

A. Roll Call

Present: Cathy Collins, Jim Connors, Ken Cowden, Dave DeFlumeri, Carol Dunn, Lily Flannigan, Brendan Magnan, Steve Munson, Daniel Schopick and Philip Zetye.

Also Present: DPLU Director Joe Griffith, 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. Old Business

- 1. IW-A-16-001: 226 Baxter Lane, Victor Rosado** – proposed addition, indoor basketball court, patio and pool with construction and grading in and within 100' of a wetland or watercourse in the South Central Shoreline Watershed.

MaryRose reported that this is a proposal by Victor Rosado for two additions totaling 2,008 sq. ft. to the existing single family home, a 50' X 100' building for an indoor basketball court, a 30' X 22' in-ground pool, and an irregular patio expanded to roughly 100' X 40'. The proposed work requires the filling of 615 sq. ft. of wetlands, the temporary disturbance of 819 sq. ft of wetlands for the construction. The applicant is proposing to enhance or create 11,416 sq. ft. of wetlands.

The Agency site walk was held yesterday, May 31st. A second site walk will need to be scheduled for the property with Connors, Dunn, Flanagan, Magnan and Schopick.

Joseph Codespoti, Jr. of Codespoti & Associates and Mr. Rosado were present to answer any questions. The application was received on 4/20/16 and the 65 day review will expire on 6/22/18.

Collins stated that the area by the wall, below the pool, was very wet and is a concern. She is concerned that this area is a seasonal water body and proposed to be filled and likely provides habitat for turtles and salamanders (the area between wetland flags 7-5). Codespoti identified the area on the plan. Munson stated that per Mr. Popp the ponding is about 1' deep. Codespoti agreed. It was questioned if this area is a vernal pool. DeFlumeri asked if the Soil Scientist saw wildlife on site. Collins stated that per the report none were seen on site but she questioned how many times was the site visited and what time of year. Dunn asked what kind of turtles, salamanders, frogs are on site. Cowden stated that flag areas 9, 10 and 11 had standing water also; the whole area seemed saturated. Rosado stated that there was 1.3" of rain on Sunday/Monday. Collins noted that this area is part of the Calf Pen Meadow Creek; part of a whole system.

Zetye referenced page 2 of the report noting ground water recharge, discharge and flood flow alteration and questioned if a Third Party Review would be needed. Collins stated that she feels filling would have an impact and that a Third Party Review would be needed.



Codespoti stated that they are creating a 3:1 ratio. Collins questioned how long it would take to build and how long creation would take. Codespoti stated that it would probably be a six month project. MaryRose stated that the NDDB may dictate the timing of construction.

The Agency felt that both a third party review and a public hearing would be necessary. Trees proposed to be removed were discussed and the effect on the canopy. Cowden stated that any tree over 10' in diameter should be looked at. Munson asked how tall the indoor court building would be. Rosado stated almost 30'. Munson stated that this would provide shade and also affect the canopy. Codespoti stated that the two existing houses block sunlight now.

Collins asked if there was any reason the pool isn't proposed in the grass area. Rosado stated that would put the pool in the front of the house and would be a zoning issue. He further stated that the area by wetland flag 11 never has water and that must have been from the rain.

MaryRose explained to Mr. Rosado what a third party review and public hearing entail; drainage report, species assessment, quotes, a contract and work done. Magnan asked if Mr. Popp could come to the next meeting; he may be able to answer questions/concerns.

The agency discussed that historically a Public Hearing is held whenever there is filling of a wetland and the consensus that a third party review would be needed.

Rosado stated that he would like to avoid a third party review and the cost for such and would rather redesign the project. Collins stated that if there is a vernal pool on the property this would be a huge concern. MaryRose stated that April to June is vernal pool season and she could speak to Mr. Popp to see when he went out on site. Rosado stated that Mr. Popp has been on site 3 times already.

Mr. Rosado stated that he would redesign the plan. Codespoti stated they would submit an alternate plan and include Mr. Popp's input/supplemental report to the revisions. MaryRose stated that she would poll the IWA for a site visit once the plans have been submitted.

No action taken.

2. **IW-V-16-026: 321 New Haven Avenue, Beach Bum Holdings** – deposition of soil and material with work in and within 100' of a wetland or watercourse in the Indian River Watershed without a permit.

This is a violation for work within 100' of a wetland in the Indian River Watershed. At the 5/4/16 meeting the Agency upheld this violation and asked for additional information to be submitted by 8/1/16. No action taken.

3. **IW-V-16-027: 1646 New Haven Avenue, Judith K. Rosehill** - Deposition of soil and material with work in and within 100 ft. of a wetland or watercourse in the South Central Shoreline Watershed without permit.

MaryRose reported that this is a violation for work within 100' of a wetland in the Indian River Watershed. At the 5/4/16 meeting the Agency upheld this violation and deferred further action until the Southwest Conservation District and the City Engineer could review the site. That has been scheduled for the June 9th. No action taken.

4. **IW-A-16-028: 70 Kay Avenue, City of Milford Board of Education** – proposed parking lot expansion with crossing, construction and grading in and within 100' of wetlands in the Housatonic River Watershed.

