

A. Roll Call

The following Commission Members were present:

Chairwoman Cathy Collins, Commissioner Jim Connors, Commissioner Ken Cowden, Commissioner Daniel Schopick, Commissioner Steve Munson, Commissioner Lily Flannigan, Vice Chairman Brendan Magnan and Commissioner Philip Zetye

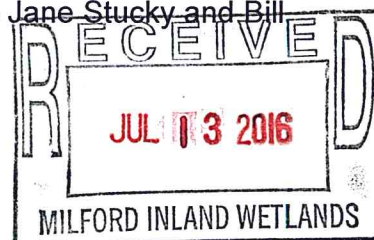
Others present: DPLU Director Joe Griffith, Compliance Officer MaryRose Palumbo and Secretary Meg Greene

Absent: Alternate Commissioner Carol Dunn and Commissioner David Deflumeri

Chairwoman Collins called the meeting to order at 7:37 p.m. and deemed Commissioner Schopick the acting Parliamentarian

A. Pledge and moment of silence for former Commission Members Jane Stucky and Bill Sahlman both recently passed away.

All stood for the Pledge of Allegiance and a moment of silence.

**B. Public Hearing**

Chairwoman Collins reviewed the following:

- This is a public hearing, it is a formal proceeding, please respect the process by only speaking when you are called upon and giving your name and address for the record when you speak, spelling as necessary for the Recording Secretary. If you must talk to each other during the meeting please be courteous and go outside in the hallway so as not to disturb the other members of the public and the Agency who would like to hear the presentation. Please silence cell phones.
 - Explanation of the Rules: The applicants will present their information, when they are finished the public may speak for and then against the application. The applicant will then rebut /answer the questions *after* all members of the public who wish to speak have spoken (there is no give and take between the applicant and the consultants). The public that has already spoken may then speak again to the issues that were covered. Then the public portion of the meeting will be over and the Agency will ask questions of the applicant.
 - Please speak only to items in the jurisdiction of the MIWA - wetlands, watercourses, and wetland habitat. Zoning Issues are not under our review. Any other items we will ask you to stay on the topic of wetlands or we ask that the next speaker be given the floor.
1. IW-A-16-028: 70 Kay Avenue, Map 12 Block 66 Parcel 65, City of Milford Board of Education. Proposed parking lot expansion with a crossing, construction, and grading in and within 100' of wetlands in the Housatonic River Watershed. [5/04/16||5/18/16||7/08/16]

Chairwoman Collins noted the file contents list is in the file and available in the MIWA office.

Compliance Officer Palumbo noted the Agency received this application on 5/4/16 and walked the site on 6/7/16. She walked the property today with Commissioner Schopick. This is the opening of the public hearing. The Agency has until August 10, 2016 to close this hearing. She said that this evening the Commissioners received public hearing item 1 - a memo from the City Engineer dated 7/6/16.

Chairwoman Collins called for the Applicant & Consultants presentation.

Bill Silver of Silver Petrucelli Associates, 3190 Whitney Ave, Hamden, CT introduced himself and Don Smith, Jr., Consulting Engineer, 56 Greenwood Circle, Seymour, CT and Steve Wing, Landscape Architect, 26 Crown St, Milford, CT

Mr. Silver provided postal documentation of the certificates of mailings. He noted that Don Smith will summarize the primary application and that there are alternatives for consideration.

Don Smith oriented the commission to the plans. He stated that this is a 10.4-acre site located on the south side of Kay Avenue. There are 5,127 sq. ft. of CT wetlands on the site that bisect the parcel; it is narrow but exists. Offsite to the west are coastal wetlands. He reviewed drawings of the additions to school building, noting that they are colored in brown. He said they are reducing the driveway cut onto Kay Ave for better traffic circulation. The stormwater flow from the project area is being redirected to the north toward Kay Ave and to the south to the Housatonic River. They said the combined drainage impacts to Kay Ave will be reduced by about 3,000 sq. ft. They are reducing the existing impervious that flows south by 2,000 sq. ft. by introduction pervious surfaces in the court yard. The proposed parking lot will increase the impervious from the school building flowing to the south by about 10,000 sq. ft. They stated that the total impervious flow is reduced except for the parking lot. They have incorporated a stormwater basin per the City Engineer's recommendations to retain that increase in flow.

