

Minutes of the Regular Meeting of the Inland Wetlands Agency on November 04, 2015.

**A. Roll Call**

Present: Ken Cowden, Dave DeFlumeri, Carol Dunn, Lily Flannigan, Brendan Magnan, Justin Margeson, Steve Munson and Daniel Schopick.

Absent: Cathy Collins, Allen Cegan and Jim Connors.

Also Present: MaryRose Palumbo and Lisa Streit.

Magnan called the meeting to order at 7:30 p.m. and appointed 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-M-14-002: 1595 Boston Post Road, C & G Milford, LLC** – site redevelopment with removal and construction of buildings, drainage and grading in and within 100' of a wetland or watercourse in the Indian River Watershed. Modification to permit.

MaryRose reported that this is a modification request for the Milford Square project (former Smiles site) at 1595 Boston Post Road. The Agency approved this project with conditions and bond on 1/22/14. The permittee is proposing additional work as a response to a CT-DOT requirement to stabilize the headwall of an existing drainage pipe, the sidewalk and the shoulder of the Boston Post Road. This proposed change will pipe approximately 48 linear feet of Tumble Brook to a fore bay and rip rap energy dissipater as shown on the plan. Jennifer Beno of Soil Science and Environmental Services reviewed the site in 2013 for the original application and in October 2015 for this modification request. Her report was in your mail packets. Ms. Beno has stated that the primary function of Tumblebrook in this area is conveyance of water and that function will remain after the construction of this modification proposal. The proposed fore bay will allow for the collection of sediments and solids which will be removed on a regular basis as part of the site stormwater maintenance plan.

Additionally the permittee is proposing to expand the larger building on the site. This expansion is over the approved parking area and will not have an impact or affect on the stormwater or impervious surface of the site as there is no change in

the amount of impervious surface. The project is under construction, bonds have been posted and the following conditions of approval remain outstanding:

- 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.
- 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.

These items are typically taken care of at the close of the project. Ray Paier of Westcott & Mapes was in attendance to answer any questions.

Ray Paier, Project Engineer, stated that the prospective tenant requested 20' more in the rear; this will have no impact. There have been 5 DOT members at the site and they have had concerns for many years with the wall at Tumblebrook. They want an extension of the culvert and improvement of the fore bay for trapping sediments. Water quality would be improved with this plan. It will be a 4:1 slope that will be planted. There will be no habitat benefit to planting of the slope; it is a water conveyance course.

Magnan stated that per the report from Jen Beno there will be no significant impact, the function will continue and the water quality will be improved.

Flannigan questioned that there will be no change other than what DOT is requiring. MaryRose stated that there will also be a change to the building, but this is over the parking lot so there will be no change to the amount of paved area.

The following motion was made by Schopick, seconded by DeFlumeri:  
Based on the plans entitled "*Proposed Commercial Development 1595-1645 Boston Post Road, Milford, Connecticut*" by Westcott & Mapes, Inc., 9 sheets, dated as follows: Z-1: 12/19/2013, C-1: 12/19/2013 revised 10/19/2015, 6 & 7: 10/2/2015, 7A: 10/19/2015, A-2, A-3, A-5 & A-6: 9/10/2014 revised 10/26/2015 information in the file and presented at the meeting after duly considering all relevant factors I move to modify the permit IW-A-14-002: 1595 Boston Post Road for the following reasons:

- There will be a minimal adverse environmental impact which will be mitigated by the use of sedimentation and erosion controls and plantings as set out in the modification.
- The short-term impacts during the construction phase shall be mitigated by the following conditions in addition to the conditions on the original approval:
  - a. All invasive plants (Japanese Knotweed, etc.) are to be properly removed and disposed of following State guidelines for disposal.



- b. Management of invasive plants to be included in the long-term landscaping and maintenance of the property.
  - 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.

#### **E. Proposed 2016 Meeting Dates**

The proposed meeting dates are for the 1<sup>st</sup> and 3<sup>rd</sup> Wednesdays of the month. There are no changes required for holidays. A motion was made by Schopick, seconded by DeFlumeri to accept the 2016 MIWA Meeting Schedule as presented. The motion carried unanimously.

#### **F. Minutes**

A motion was made by Schopick, seconded by DeFlumeri to accept the minutes of the 10/21/15 meeting as presented. The motion carried unanimously.

#### **G. Staff Report**

Reminder for upcoming training:

CACIWC is November 14<sup>th</sup> in Wallingford at the Villa Capri. The training runs from 8:30am to 4:00pm and the following people are signed up Cathy, Al, David, Lily, Carol and MaryRose will be attending.

##### Site Status:

Indian River Interceptor –We continue trying to work towards a solution with the Sewer Commission's consultants to get the contractor to comply with their permit. CT-DOT has required that the job be finished and/or the road be stabilized for the winter by November 13, 2015 with final paving in spring 2016.

Way Street work is ongoing,

West Main Street is complete waiting on asbuilt. Mitigation area is in and will be monitored for 3 years.

1595 Boston Post Rd project is ongoing.

86 Old Field Lane is ongoing.

220 Rock Lane is ongoing

134-142 Old Gate Lane is ongoing.

CT-DOT work the cells under the I-95 Bridge over the Wepawaug is ongoing  
CT-DOT work on the bridge over the Wepawaug is ongoing. MaryRose has inquired  
about tree replacements in the area of the tree removal and is waiting to hear back.

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

#### **H. Chair's Report**

Thank you all for the time and effort you have put in reviewing the applications before us.

The next regular meeting will be on November 18, 2015.

There being no further business to discuss, a motion was made by Schopick, seconded by DeFlumeri to adjourn at 7:50 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.