MaryRose reported that this is a proposal for a 40-space parking lot expansion at West Shore Middle School on Kay Avenue. The proposal is to disturb 2,141 sq. ft. of wetland for a crossing to access an upland area for parking necessitated by an expansion at the school. There is also approximately 20,285 sq. ft. of upland review area that will be disturbed for the proposed parking lot.

The Agency has scheduled a site walk for June 7th at 4:30 PM. Please let the office know if you are unable to attend. She asked if there was any additional information that the Agency would like to see at this time. This application was received on 5/04/16 and the 65-day review will expire on 7/08/16. No action taken.

5. **IW-16-032: 553 West Avenue, Kingdom Life Church/City of Milford** – proposed replacement boardwalk and nature trail with construction, grading and filling in and within 150' of wetlands in the Beaver Brook Watershed.

MaryRose reported that this is a proposal to replace the Boardwalk at the Beaver Brook open space area in the Beaver Brook watershed. The boardwalk burned down in 2012 in a brush fire. The applicant is proposing to restore the parking area with storm water management, regrading of the trail for handicapped accessibility, reestablish the boardwalk and manage invasive species. The work includes the disturbance of 8,000 sq. ft. of wetlands and 24,385 sq. ft. of upland review area. They are proposing to enhance or create 17,100 sq. ft. of wetland area.

The Agency has scheduled a site walk for June 7th at 5:15 PM. Please let the office know if you are unable to attend. Because of the damaged boardwalk we will be meeting first by the Cell tower in the rear of Motel 6 to access the western portion of the proposed work area and then we will drive around and park near the park entrance at 553 West Avenue to view the eastern area of the proposed work. She asked if there was any additional information that the Agency would like to see at this time. This application was received on 5/04/16 and the 65-day review will expire on 7/08/16.

E. Planning & Zoning Transmittal

IW-PA-16-015: 240 Fresh Meadow Lane, Donna Standish - Proposed 2-lot subdivision with no site work proposed within 150' of a wetland in the Wepawaug River Watershed. Required intersection improvements to West River Street and Fresh Meadow Lane will be within 150' of an offsite wetland. This is a P&Z transmittal for 2-lots with no wetlands or wetland work within 150' in the Wepawaug River Watershed. The Applicant is being required to widen the intersection of Fresh Meadow Lane and West River Street which is within ±30' of an offsite wetland. They are proposing to widen the road about 20' on the upland side with some drainage improvements, and to bring sanitary sewer City water to the two proposed new houses and the existing house at 660 West River Street.

MaryRose reviewed the plans. After some discussion, the following motion was made by Connors, seconded by Schopick: that the Designated Agent issue a Jurisdictional Ruling for pre-application IW-PA-16-015: 240 Fresh Meadow Lane for a 2-lot subdivision with road improvements shown on the plan entitled "*Subdivision 240 Fresh Meadow Lane, Milford, Connecticut*" by CCG cover & 12 sheets dated 2/25/16 with conditions including:

- there will be no work within 25' of the wetlands on the property,

- proper soil erosion and sedimentation controls must be installed and maintained while the site is disturbed,
- Any dewatering will require silt sacks or frac tanks to protect the receiving wetland.
- a bond to be calculated must be posted with the MIWA for S&E controls, and an asbuilt showing finished 2' contours and locating all site structures. Construction
- *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.

F. Minutes

A motion was made by Connors, seconded by Schopick to accept the minutes of 5/18/16 as presented. The motion carried unanimously.

G. Staff Report

- MaryRose sent out an email last month and a flyer at the last meeting for DEEP Legal seminar training. There are 3 dates:
6/21/16 at Session Woods in Burlington, 6/28/16 at the Kellogg Center in Derby
7/7/16 at Fort Trumbull in New London
This is legal update training that runs from 9 until 12:30. The presentations are by the Attorney General's office and copy pertinent cases and recent legislation impacting Inland Wetland Agencies. Please let the office know if you are interested in attending.

- Site Status:
 - Indian River Interceptor –work is ongoing.
 - 1595 Boston Post Rd project is ongoing.
 - 86 Old Field Lane is ongoing
 - 220 Rock Lane is ongoing
 - 605 Orange Ave is ongoing
 - Edgefield Avenue sewer work will start in mid-June.

Work is complete and mitigation bonds held on:

- Way Street bond held until fall 2018,
- West Main Street bond held until fall 2018
- 134-142 Old Gate Lane bond held until Spring 2016

The Office has been extremely busy with inquires and complaints, she is following up as quickly as she is able.

Collins asked about the Walter Pond site status. MaryRose stated that it has been planted and some have survived. This project was sent over to the City Attorney's office last week.

F. Chair's Report

- There is a site walk on 6/7/16 at 4:30 at 70 Kay Avenue.
- There is a site walk on 6/7/16 at 5:15 at 553 West Avenue.
- The next regular meeting will be on June 15, 2016.

There being no further business to discuss, a motion was made by Connors, seconded by DeFlumeri to adjourn at 8:40 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.