This proposal requires filling 2150 sq. ft. of inland wetlands associated with the crossing. There is an existing concrete culvert which will be removed, creating 266 sq. ft. of mitigation. There will be a net wetland impact of just under 1900 sq. ft., with 26,000 sq. ft. of work in the upland review area.

Mr. Smith reviewed the alternatives submitted. Alternative A is located on the southwest portion of the site and adds 21 parking spaces with 0 direct wetland impact. This was the original submittal to the Permanent Schools Building Committee. Due to input from the neighborhood, the Committee directed the consultants to propose the application with 40 spaces and direct wetland impacts. Alternative B proposes 9 spaces by the cafeteria with a 650 sq. ft. direct wetland impact. Alternative C proposes spaces outside the upland review area adjacent to Kay Avenue. Alternative C is expensive due to a retaining wall being required for construction. They also considered Alternative D which would be located in the existing sports field with a driveway to Milford Point Rd. There are no direct impacts with Alternative D, but there are concerns with reduction in field area and a driveway on a busy street.

Mr. Smith reviewed this application with the City Engineer and takes no exception to these comments. Mr. Smith will review and address any issues the City Engineer has with the proposal. At the City Engineer's request they added three hydrodynamic separators for water quality. These structures are shown on the plans. A review will determine if the culvert should go through a stormwater separator as listed in tonight's recommendations. Requested snow storage will be located at the southeast end of the proposed parking lot. Mr. Smith has calculated that a 6" snowfall will result in a 1.5' pile at the end of the parking lot. He feels that will be sufficient storage.

Steve Wing, Landscape Architect, stated that the plan is divided into two parts. There is the area around school which has shade trees, especially on the west side of the building.

They are proposing to create landscape areas inside courtyards to replace asphalt. Internal offices and classrooms will have views of trees instead of just asphalt.

The second part of the plan is in the parking lot and disturbed areas and in upland areas on the south end of the site. Most or all of the existing vegetation will be removed. He stated that he is not a biologist and he feels it provides some stability but is mostly comprised of invasive specs such as ailanthus, multi flora rose, and Japanese Knotweed. They are proposing to replace these plantings with native species, including service berry, sweet pepperbush, red osier dogwood and winterberry. He is proposing about 60 new plants and seeding with a conservation mix for dry areas plus a wetland mix for the low areas from New England Wetland Plants in Massachusetts. He is also proposing to add red maples adjacent to the proposed parking area.

Chairwoman Collins Call for those to speak in favor

Karl Krauss and wife Bridget and their children live at 42 Nells Road. He stated that he is located adjacent to the school on the Alternative B side. He stated that they are in favor of the primary proposal, because the Alternative B proposal would put the parking area behind their house. He is also against Alternate B because there would be a loss of meadow area where his kids play and see wildlife. He is also concerned about possible loss of the house's value. He said the primary plan would give access to a dilapidated tennis courts to eventually remove it. He stated that they had unknowingly had some of their belongings on the City property including a pool. That is being corrected. He is not against Alternate B because he had to move the pool and things, but because of the parking lot behind his house.

Laurie Hennessey said that she and her husband Steve live at 34 Nells Rd. They are in favor of the proposal for of all of Karl Krauss's stated reasons. She said that she works at the school and in the afterschool program. With access to the area the afterschool program kids could help to clean up the tennis court area and that after school when there are no cars, the kids could utilize the proposed parking lot. They could also do nature education with all the new trees.

