

Minutes of the Regular Meeting of the Inland Wetlands Agency on August 19, 2015.

A. Roll Call

Present: Cathy Collins, Dave DeFlumeri, Jim Connors, Ken Cowden, Carol Dunn, Lily Flannigan, Justin Margeson and Daniel Schopick.

Excused: Allan Cegan, Brendan Magnan and Steve Munson.

Also Present: Joe Griffith, MaryRose Palumbo and Kathy Kennedy.

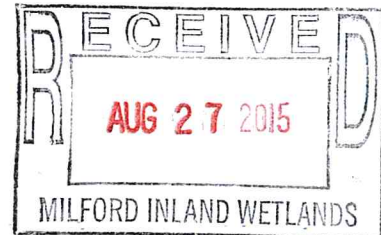
Collins called the meeting to order at 7:30 p.m. and deemed Dunn and Schopick the voting alternates.

B. Pledge

All stood for the Pledge of Allegiance.

C. Public Comments

None.



D. New Business

1. **IW-PA-15-035: 28 Way Street, Map 25, Block 217, Parcels 7 & 15.** Warren Field proposed a 12' x 12' wood cabana with construction within 100' of a wetland in the Housatonic River Watershed.

This is a pre-application proposal by Warren Field for a cabana at the recently constructed home on 28 Way Street. Mr. Field would like to put a 12' x 12' wooden cabana in the rear yard approximately 22' from the wetland line. The rear of the yard is wooded with a split rail fence with boundary markers and plantings installed to the East of the site. The wetlands are along the Eastern property line. Warren Field was present to answer questions.

Mr. Field stated he resides at 28 Way Street and that his backyard butts up to Stevens Ford, which he pointed out is all woods. He stated he chose that side because of the seclusion. He explained the structure would be 12' x 12' with piers under it.

Chairwoman Collins asked what would be under the structure.

Mr. Field replied nothing. He stated it would be 2' above, no gravel. He stated he was concerned with animals nesting underneath.

Chairwoman Collins asked why it was not more than 22'.

Mr. Field stated he did not want to take any more trees down.

Chairwoman Collins stated this was a pre-application, so the Agency did not have to act or they could do so, if that was the desire of the Agency.

Commissioner Cowden asked about a small rain garden being put in to collect roof water.

Mr. Field stated there are no water issues.

Commissioner Connors added that tree roots suck up the water quickly.

Commissioner Dunn asked what the canopy would look like.

Mr. Field stated the structure would be more like a gazebo, with peaks and open on all 4 sides.

Commissioner Flannigan asked the purpose of the structure.

Mr. Field stated it was for his relaxation.

Commissioner Flannigan asked if any cooking would be done on the gazebo.

Mr. Field replied no.

Compliance Officer Palumbo stated there was a previous approval for a split rail fence with plantings; however, the deer love the plants more. She also stated it was possible there could be a small rain garden. Compliance Officer Palumbo asked about a splash pad.

Mr. Field stated the rains are pretty much sucked into the ground rather quickly.

Compliance Officer Palumbo suggested the Agency decide what to do with the roof drainage.

Chairwoman Collins asked if that was what the enforcement officer was looking for.

Mr. Field commented there is very thick brush in the area of the gazebo.

Commissioner Dunn asked if it was a flat surface or slope.

Mr. Field stated it is flat.

Commissioners' Connors and DeFlumeri moved that the designated Agent issue a Jurisdictional Ruling for pre-application IW-PA-15-035: 28 Way Street for the

construction of a 12' x 12' cabana as shown on the sketch on the plan entitled *Existing Building Location Survey* #28 Way Street, Milford, Connecticut by Codespoti & Associates, P.C., 1 sheet dated 3/13/14 revised 7/15/15 with the following conditions: a small rain garden be installed. Motion carried unanimously.

E. Old Business

A motion was made by Connors, seconded by DeFlumeri to hear items E.1 IW-A-15-017 "0" Tanglewood, Lot 28 and E2 IW-A-15-018 "0" Tanglewood Lot 29 together. The motion carried unanimously.

