4.2 dated March 2015 was referenced.

Collins questioned that the West Avenue side was to be the emergency entrance only and is now going to be the main entrance. Mascia confirmed this due to the line of site. Plan C3.0 was referenced that depicts the whole site. LJ Grillo referenced the 4th page of the Declaration of Conservation Restriction (deed) that allowed a paved access road in this area. Collins read Section 3.3 of the deed: *within the NRDC Area off of West Avenue located between the canal and the Development Area only, development, improvement, signage (to the limited extent described in Section 2.1) and maintenance of and use of a two-lane, paved access road.* Collins asked if everything would remain the same in the School House Road area. Mascia reviewed this and stated that it would; the retaining wall and clean up as well as the detention basin for highway drainage. Collins confirmed that everything else remains the same except the entrance. Mascia confirmed this. Magnan asked what is changing on the West Avenue side. Mascia reviewed sheet 4.2 and the new traffic routes through the site. The original approval verses the modification were reviewed on large plans. MaryRose stated that the retaining wall height is about 18" above pavement. Collins stated that the concern is that everything from the trucks can fly into Beaver Brook and asked how this can be protected. Mascia reviewed plan C3.0 and noted that flags 34 and 25 were closer. Magnan asked what additional protections have been considered. Mascia stated that the existing trees are to remain (more have been damaged from the storms) and the trails are remaining.

Schopick questioned that there is no additional burden to the wetlands. Mascia stated that work is further away and that the truck traffic is over a 10 hour period. Collins stated that the prior approval had trucks going through the pond and over the river and this modification is closer but there will be a shorter distance over the waterways.

MaryRose would like to have Matt Davidson's written opinion on potential impacts to the wetlands. Magnan stated that he would like a Soil Scientist to review the plan for adverse impacts. MaryRose stated that Matt Davidson is a Professional Wetland and Soil Scientist so he has the expertise for input. Magnan asked if there were any changes to the snow removal plan. LJ Grillo stated that snow will be moved into the leaf compost area.

No action taken.

E. Old Business

- 1. IW-V-14-069: 0 & 62 Chester Street, Robert & Sharon Saley** – deposition of material with work in and within 100' of a wetland or watercourse in the South Central Shoreline Watershed without permit. Information to be submitted by 2/4/15.

MaryRose reported that this is the Saley violation at 0 & 62 Chester Street. The IWA has requested additional information. Due to the snow cover, Mr. Saley has been unable to submit the requested information. She proposed that the order be amended to require the information to be submitted by 5/13/15.

A motion was made by Munson, seconded by DeFlumeri that cease and desist order IW-V-14-069: 0 & 62 Chester Street be modified to have the information submitted by 5/13/15 due to the inclement weather. The motion carried unanimously.

- 2. IW-A-14-076: 701 North Street, Stone Preserve, LLC** – proposed residential community with construction, parking and grading within 150' of an offsite wetland or watercourse in the Wepawaug River Watershed.

MaryRose reported that this is an application for a 63 unit planned residential community at the Stone property at 701 North Street with work within 150' of wetlands on adjacent properties. There are no wetlands on the site. There are wetlands to the North and West on The Orchards Golf Course owned by the City and on a privately owned rear lot to the Southwest.

The site walk for this application was cancelled due to the weather. An extension of the review period to 4/15/15 has been received.

A motion was made by Munson, seconded by Schopick that a site walk be scheduled for application IW-A-14-076: 701 North Street on 4/9/15 at 4:00 p.m. In the event of inclement weather a notice of any changes will be posted. The motion carried unanimously.

- 3. IW-A-15-004: 220 Rock Lane, SMI Realty, LLC** – proposed building addition and parking expansion with construction and grading within 100' of a wetland in the South Central Shoreline Watershed.

MaryRose reported that this is a proposal for a 28,000 s.f. addition for Stevens Manufacturing at 220 Rock Lane with work within 100' of wetlands in the South Central Shoreline Watershed. The Agency moved that once the soil report was submitted a site walk would be scheduled. Scott Stevens of Soil Science and Environmental Services delineated the soils on the site on 3/31/15 and we should have the report this week. We have received an extension of the 65-day review period from the Applicant. Collins stated that no action would be taken until the map is received.

4. **IW-A-15-005: 0 Wheelers Farms Road, Wheelers Woods, LLC** – proposed 180 unit apartment complex with work within 100' and 150' of wetlands and watercourses in the Housatonic River and Wepawaug River Watersheds.