Joe Coretti, 46 Nells Rd, stated that he is in favor of the primary proposal for all the Kraus's and Hennessey's stated reasons.

Peter Carlson said that he and his wife Amy live at 11 Nells Rd. She stated that they are also in favor of the primary plan. He said that they have hiked back to the tennis court area and that it is deep in the woods. He would like to see use of that area as a Nature's Classroom.

Jim Richetelli, Chief Operations Officer for the Board of Education, 70 West River St, read a letter from Dr. Elizabeth Feaser dated 7/6/16 in support of the primary proposal. (Submitted as public hearing item 2)

Chairwoman Collins called for those to speak against. There was no one to speak against.

Chairwoman Collins called for the Applicants Rebuttal

Don Smith added a point of clarification: an existing crossing has a 30' long 15" wide reinforced concrete pipe over the wetlands, so currently without this proposal there is vehicle/pedestrian access to the tennis court area.

Chairwoman Collins called for those to speak in favor. There was no one to speak.

Chairwoman Collins called for those to speak against. There was no one to speak against.

Vice Chairman Magnan asked Steve Wing to characterize the impact of the proposed improvements on the function and values of the wetlands. When he spoke earlier, Mr. Wing stated that the existing vegetation has a low value but is stabilizing the area.

Mr. Wing said that the existing vegetation provides food and cover for wildlife. They are proposing plants that will provide cover, berries, and pollinator habitat. The Japanese Knotweed is very invasive and is a problem. He was unable to quantify the percentage of improvements to function and value, but felt that there should be follow-up maintenance; otherwise the area may revert to Japanese Knotweed.

Chairwoman Collin explained the Agency's responsibilities under the Statutes and the need to balance the public need with wetland protection.

Commissioner Connors asked how big the existing crossing is compared to what is proposed. Could an access be considered over the existing crossing and then the proposed access could be decreased?

Don Smith said that the proposed crossing will be 45' long with rip rap on both ends. The school does not want to move or lose the outdoor living classroom which is just north of the existing culvert. They are proposing to remove the existing culvert to create 652 sq. ft. of wetland mitigation.

Commissioner Munson asked if there are there additional costs for the alternative that were not planned for.

Don Smith said that if Alternative A is the baseline, the preferred Alternative adds about \$12,000 in cost. There is no real increase in cost for Alternative B. Alternative C adds a \$10,000 retaining wall. The cost of the total number of parking spaces for the proposed plan vs. Alternatives A, B, or C is about the same.

Commissioner Schopick asked what percentages of the costs are covered by the state.

Jim Richitelli stated that currently the State is covering 37.14% of the costs but that may go up to 50% with 50% bonding by the City.

Chairwoman Collins explained the MIWA criteria for decision making and read Section 10.3 of the Regulations into the record. She said the choices are a main plan that has wetland impacts plus feasible and prudent alternatives with less impact. She said the Commission is bound by the Regulations and Statutes. In the case of an application which received a public hearing pursuant

to a finding that the proposed activity may have a significant impact on wetlands or watercourses, a permit shall not be issued unless the Agency finds on the basis of the record that a feasible and prudent alternative does not exist.

Vice Chairman Magnan wanted the Agency to have a clear understanding of the functions and values of the preferred plan versus the alternative options. Mr. Wing said that he proposed an increase in functions and values but needed to explain the benefits of the preferred plan compared to the alternatives.

Mr. Wing said that from a remediation point of view or restoration point of view, a thicket of invasives will be replaced with a lot of native plantings making both alternatives comparable. He noted that more disturbances are entailed in the work associated with the Jehovah Witness property (Eastern portion of the site).

Chairwoman Collins referenced the City Engineer's memo dated 7/6/16 where recommendation D states that the area by Nells Road is completely covered with invasives that need to be addressed in some way. It would seem that putting the parking lot in Alternative A would help with the clearing of invasives and have less impact to wetlands.

