

Minutes of the Regular Meeting of the Inland Wetlands Agency on May 20, 2015.

A. Roll Call

Present: Cathy Collins, Jim Connors, Ken Cowden, Dave DeFlumeri, Carol Dunn, Brendan Magnan, Justin Margeson, Daniel Schopick and Steve Munson.

Absent: Allan Cegan and Lily Flannigan.

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

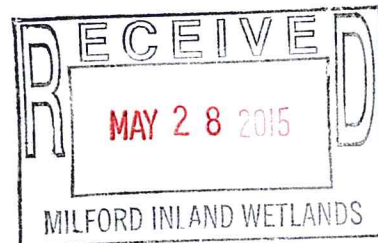
Collins called the meeting to order at 7:30 p.m. and deemed Dunn and Schopick the voting alternates and Schopick Acting Parliamentarian.

B. Pledge

All stood for the Pledge of Allegiance.

C. Public Comments

None.



D. New Business

1. **IW-A-15-020: 701 North Street, Stone Preserve, LLC** – proposed 63 unit residential community with construction, parking and grading within 150' of an offsite wetland or watercourse in the Wepawaug River Watershed.

MaryRose reported that this item is on the agenda for the first time this evening and can be heard at the 6/3/15 meeting.

E. Old Business

1. **IW-A-15-005: 0 Wheelers Farm 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. Due to a notice defect they we will be presenting their proposal at our next meeting. (The meeting location was changed to City Hall and members of the public were unable to attend due to the notice)

If you have any questions you would like the applicant to address at that time please forward them to the office so that a list can be compiled and forwarded to the applicant.

2. **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 IWA received the modification request and an attachment showing the changes from the original approval to the first modification to this modification request. Matthew Davison Tighe and 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 received included the following conditions of the MIWA approval:

- 500lb. 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 stock pile area.

IWA members received a memo from the City Engineer reviewing the proposed changes to the driveway and the addition of the catch basin and stormwater discharge. He had no issues.

Mike and AJ Grillo and Fred Mascia of Tighe & Bond were in attendance to answer questions.

Fred Mascia of Tighe & Bond stated that the traffic study for both West Avenue and School House Road have traffic exceeding their speed limits. They cannot get the sight distance for School House Road to work and for West Avenue they needed to adjust the driveway to address the Traffic Commissions concerns.

Magnan asked what the changes to the driveway were. Mascia stated that the driveway was moved 50' closer to the wetlands so they are within 27' of the wetlands and there is an 18' wall along the wetland side of the driveway. Magnan asked if MaryRose was comfortable with this. MaryRose stated that she was and that the

applicant has to go to Planning & Zoning, DEP and the Army Corps and may require additional revisions at that time.

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

Based on the plans entitled "*Application for Site Plan and Special Exception Grillo Services, LLC, Property at West Avenue and School House Road, Milford, Connecticut*" by Tighe & Bond, cover and 24 sheets, dated March 2015, and "*Drainage Calculations for the West Avenue Driveway, Composting Facility 553 West Avenue, Milford, CT*" by Tighe & Bond dated 4/23/15, information in the file and presented at the meeting I move to modify the permit IW-A-13-024: 553 West Avenue for the following reasons:

1. After duly considering all relevant factors:
 - a. There will be a minimal adverse environmental impact which will be mitigated by the use of sedimentation and erosion controls as set out in the modification.
 - b. The short-term impacts during the construction phase shall be mitigated by the following conditions in addition to the conditions on the original approval:
 - The work on the driveway/road/drainage will be done during the dry season from July to September.
 - A construction performance bond to be calculated must be posted with the MIWA for S&E controls, border plantings, wetland boundary markers and an asbuilt by a professional licensed in the State of Connecticut showing finished 2' contours and locating all site structures. The asbuilt must be received for the release of this bond.
 - A mitigation bond to be calculated will be held for a minimum period of three years with monitoring reports twice a year by the professional wetland scientist to the MIWA. If the benchmarks for success of the mitigation areas are not met by year three, two additional years of monitoring and reporting are required after the recommendations by the wetland professional are implemented. Once the benchmarks for success have been reached and final wetland professional report has been reviewed and approved, the mitigation bond may be released.
 - Any changes to the plan must be reviewed by the MIWA for compliance with this approval.
 - The permit was issued 7/24/13 and expires 7/24/18 unless otherwise provided by CT Statute.

The motion carried unanimously.

3. **IW-A-15-017: 0 Tanglewood Circle Lot 28, April Culver** – proposed single family home with construction, grading and filling in and within 100' of wetlands in the Housatonic River Watershed.

MaryRose reported that this is a proposal for a single family home with construction, grading and fill in and within 100' of a wetland in the Housatonic River Watershed. This proposal for 0 Tanglewood Circle Lot 28 is to fill 1,836 sq. ft. of wetlands for the construction of a house and yard and access to a septic system for a single family home. The applicant is proposing to use a rubble wall to delineate the edge of the filling and the wetland and to create 1,010 sq. ft. of wetland mitigation. They are also proposing a pervious driveway with a gravel reservoir area for stormwater treatment. A petition has been received with 51 signatures requesting a public hearing on this application.

Due to the complexity of the application MaryRose recommended that the Agency hire a consultant for a 3rd party review and walk the property.