MaryRose reported that this is a proposal by Wheelers Wood, LLC for a 180-unit apartment complex with work within 100' of wetlands in the Housatonic River Watershed and within 150' of wetlands in the Wepawaug River Watershed on Wheelers Farms Road. At the 2/18/15 meeting the Agency scheduled a site walk for this application. Due to weather issues the site walk has not been held yet.

MaryRose noted that a contract is still being worked on with Dr. Michael Klemens for a third party review and that Attorney Hollister would like to schedule the public hearing. The Agency typically waits for site walks, outstanding reports and reviews before scheduling a hearing. The 65-day review period for this application expires on 4/10/15. Attorney Hollister has agreed to an extension but it has not yet been received. A discussion followed regarding and extension, withdrawal or denial without prejudice as incomplete. MaryRose stated that there has been public interest on this.

Munson moved that a site walk be scheduled for application IW-A-15-005: 0 Wheelers Farms Road on April 28, 2015, 2015 at 4pm. The motion was seconded by Schopick and carried unanimously.

5. **IW-A-15-009: 35 Schoolhouse Road, CT Self Storage of Milford, LLC** – proposed self storage facility with work within 150' of a wetland and watercourse in the Beaver Brook Watershed.

MaryRose reported that this is a proposal for a self storage facility at 35 School House Rd with 0.37 acres of work in the 150' upland review area including filling, stormwater structures and grading. Currently the property consists of a house and a gravel parking lot. The applicant is proposing a detention basin for stormwater treatment and discharge within the 150' upland review area in the Beaver Brook Watershed. The closest work proposed to the wetland is grading and a parking lot approximately 20' from WF-8.

J.R. Clisham of CT Self Storage is here as the applicant and Jim Sakonshick, PE of Kratzert, Jones & Associates, Inc. is here to represent the project.

Jim Sakonchick stated that the IWA reviewed the plans a few months ago with Tony Tranquillo. The plans are substantially the same. Changes to lighting, sprinklers, notch in the building to allow fire truck access. He proceeded to orient to sheet S1. The NW portion of the site will add area for flood storage since no activity is proposed there. For SW we are proposing a detention pond sized to decrease runoff from the site, forebay to a pipe then a large flat area. It is an excavated pond, in order to drain the pond we need a pipe to slowly drain the pond after a storm through an outlet structure with 5-6" holes to allow the water to leave. The advantage of a self storage site is that there is very little traffic which gives less impact on our paved areas which is less than other potential users for the site. The site is currently being used for auto storage.

Magnan asked if he could highlight the aspects of the utility plan and the drainage treatment. Sakonchick showed snow areas to West and East portions of the parcel. On sheet S-2 grading plan, sheet runoff to Catch basins discharging to a detention pond forebay. Rip rap berm acts as the first filtration, and a flat center to encourage infiltration, an outfall structure with a small pipe at the low level and a larger diameter above then the CB top, through a pipe to a discharge area then towards the wetlands. He is not worried about breaching because it is excavated. His drainage study shows that he is holding all water in the pond, not accounting for discharge leaving the site.

Collins asked what type of pavement would be used. Sakonchick stated that they would be using bituminous. Collins asked about plants around the pond. He stated that they would leave it alone and let nature take its course. Collins asked about flooding. He stated that he is aware of the situation and has raised the buildings. And his detention area is made to flood.

MaryRose stated that there is a drainage easement to the DOT and the UI has been working with the Rail Road to alleviate the situation, the car dealer had issues with cars getting flooded, CVS had to upgrade the pipe and outfall and asked if there is access to clean the easement if necessary. Jim Sakonchick stated that there is no easement on record. MaryRose asked if there was a maintenance plan. Sakonchick stated that there is and referenced Sheet S-6. MaryRose asked how they would clear the invasives on site. Sakonchick stated that the landscaping plan is on sheet S-6. MaryRose stated that there is Japanese knotweed on site and it is very aggressive and she asked if there was any plan for it to not take over the basin. She stated that she would like a plan and that a schedule to inspect is not a plan to remove. Cowden stated that it can not even be brought to recycling because it grows through asphalt and concrete and there have been extensive plans to remove this. JR Clishan stated that they have no formal plan to remove but they will do so. MaryRose stated that it is very problematic and that David Lord probably has a plan and it could be an addendum. Cowden stated that he would like signage around the detention pond on the fence stating that it is not a snow shelf/no

dumping snow. Sakonchick asked what the concern is. Cowden stated – chemical ice melt, debris from the storage areas scooped up in the snow.