Commissioner Flannigan asked if the area by Nells Road could be used for mitigation for additional wetlands.

Mr. Smith clarified that the area in Alternative A is not all invasives; some of it is the yard area that the Krauss' maintain. Additional mitigation is possible in this area. The lower portion of the preferred alternative is knotweed, but the upper area is woodland.

Vice Chairman Magnan asked if Alternative A is in a flood zone and how did that factor into parking lot location.

Mr. Smith said that the preferred alternative and Alternatives A and B have 100-year flood plain impacts (AE11). Mr. Smith said his first proposal was to avoid all wetlands. The Building Committee asked to satisfy the neighbor's request. Both lots are proposed at elevation 11, so impact is the same with either option.

Commissioner Flannigan referred to the current Florida algae problems and noted that preserving the wetland habitats for the future helps to filter that kind of problem.

Compliance Officer Palumbo said there is 2150 sf of wetlands disturbance and mitigation proposed is 266 sf created. She said the Agency typically wants 2:1 mitigation. She asked if there were other areas of the site where this level of mitigation could be achieved including elimination of invasives. Mr. Smith suggested that removal of invasives could be a condition of approval. Other ways to achieve the 2:1 ratio were discussed including provision of a dense vegetative buffer to extract fertilizers and pesticides from runoff. Compliance Officer Palumbo asked if the existing lawn area could be mitigated into a dense, vegetative buffer. Mr. Smith said further study would be needed to provide the answer. He said the parking lot would have a stormwater basin. Compliance Officer Palumbo said this could be considered a mitigation area depending on how it was implemented. Mr. Wing noted that cost would be added changing the balance between the proposed solutions.

Commissioner Cowden asked if removing the concrete pipe will cause damage to the wetland area.

Mr. Smith said no, it was placed in wetlands previously they will now be removing and restoring the area to its original condition. They could provide with densely vegetated plantings to help filter out fertilizers and pesticides.

Vice Chairman Magnan asked for clarification on exactly where the preferred option impacts the wetlands.

Mr. Smith pointed out the entrance to the parking area on the colored plan. He also noted the existing yard encroachment in the area of Alternate A.

Commissioner Zetye said it seemed that the commission can only approve if a feasible and prudent alternative doesn't exist and a feasible and prudent alternative does exist, He asked to be shown why Alternative A is not feasible and prudent.

Mr. Smith said that from engineering and feasibility standpoint, each alternative is feasible. He proposed Alternative A to the Building Committee because he always looks for zero wetlands impacts.

Commissioner Schopick asked if continuing the meeting to a future date could provide time to tweak mitigation towards the Building Committee's preferred alternative.

Mr. Silver said that they could come back with more alternatives, but they are trying to balance the costs with the need and time it would take.

Commissioner Cowden asked if the area with the outdoor classroom could be moved to create a wetland and a linear outdoor classroom.

Mr. Smith said that the outdoor living classroom is at elevation 9.5' and wetlands are at 8' and that anything is possible with additional expense. Mr. Silver said that the educators asked that the outdoor living classroom not be disturbed.

Chairwoman Collins said that Alternative A meets the Agency's guidelines and could be approved tonight. She said two weeks could be granted to study reducing the impacts from the preferred alternative. Discussion of theoretical changes to the various alternatives ensued.

Vice Chairman Magnan asked if Alternative A adversely affects the programming of the school.

Mr. Smith said it does not.

Mr. Silver noted that the Building Committee was not present, but he thought they would tolerate two weeks of delay. He was not sure they would be able to spend the extra money for additional engineering to improve the preferred solution.

Compliance Officer Palumbo said the hearing could be held open until August 10th with an ability to receive and allow public comment on additional information. She reviewed future meeting dates. She reviewed the criteria for prudent and feasible solutions while noting the potential difficulty of the task.

Mr. Silver noted that the Building Committee had already been remanded to reduce the budget. He also said the construction date would be pushed back. Further discussion of timing and plan submission guidelines ensued.