Bob Wheway of Codespoti & Associates was in attendance to present the proposal. He stated that they tried to minimize the impacts. They did go to ZBA to help reduce the amount of filling and the 1st application would have had a 20' setback from the front and this was denied. The 2nd application was with a 30' setback and this was approved. The house has a 1,600 sq. ft. footprint with a 16' rear yard. They are proposing a rubble wall for demarcation at the end of this. There will be a temporary disturbance at the north end for installation of the septic system as approved by the Health Department 08/14. They are in Housatonic 6000-81-1 watershed basin. He proceeded to review the drainage flow of the site. The wetlands were flagged by Otto Theall in May 2014 and this report was submitted. Matt Popp, Environmental Land Solutions, was on site as well and performed an assessment and his report has been submitted. There will be public utilities except for sewer. Porous pavement is being proposed for the driveway. Roof leaders will go through the system and there will be a zero increase in runoff.

Collins stated that the map shows a combined lot and asked if the applications would be combined. Wheway stated that they want to keep the applications separate and he will provide a separate map. Collins agreed that a third party review and site walk is needed.

No action taken.

4. **IW-A-15-018: 0 Tanglewood Circle Lot 29, April Culver** – proposed single family home with construction, grading and filling in and within 100' of wetlands in the Housatonic River Watershed.

MaryRose reported that this is a proposal for a single family home with construction, grading and fill in and within 100' of a wetland in the Housatonic River Watershed. This proposal for 0 Tanglewood Circle Lot 29 is to fill 3,919 sq ft of wetland with 16,043 sq. ft. of work in the upland review area for the construction of a house and yard and access to a septic system for a single family home. The applicant is

proposing to use a rubble wall to delineate the edge of the filling and the wetland with no wetland creation proposed. They are also proposing a pervious driveway with a gravel reservoir area for stormwater treatment. We have received a petition with 51 signatures requesting a public hearing on this application. Due to the complexity of the application she recommended that the IWA hire a consultant for a 3rd party review and a site walk to be held.

Bob Wheway of Codespoti & Associates reviewed that this is similar to the previous application but that there is no opportunity for mitigation on this site. Schopick asked if combining the lots was considered. Wheway stated that the owner is not willing to explore combining the lots.

No action.

F. P & Z Subdivision Transmittal Reviews

- 1. IW-PA-2015-019: 30 East Broadway, Beach Village, LLC** – proposed building change in use from commercial to residential with no work proposed within 100' of a wetland or watercourse in the South Central Shoreline Watershed.

MaryRose reported that this is a Planning & Zoning Transmittal for a proposed change of use for two existing buildings in an existing condominium from commercial to residential at 30 East Broadway. There are no wetlands on the property and therefore should be no impact from the proposed change of use.

A motion was made by Connors, seconded by Magnan:

That the Designated Agent issue a Jurisdictional Ruling for pre-application IW-PA-15-019, 30 East Broadway for the Planning & Zoning Transmittal for change of use from Commercial to Residential as shown the plans entitled "*Amendment to Special Permit Beach Shore Village 30 East Broadway Buildings A & D, Milford, CT*" by CCG, cover and 9 sheets, dated as follows: sheets 1-6 3/04/15, Sheet A-1 bldg A 4/15/04, rev 3/3/15, A-2 bldg 5/06/03 rev 3/3/15, A-1 bldg D 12/19/14 rev 1/26/15, A-2 bldg D 4/15/04 rev 2/17/15. This action will not have an impact or effect on the physical characteristics of the adjacent wetlands and watercourses. That is my motion.

The motion carried unanimously.

G. Minutes

- A motion was made by Connors, seconded by DeFlumeri to accept the minutes of the 4/15/15 Regular Meeting as presented. The motion carried with Magnan abstaining.
- A motion was made by Connors, seconded by DeFlumeri to accept the minutes of the 4/23/15 Site Walk as presented. The motion carried unanimously.
- A motion was made by Connors, seconded by Magnan to accept the minutes of the 4/28/15 Site Walk as presented. The motion carried with Flannigan abstaining.

H. Staff Report

MaryRose thanked the IWA members for their work on the three meetings and two site walks in April. The office is busy with the complex applications presented this evening; there has been a lot of public interest in these applications.

The June DEEP- Legal and Administrative Updates Training will be 9 to 12:30
Friday June 19, 2015 DEEP Marine Headquarters, Old Lyme
Wednesday June 24, 2015 DEEP Sessions Woods, Burlington
Wednesday July 1, 2015 Northeastern CT Council of Governments, Dayville
Please let the office know if you would like to attend.

Site Status:

Burnt Plains Rd field – I received the report due 5/15 this morning (5/20).
Indian River Interceptor –ongoing.
Meadowside Rd – work is ongoing.
Sanitary Sewers Infills No 2 (Plains Rd/Shelland St/High St/White Oaks Ter) -
Final paving/stabilization work ongoing.
Way Street work is ongoing,
Westmoor Road work is ongoing.
West Main Street is ongoing.
1595 Boston Post Rd project is ongoing.
86 Old Field Lane is ongoing.

Munson stated that he missed May 6th meeting would like the tapes of the meeting.
MaryRose will see that he gets them.

I. Chair's Report

- Thank you all for attending and reviewing all of the material we have received on our recent applications. I don't know that the public realizes that there is a lot of time and effort that goes into being a volunteer IWA Commissioner. Thank you for all your work at this busy time of year.
- The next meeting will be June 3 in the Board of Education Meeting room which is located on the first floor of this building on the Wasson Field side.
- 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.

There being no further business to discuss, a motion was made by Connors, seconded by DeFlumeri to adjourn at 8:20 p.m.

Respectfully submitted,


Lisa Streit

These minutes have not been accepted or approved.