A five minute recess was taken.

The following motion was made by Munson, seconded by Magnan:

After duly considering all relevant factors, I move to approve application IW-A-15-009: IW-A-15-009: 35 Schoolhouse Rd based on the plans entitled “*Connecticut Self Storage of Milford, LLC, Milford, Connecticut*” by Kratzert, Jones & Associates, Inc. cover & 24 sheets dated 7/23/14 revised 2/10/15 , the information in the file and presented this evening,

This action will not have an impact or effect on the physical characteristics of the adjacent wetlands and watercourses. That is my motion.

With conditions including:

- The Permittee will submit a construction plan *prior* to taking out the permit.
- Wetland notification to be placed on the asbuilt and in the property deed to give notification to property owners that permits are required from the MIWA to work on the site.
- Signage on 50’ centers along the detention basin fence stating “No Snow Push, Stockpile or Dumping of Snow”
- A invasive species inspection and removal plan to be submitted and made part of the plan package.
- A permit condition bond to be calculated must be posted with the MIWA for S&E controls, wetland boundary markers, and an asbuilt showing finished 2’ contours and locating all site utilities and structures. The bond *may not* be released until the site is stabilized, the asbuilt and Engineers certification have been received, the site inspected and approved for compliance with the permit.
- The Permittee must submit a certification by the Project Engineer that the completed project meets the design intent of the approval *prior* to bonds being released.
- The permit is issued 4/1/15 expires 4/1/20 unless otherwise provided for in the Connecticut General Statutes.

The motion carried unanimously.

F. Planning & Zoning Transmittal Reviews

1. **IW-PA-15-011: 1613 New Haven Avenue, Seaview Cove, LLC** – proposal for 8 unit apartment building with no work proposed within 100’ of a wetland or watercourse in the South Central Shoreline Watershed.

MaryRose reported that this is a proposed 8-unit apartment building at 1613 New Haven Av. The site is located between the West Haven line and Anderson Ave across from Grove Street. No work is proposed within 100’ of a wetland or watercourse in the South Central Shoreline Watershed.

Site work is proposed approximately 600' from a Long Island Sound. With Sedimentation and Erosion controls as called for in on the plans and best management practices as described in the CT DEP "2002 Erosion and Sedimentation Control Guidelines" I think that this project will not have a negative impact on the wetlands and propose that I respond to the P&Z transmittal that the MIWA is not requiring a permit for this proposed activity. Should the plans change the MIWA Office will need to review the proposed changes to determine if additional permit is necessary at that time.

Munson moved to that the Designated Agent issue a Jurisdictional Ruling for pre-application IW-PA-15-011 1613 New Haven Avenue for the Planning & Zoning Transmittal for a 8-unit apartment building as shown the plans entitled "*Seaview Cove 8-30g Affordable Housing Project 1613 New Haven Avenue, Milford, Connecticut*" by CCG, cover 19 sheets dated 4/01/14, revised as follows sheets 1-5, 17 & 18 2/23/15, sheet 19 2/16/14 & sheet 20 5/21/14. *This action will not have an impact or effect on the physical characteristics of the adjacent wetlands and watercourses.*

The motion was seconded by Cegan and carried unanimously.

G. Minutes

A motion was made by Munson, seconded by DeFlumeri to accept the minutes of 3/18/15 as presented. The motion carried unanimously.

H. Staff Report

Site Status:

Burnt Plains Rd field meeting with Jennifer Beno.

Indian River Interceptor –waiting for work to resume in the Spring.

Meadowside Rd – work is ongoing.

Sanitary Sewers Infills No 2 (Plains Rd/Shelland St/High St/White Oaks Ter) - done for the winter. Final paving/stabilization will be in the spring.

Way Street work is ongoing,

Westmoor Road work is ongoing.

West Main Street is ongoing.

1595 Boston Post Rd project is starting

86 Old Field Lane has started

Collins noted that Meadow's End Road had no signage on the fencing. MaryRose will follow up with this.

Site walk rules were reviewed.

I. Chairwoman's Report

There will be a site walk on 4/9/15 at 4:00 p.m.

The next regular meeting will be on 4/15/15.

There will be a site walk on 4/28/15 at 4:00 p.m.

A motion to adjourn at 9:30 p.m. was made by DeFlumeri and seconded by Schopick. The motion carried unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lisa Streit".

Lisa Streit

These minutes have not been accepted or approved.