- C.1. IW-A-16-028: 70 Kay Avenue, Map 12 Block 66 Parcel 65, City of Milford Board of Education. Proposed parking lot expansion with a crossing, construction, and grading in and within 100' of wetlands in the Housatonic River Watershed. [5/04/16||5/18/16||7/08/16]

MOTION

MOTION: Commissioner Connors moved to continue the hearing until 7/20/16

SECOND: Commissioner Schopick.

Vote: 8-0

Yes: Chairwoman Collins, Commissioner Connors, Commissioner Cowden, Commissioner Schopick, Commissioner Munson, Commissioner Flannigan, Vice Chairman Magnan and Commissioner Zetye

No: None

Abstained: None

Absent: Alternate Commissioner Dunn and Commissioner Deflumeri

Motion passed.

- D. **Public Comments [limited to 5 minutes on topics *not* otherwise on agenda] None**

E. Old Business

- E.1 IW-A-16-001: 226 Baxter Lane, Map 58 Block 713 Parcels 56F, 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. [4/20/16||5/04/16||6/24/16||7/06/16]

Compliance Officer Palumbo said this is a proposal by Victor Rosado for two additions: an indoor basketball court and inground pool and irregular patio.

At the June 1st meeting Mr. Rosado stated that he would like to redesign the application. Jeff Gordon of Codespoti & Associates presented the revised plan to the Agency.

Jeffrey Gordon, Environmental Planner, Licensed Landscape Architect, Codespoti & Associates, 263 Boston Post Road, Suite 5, Orange, CT, said that the previous applications called for significant fill. He said an alternative was presented which would need a public hearing. He said they are proposing a mitigation ratio of 6.3:1 with a rain garden, infiltration for water quality, and a small amount of wetland fill along the patio. He said the underground infiltration will cleanse the infiltration. He said this application was a more reasonable alternative to the original. There is a significant area of landscape debris on the north side of the property that will be removed. He sought a date for a public hearing.

Vice Chairman Magnan asked if the Agency felt a public hearing was necessary.

Discussion ensued and the Agency asked for a site walk before determining if a public hearing was necessary.

MOTION

MOTION: Commissioner Connors moved that a site walk be scheduled for application IW-A-16-001: 226 Baxter Lane, on 7/20/16 at 5 PM.

SECOND: Commissioner Schopick.

Vote: 8-0

Yes: Chairwoman Collins, Commissioner Connors, Commissioner Cowden, Commissioner Schopick, Commissioner Munson, Commissioner Flannigan, Vice Chairman Magnan and Commissioner Zetye

No: None

Abstained: None

Absent: Alternate Commissioner Dunn and Commissioner Deflumeri

Motion passed.

- E.2** Violation IW-V-16-026: 321 New Haven Avenue, Map 56 Block 506 Parcel 13. Beach Bum Holdings. Deposition of soil and material with work in and within 100 ft. of a wetland or watercourse in the Indian River Watershed without permit.

Compliance Officer Palumbo said that the Agency required the information be submitted by 8/3/16. No action at this time

MOTION

No Action

- E.3.** Violation IW-V-16-027: 1646 New Haven Avenue, Map 82 Block 793 Parcel 8. 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.

Compliance Officer Palumbo is working with the property owner, along with Zoning, Engineering, the Southwest Conservation and District CT-DEP-OLIS to resolve this violation. Ms. Palumbo hoped to have information at the next meeting.

MOTION

No Action

- E.4.** IW-A-16-032: 553 West Avenue, Map 42 Block 335 Parcel 1, 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.
[5/04/16||5/18/16||7/08/16]

Compliance Officer Palumbo said that the public hearing for this application is scheduled for 7/20/16. She asked if the commission would like any additional information or had any questions for the applicant so that they can answer them at the meeting.