1. **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. [5/6/15] [5/20/17] [7/10/15] [9/13/15]
2. **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. [5/6/15] [5/20/15] [7/10/15] [9/13/15]

MaryRose reported that these proposals are for two single family homes with construction, grading and fill in and within 100' of a wetland in the Housatonic River Watershed. She stated she anticipated having the third party review report by the end of August. Compliance Officer Palumbo stated she would email agency members a copy of the report when she received it. She asked if anyone had any additional information to please let her know so she could let the applicant know.

The proposal for Lot 28 is to fill 1,836 sq. ft. of wetland with 13,052 sq. ft. of work in the 100' upland review area for the construction of a house and yard and access to a septic system for a single family home.

The proposal for Lot 29 is to fill 3,919 sq. ft. of wetland with 16,043 sq. ft. of work in the 100' upland review area for the construction of a house and yard and access to a septic system for a single family home.

3. **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.

Compliance Officer Palumbo reported 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. She stated the Agency

walked the property on April 9, 2015 for application IW-A-15-020 and that Attorney Lynch asked that the information be incorporated as part of the file.

She stated this Agency has hired LBG to do a Third Party review of the application and that their report should be ready by the last week of August. Compliance Officer Palumbo stated she walked the property with the city's consultant and the applicant's consultant on 8/3/15. She stated she anticipated correspondence before the next meeting of the Agency.

Chairwoman Collins asked if the next meeting would be held at City Hall.

Ms. Palumbo replied yes. Compliance Officer Palumbo stated once North Street is open, the Agency has 5 weeks to close it, as well as the other property.

Chairwoman suggested the opening be held September 16th and to keep the process moving forward to get the applications off the agenda.

The Agency was in agreement it would be done on 9/16/15.

Chairwoman Collins stated the Agency could: 1) Schedule a site walk; 2) Request additional information review' or 3) Schedule a public hearing, giving sufficient time for the consultants review to be submitted and reviewed by the applicant.

Commissioner Connors stated that a public hearing regarding application IW-A-15-020, 701 North Street would be in the public interest and moved that a public hearing be scheduled to 9/16/15. Schopick seconded the motion. Motion carried unanimously.

4. **IW-PA-15-032: 6 Wayne Road, Map 103, Block 702, Parcel 1-L; Matthew Battaglia**, Proposed 16' x 12', 2-story addition with construction with 100' of a wetland in the South Central Shoreline Watershed.

This is a pre-application request for a 16' x 12' 2-story rear addition with work within 47' of a wetland in the South Central Shoreline Watershed. Mr. Battaglia is proposing to replace his existing 16' x 16' deck that was approved when the house was constructed in 2003 with a 16' x 12' addition with a bedroom on the first floor and a sunroom on the second floor. Compliance Officer Palumbo explained the photographs being passed around showing the East side of the house with the existing deck and undisturbed vegetation in the buffer area to the wetland line which is beyond the large tree with the plaque. She stated the house; deck and grading were permitted with a Jurisdictional Ruling in 2003. The site is stable and fairly unchanged from the time the final inspection was done in 2008. The property owners did come to the Agency in 2012 to remove the trees from the rear property line that were dropping limbs into the yard and removal of invasives. She stated the site is in compliance with that approval.

Chairwoman Collins expressed concern with the run-off and potential for rain gardens or other alternatives. She noted it appears the grading is steep.

Matthew Battaglia, 6 Wayne Road – stated he was proposing a 12' rain garden.

Chairwoman Collins asked the proposed location of the rain garden.

Compliance Officer Palumbo stated the architect would decide the pitch. She asked the homeowner if he would like the rain garden to the side of the house or elsewhere.

Mr. Battaglis stated the best location would be the side of the house.

Commissioner Schopick asked if they were using the existing pilings from the current deck.

Mr. Battaglia stated he would leave that decision to the architect.

