

Minutes of the Regular Meeting of the Inland Wetlands Agency on December 16, 2015.

**A. Roll Call**

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

Also Present: Jeremy Grant, Board of Aldermen, MaryRose Palumbo and Lisa Streit.

Collins called the meeting to order at 7:30 p.m.

**B. Pledge**

All stood for the Pledge of Allegiance.

**C. Public Comments**

None.

**D. New Business**

1. **IW-A-15-064: 0 Tanglewood Circle, Lot 28, April Culver** – proposed single family home with construction, grading and filling within 100' of a wetland or watercourse in the Housatonic River Watershed.

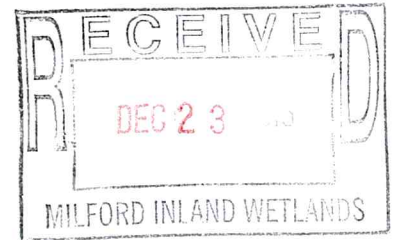
MaryRose reported that this item is on the agenda for the first time and can be discussed after 12/30/15.

2. **IW-A-15-065: 0 Tanglewood Circle, Lot 29, April Culver** – proposed single family home with construction, grading and filling within 100' of a wetland or watercourse in the Housatonic River Watershed.

MaryRose reported that this item is on the agenda for the first time and can be discussed after 12/30/15.

**E. Inland Wetland Training Summary**

1. **2015 DEEP-IWA Legal and Administrative Update** – this is the seminar from the Attorney Generals office in June. Information was distributed. The following case reviews of Board Member liability were reviewed:
  - a. Harding v Borner
  - b. Yorgensen v Chapdelaine vs the Town of Eastford
  - c. Cocchiola Paving v Oxford Conservation Commission
  - d. Village at Brook Crossing Homeowners Association v IWA Town of Washington



- e. Sard Custom Homes v West Hartford Planning & Zoning Commission/IWA
  - f. Patchen v Milford IWA
2. **CT Bar Association Land Use Seminar** – Public Hearing procedures were reviewed. Legislative changes to Public Act 15-68 regarding notices and postings was reviewed. Public Act 15-84 on appeals was reviewed.
3. **CACIWC** – this was on rain gardens with Dr. Klemens speaking on species. Flannigan stated that she went to the seminar on dredging and noted that just the act of dredging is a disruption to the whole wetland process; removing and relocating material, what is in it, where it is being placed, etc. A discussion followed regarding dredging the 4 ponds in Milford – Eisenhower, North Street, City Hall and Stonebridge.

DeFlumeri stated that based on all of the information from all of the seminars, every year we have to compromise resources and wetlands are becoming less and less. They are dwindling at a fast rate but the state doesn't look at it that way. MaryRose stated that the connectivity of habitats was discussed and the effects from the wetlands. Connors stated that the Milford IWA is more sophisticated than some towns.

MaryRose stated that there has to be a good reason to disbelieve an expert and that reason must be on record. The upland review area is to protect the wetlands and can not be more restrictive than the wetlands. There is a new City Engineer that started a few months ago.

#### **F. Minutes**

A motion was made by Connors, seconded by DeFlumeri to accept the minutes of the 11/04/15 meeting as presented. The motion carried unanimously.

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

Steve Johnson, Open Space co-coordinator is working on the project to replace the boardwalk at Beaver Brook Trail. In meeting with the potential project design firms it is apparent that geotechnical borings will be necessary and critical to the design of the structure. Using minimally invasive means a boring contractor will need to access the former boardwalk area to obtain the necessary data. Once MaryRose has the information on the method and means of the proposed work she asked if she can she issue a JR for obtaining the geotechnical data. The work could happen as early as the first week in January if the weather holds. It is anticipated that the application will be before the Agency in late February or March.

After some discussion, it was deemed that a Licensed Environmental Professional is to oversee the borings.

Site Status:

400 Burnt Plains Rd – request for CO release. This was denied.

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.

MaryRose met with Westcott & Mapes and Go Environmental yesterday to review the waste storage area and erosion and sedimentation controls.

Way Street work is nearly complete waiting on clarification from site Engineer for construction bond release.

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.

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

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

Collins thanked two members who will not be returning next year. Cegan and Margeson have opted to not be reappointed to a new term. Cegan has been with the Agency since 2004 through some interesting applications (Milford Marketplace Prospect Falls, Garden Homes). He has received his DEEP certificate and annually attends the DEEP updates and CACIWC programs. The Agency has benefited from his many years serving on various City Boards and Commissions. Justin has been with the Agency since 2011 and served as the Chair of the Regulations subcommittee. We will miss his dedication to the Agency.

The next meeting will be our Organizational and regular meeting on January 6, 2016. Please check the location of the meeting when you receive your agenda, we may need to move to a larger room. If you are being reappointed please be sure to be sworn in either at the Aldermanic meeting on January 4 at City Hall or on January 5<sup>th</sup> or 6<sup>th</sup> from 8:30-5 in the City Clerk's office.

Please let the office know if you cannot attend.

There being no further business to discuss, a motion was made by Connors, seconded by DeFlumeri to adjourn at 8:45 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.