MOTION

No Action

- E.5. IW-A-16-039: 0 Tanglewood Circle Lot 28, Map 122 Block 904 Parcel 5N, April Culver Trustee. Proposed single family home with construction, grading and filling in and within 100' of wetlands in the Housatonic River Watershed. [6/01/16][6/15/16][8/05/16]

Compliance Officer Palumbo said that this application 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 is to fill 783 sq. ft. of wetland with 12,577 sq. ft. of work in the 100' upland review area for the construction of a house, 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 1,460 sq. ft. of mitigation wetlands. The Agency has received a petition with 45 signatures requesting a public hearing be held on this application.

The Applicant's Attorney requested that the minutes from the public hearings and decisions on the two previous applications for this property (IW-A-15-017 & IW-A-15-064) be included in the record for reference. The Applicant's Attorney has also requested that the fee for this application be waived.

Jeff Gordon, Licensed Landscape Architect, Codespoti & Associates, 263 Boston Post Road, Suite 5, Orange, CT said this is a new application for Lot 28 which proposes a 3:1 ratio for the fill associated with the temporary crossing for access to the septic construction wetlands fill for a 16' rear yard.

Compliance Officer Palumbo said that the Agency walked this site on 7/7/15, 7/13/15 and 1/14/16 for applications IW-A-15-017 and IW-A-15-064.

Commissioner Schopick said it would make sense to have the third party look at the plan since a change was made. Vice Chairman Magnan agreed.

Mr. Gordon stated that he feels that they have acquiesced to all of the third-party reviewer's requests.

Chairwoman Collins confirmed that proposed third-party conditions were not accepted by the applicant at the last meeting. Compliance Officer Palumbo noted that the Agency requested a fence on top of the proposed wall to control debris.

Commissioner Munson suggested that that the Agency accept a request to include the public hearing minutes. He also asked if the new plan would affect Lot 29.

Mr. Gordon said no.

Commissioner Schopick said that the third-party review should be for the limited purpose of verifying changes that are in line with what the Agency requested in the last application.

MOTION

MOTION: Commissioner Schopick moved to deny the request to waive the application fee

SECOND: Vice Chairman Magnan.

Vote: 8-0

Yes: Chairwoman Collins, Commissioner Connors, Commissioner Cowden, Commissioner Schopick, Commissioner Munson, Commissioner Flannigan, Vice Chairman Magnan and Commissioner Zetye

No: None

Abstained: None

Absent: Alternate Commissioner Dunn and Commissioner Deflumeri

Motion passed.

MOTION: Commissioner Connors moved that a third party review be required for application IW-A-16-039: 0 Tanglewood Circle Lot 28.

SECOND: Vice Chairman Magnan.

Vote: 8-0

Yes: Chairwoman Collins, Commissioner Connors, Commissioner Cowden, Commissioner Schopick, Commissioner Munson, Commissioner Flannigan, Vice Chairman Magnan and Commissioner Zetye

No: None

Abstained: None

Absent: Alternate Commissioner Dunn and Commissioner Deflumeri

Motion passed.

MOTION: Commissioner Connors moved that due to the receipt of a petition with 45 signatures, a public hearing be scheduled for application IW-A-16-039: 0 Tanglewood Circle Lot 28. The Public Hearing is scheduled for August 3, 2016 That is my motion

SECOND: Commissioner Schopick.

Vote: 8-0

Yes: Chairwoman Collins, Commissioner Connors, Commissioner Cowden, Commissioner Schopick, Commissioner Munson, Commissioner Flannigan, Vice Chairman Magnan and Commissioner Zetye

No: None

Abstained: None

Absent: Alternate Commissioner Dunn and Commissioner Deflumeri

Motion passed.