Chairwoman Collins stated the Agency would also like to see erosion controls.

Compliance Officer Palumbo explained a silt fence would work best, adding it would be reasonable in cost, or if the homeowner wished, he could go with coir fiber logs. She also stated proper erosion controls would be required per the 2002 CT-DEEP Sedimentation and Erosion and Control Manual, as well as a 12' square foot rain garden.

Commissioners' Connors and Schopick moved that the Designated Agent issue a Jurisdictional Ruling for pre-application IW-PA-032: 6 Wayne Road for the construction of a 12' x 12' 2-story addition shown on the sketch on the plan entitled "As-built Survey prepared for Standish Home Builders, Inc. 6 Wayne Road, Milford, Connecticut" by CCG, 1 sheet dated 12/15/07 with the following conditions: silt fence and 12' rain garden. The Jurisdictional Ruling is issued 8/19/15 and will expire on 8/19/20. The action will not have an impact or effect on the physical characteristics of the adjacent wetlands and watercourses.

Commissioner DeFlumeri asked if it was 12' x 12' or 16' x 12'.

Compliance Officer Palumbo clarified it was 16' x 12'.

Commissioner Connors amended his motion to reflect it was 16' x 12'. Commissioner DeFlumeri seconded the amendment. The amendment carried unanimously.

On the main motion, motion carried unanimously.

F. Minutes

A motion was made by Schopick, seconded by DeFlumeri to approve the minutes of 8/5/15 meeting as presented.

Chairwoman Collins pointed out Commissioner Cegan did not vote as he was not at the 7/7/15 or 7/15/15 meetings.

The motion carried as corrected.

H. Staff Report

Compliance Officer Palumbo reported the CACIWC Annual Meeting will be held at the Villa Capri in Wallingford on Saturday, November 14, 2015. She asked the members of the Agency to consider joining her at this training event. Dr. Klemens will be the keynote speaker this year. She asked the Agency members to contact Barbara in her office if they would like to attend. Compliance Officer Palumbo stated Commissioners' Collins, Margeson, Flannigan, Dunn and Cegan had already expressed interest in attending.

Site Status:

Burnt Plains Road field – will be meeting Scott Farquharson before the next meeting to review the status.

Indian River Interceptor – ongoing.

Sanitary Sewers Infills No. 2 (Plains Road/Shelland Street/High Street/White Oaks Terrace) – final paving/stabilizing work ongoing.

Way Street work is ongoing.

West Main Street is ongoing – mitigation plantings are in.

1595 Boston Post Road – project is ongoing.

86 Old Field Lane is ongoing.

220 Rock Lane is ongoing.

134-142 Old Gate Lane – parking lot is completed, foundation poured.

Naugatuck Avenue – site preparation for the remediation work at the Devon Station has begun. Once the site is prepped there will be a dredge working in that area of the Housatonic River.

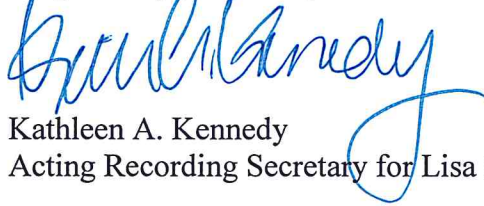
Compliance Officer Palumbo also commented September would be a busy month with 2 public hearings. She asked members to let her know if they would be unable to attend one or both of the meetings. She stated the meetings would take place 9/2/15 and 9/16/15,

I. Chair's Report

The next meetings will be 9/2/15 and 9/16/15. She too reminded members to let Ms. Palumbo know if they could not attend the meetings. She also stated she wanted to publicly thank the agency for always being prepared and trained for what they do. Discussion ensued regarding public comment at the meetings.

A motion was made by Connors, seconded by Flannigan to adjourn at 8:14 p.m.

Respectfully submitted,



Kathleen A. Kennedy
Acting Recording Secretary for Lisa Streit

These minutes have not been accepted or approved.