E.6 IW-A-16-041: 130 Coram Lane, Map 124 Block 901 Parcel 11, Great River Golf Club. Proposed pond dredging with work and grading in and within 100' of wetlands and watercourses in the Housatonic River Watershed. [6/15/16][6/29/16][8/19/16]

This is a proposal by Great River Golf Course to remove accumulated sediments and invasive vegetation from a pond on the 9th hole by dredging. The proposed work will disturb 1.06 acres of wetland and watercourse and will impact 2.02 acres of upland review area. The applicant is proposing to enhance 1.06 acres of wetland through this proposal.

Ray Macaluso of Westcott & Mapes 142 Temple St, New Haven, said that the Golf course was constructed 20 years ago. Speaking to sheet ES1, he showed a manmade pond in the northern most part of Milford on the course. They request approval for a maintenance program for dredging 2,516 cu yds of material out of the pond. They are proposing enhancement plantings on the south side. He reviewed work site layout and a sequence of construction. They will be using an anti-track pad and erosion controls. They will drain half of the pond at a time using a turbidity curtain or portadam to separate. They plan to

do this in the fall and winter months when it is dryer. He said that this is part of a maintenance program and if not done, it will continue to fill in with phragmites.

Jen Beno Soil Science and Environmental Services, Cheshire, CT said Scott Stevens of SSES did the delineation. The shallow marsh area is dominated by phragmites and common reed grass. She referred to her 7/30/16 report: page 3 shows a photo of the pond and phragmites. Other vegetation was soft rush and purple loosestrife. There may have been a beetle release there. Page 4 looks from the eastern edge towards the Housatonic River; due to the accumulated biomass the pond is filling in. It is shallow and there is less dissolved oxygen. She only saw blue gills in the pond; page 5 describes the area around the pond; page 6 reviews the functions provided. The habitat function is becoming limited due to the monoculture of phragmites.

Ms. Benno stated that the NDDDB shows a blob on the edge of the project area. She said she would expect it to be something associated with the Housatonic River. Ms. Beno stated that they are proposing to maintain the pond, which will re-establish its depth and then plant along the southern edge. She has recommended a variety of shrubs and native herbaceous species. She is working with the Golf Course to have 10'-12' high shrubs on the south and herbaceous plantings, which are divided into two zones based on hydrology. She has recommend plantings 24-36 inches in height: container or balled and burlaped. The plants she has recommended can tolerate different soil moistures and large amounts of sun. She has recommending that the phragmites be controlled so that native species can volunteer back into the area, giving greater diversity of species and therefore wildlife.

Chairwoman Collins asked if we do nothing, do we lose the functions and values of this habitat. How are species protected during the work?

Ms. Benno said that yes, the functions and values of this habitat would be lost. A seine net can be used to harvest the wildlife to similar habitats on the site.

Commissioner Schopick asked if the application requires DEEP approval.

Mr. Macaluso said that they have sent letters and have not heard back, but as a manmade pond, it would not.

Compliance Officer Palumbo noted that abutters would only be notified if there was a public hearing.

Commissioner Zetye asked if the material that is dug up is in the Agency purview.

Compliance Officer Palumbo said there was a concern about phragmites rhizomes but disposal could be a condition of approval.

Mr. Macaluso said that this will go out to bid and the disposal plans will be included.

Chairwoman Collins said she felt it was a positive project.

MOTION

MOTION: Commissioner Connors moved to approve application IW-A- A-16-041: 130 Coram Lane based on the plans entitled "*Submission to the City of Milford Inland Wetland and Watercourses Agency for Great River Golf Club 9th Hole Pond Dredging Project, 130 Coram, Lane, Milford, CT*" by Westcott & Mapes , Inc. Cover and 11 sheets dated 4/22/16, the information in the file and presented this evening, for the following reasons:

- The long term impacts of the enhancement of the pond by dredging and invasive removal outweigh the short term impacts from the dredging work.
- Impacts to wetlands outside of the proposed work area will be prevented with proper implementation of the erosion and sedimentation controls as outlined in the plans.

This action will not have an impact or effect on the physical characteristics of the adjacent wetlands and watercourses.

With conditions including:

- The Permittee must submit a construction plan *prior* to taking out the permit.
- Soil Erosion and Sedimentation controls as outlined on the plans and in the CT DEP "*2002 Erosion and Sedimentation Control Guidelines*" must be installed and maintained on the site until the property is stabilized.
- A permit construction bond to be calculated must be posted with the MIWA for S&E controls, monitoring and an asbuilt showing finished 2' contours and locating all site structures and wetland boundary markers.
- The permittee shall also post mitigation monitoring bond with the MIWA. Bond to be calculated for plantings and invasive control along the wetland boundary, and 5 years of mitigation monitoring by a professional wetland scientist with reports to the Agency in the spring and fall on the status of the site and recommended amendments to the mitigation plan for best stabilization of the site. If the site is not stabilized by year 3 this bond may be held until such time as the site meets the design criteria. The bond may not be released until the reports have been received, reviewed and approved.
- 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.
- Recommendations of Jen Beno's 6/30/16 report as conditions.
- Recommendations from the NDDDB as conditions.
- Within 90 days of awarding contract a soil disposal plan will be submitted to the MIWA
- The permit is issued 7/06/16 expires 7/06/21 unless otherwise provided by Statute. That is my motion.

SECOND: Vice Chairman Magnan.

Vote: 8-0

Yes: Chairwoman Collins, Commissioner Connors, Commissioner Cowden, Commissioner Schopick, Commissioner Munson, Commissioner Flannigan, Vice Chairman Magnan and Commissioner Zetye

No: None

Abstained: None

Absent: Alternate Commissioner Dunn and Commissioner Deflumeri

Motion passed.

Chair: item F. Consideration of minutes of the previous meeting, review of questions or changes

F. Consideration of minutes of previous meeting

MOTION

MOTION: Commissioner Connors moved to accept the minutes from the June 15, 2016 Regular meeting as presented

SECOND: Commissioner Cowden.

Vote: 5-0

Yes: Commissioner Connors, Commissioner Cowden, Commissioner Munson, Commissioner Flannigan and Commissioner Zetye

No: None

Abstained: Chairwoman Collins, Commissioner Schopick and Vice Chairman Magnan

Absent: Alternate Commissioner Dunn and Commissioner Deflumeri

Motion passed.

Chair: item G. Staff Report

G. Staff Report

Compliance Officer Palumbo said that she and Barbara will be at the DEEP training tomorrow. Commissioner Schopick went to the training last week. Commissioner Schopick discussed the information he had learned at the DEEP training session last week.

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 the next few weeks.

Work is complete and mitigation bonds held on:

- Way Street bond held until fall 2018,
- West Main Street bond held until fall 2018. The spring mitigation inspection walk was last week; everything has come in nicely. There were a few invasive Norway Maples and knotweed but they are working to keep the created areas invasive free.
- 134-142 Old Gate Lane bond held until spring 2016.

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

Chair: item H. Chair's Report

H. Chair's report and communications

Chairman Collins thanked everyone for the time and effort they have put into reviewing the applications before us. She advised that the next meeting will be July 20, 2016 in this room and a site walk at 226 Baxter Lane at 5pm on 7/20/16.

She asked that Commissioners 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.

Chair: item I. Adjournment

I. Adjournment was at 10:10.

MOTION

MOTION: Commissioner Connors moved to adjourn

SECOND: Commissioner Flannigan.

Vote: 8-0

Yes: Chairwoman Collins, Commissioner Connors, Commissioner Cowden, Commissioner Schopick, Commissioner Munson, Commissioner Flannigan, Vice Chairman Magnan and Commissioner Zetye

No: None

Abstained: None

Absent: Alternate Commissioner Dunn and Commissioner Deflumeri

Motion passed.

Respectfully submitted,



Meg Greene

These minutes have not been accepted or approved.