

**A. Roll Call**

Present: Brendan Magnan, Jim Connors, Dave DeFlumeri, Carol Dunn, Steve Munson and Daniel Schopick.

Absent: Nathan Buchok, Ken Cowden, Lily Flannigan and Philip Zetye.

Also Present: Joe Griffith, MaryRose Palumbo and Lisa Streit.

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

**B. Pledge**

All stood for the Pledge of Allegiance.

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**C. Public Comments**

None.

**D. New Business**

- 1. IW-A-17-047: 54 Cooper Avenue, Carmen Stefano** – proposed single family home replacing house razed after Super Storm Sandy within 100' of a wetland in the South Central Shoreline Watershed.

MaryRose reported that this application is on the Agenda for the first time and may be heard at the next meeting.

- 2. IW-PA-17-043: 67 Prospect Street, 67 Prospect Street, LLC** – proposed office with 44 one bedroom apartments above and associated infrastructure within 150' of a wetland or watercourse in the Wepawaug Watershed.

MaryRose reported that this is a proposal for a mixed use office and apartments on the east side of Prospect Street. There are no wetlands on the property. The 15' upland review area from the Wepawaug River comes 40' into the front of the property. The applicant has proposed to install erosion and sedimentation controls per the 2002 CT DEP Erosion and Sedimentation Control Manual and construct a storm water infiltration system on the site. The site is gently sloping to the rear of the property. She oriented photos to review the proposed location of the improvements in relation to Prospect Street and the Wepawaug River.

Pat Rose of Rose Tiso & Co., oriented the site/plans and upland review area. This is a 1 acre site. He proceeded to review the second page of the plans showing that it slopes from Prospect Street towards the Cemetery. 44 units with above parking are proposed with a parking lot. SP-1 was reviewed and showed the 150' review area which is 10' into the proposed building. SP-2 showed the grading on site. Manny Silva, Civil Engineer, reviewed the drainage pattern on site. He reviewed the proposed catch basins into a galley system with storage underground. Due to no sewer connection; this will hold 8,192 cu. ft. of water per a 25 year storm event. This system will hold the whole volume on site. A rain garden is proposed in the corner of the site for overflow with a level spreader or 76 linear feet and curb on top. This will not erode grass. SP-3 was reviewed, which is the Sedimentation and Erosion Controls. There will be silt fencing around the property as a barrier/limit of disturbance. Silk sacks are proposed at the catch basins pre construction (sacks

collect sediment and are removed) so it will be clean after construction. SP-4 was reviewed showing the fencing proposed per setbacks. SP-5 was reviewed showing the catch basin details as well as the maintenance schedule every 6 months with inspection reports. Prospect Street divides the drainage and they have tried to mimic that same pattern.

Magnan reviewed that the IWA can; issue a Jurisdictional Ruling, request a full application, request additional information or take no action.

MaryRose reviewed where the wetlands are across the street from this project showing a gentle slope from front to back. She asked if the new numbers were used for a 25 year storm event. Mr. Silva stated that they were used. MaryRose explained that a new study was done by NOA and Cornell University for volumes of storage on site. The City of Milford has a zero run off rule and the new study requires more storage.

Schopick feels that this should have a full application as it has significant public interest. Munson, Connors, DeFlumeri and Dunn agreed. MaryRose reviewed the process; a full application is received and then within 14 days a decision will be made if there is to be a Public Hearing based on either receiving a petition with 25 signatures, or the IWA feels it is within the public's interest, or if the IWA feels there is significant impact to the wetlands.

Magnan stated that he would like to see more clarity on the relationship of the proposal verses the wetlands to the east and discharge. Munson stated that he would like to see where the wetlands are and when they were delineated.

The following motion was made by Connors and seconded by DeFlumeri:

I move that pre-application IW-PA-17-043: 67 Prospect Street, be submitted for review as a full application based on the information in the file and presented this evening. The motion carried unanimously.

3. **IW-A-17-048: 690 New Haven Avenue, 690 New Haven Avenue, LLC** – proposed construction of a seven apartment buildings with associated infrastructure within 100' of a wetland or watercourse in the Indian River Watershed.

MaryRose reported that this application is on the Agenda for the first time this evening and may be heard at the next meeting. No action taken.

4. **IW-PA-17-049: 18 Sailors Lane, John Gaynor** – two proposed deck additions with minor work within 100' of a wetland or watercourse in the Housatonic River Watershed.

MaryRose reported that this is a proposal by John Gaynor and Trish Herson to add 2 decks to their home at 18 Sailors Lane within 100' of wetlands associated with the Housatonic River. The 8' x 4' deck expansion proposed in the rear of the house is for rear egress and is necessary for a CO for their recent renovations it is approximately 48' to the wetland (the door was moved and now the steps need to be moved as well). The 15' x 15' deck expansion proposed on the side of the house is for the enjoyment and view of their property; it is approximately 35' to the wetland. She had photos to review of the proposed locations in relation to the marsh. Mr. Gaynor and Ms. Henson were present.

MaryRose oriented the site/photos; the property slopes towards the marsh. She does not see any issue with issuing a Jurisdictional Ruling; there is no debris, no grass clippings. Magnan asked if the

wetlands were clearly delineated. MaryRose reviewed this on the plans as well as the coastal jurisdiction line.

After some discussion, all board members felt a Jurisdictional Ruling would be appropriate. Magnan asked about signage. MaryRose stated that it would be in a flood zone.

The following motion was made by Connors and seconded by Munson:

I move that the Designated Agent issue a Jurisdictional Ruling for pre application IW-PA-17-049: 18 Sailors Lane for the construction of the two proposed deck additions. The motion carried unanimously.

#### **E. Old Business**

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

MaryRose reported that they are still waiting for the vegetation to grow. No new information.

- 2. IW-A-15-038: 273 Cherry Street, Milford Cemetery** – proposed equipment garage and compost/recycling bins within 100' of a wetland or watercourse in the Indian River Watershed. Modification to approval for drainage pipe.

MaryRose reported that this is a modification to an approval for a garage and storage bins at the Kings Highway Cemetery, 273 Cherry Street. The Health Department is requiring a portion of the septic system to be moved away from the storm water pipe. They have received the new design and approved it along with moving plantings away from the leaching system. Those plants have already been moved.

A portion of the septic work is within the 100' upland review area but allows the septic system to be compliant with the Health Department and storm water regulations.

Ray Oliver submitted the asbuilt and reviewed the pipe and drainage flow to the wetland. The pipe has been in for a year now and is working properly. The issue was the septic system; the Health Department wants the leaching area removed and relocated and has been submitted to the Health Department for approval.

Bob Hiza, Engineer, stated that the garage was built in 2014 and the septic system was installed in 2015. In 2016 the pipe was installed at the time and the contractor was unaware of the leaching field requirement of being 25' away from the wetlands; it was 5'. The leaching field was redesigned; this was acceptable as they had worked with the Health Department and they will be removing the leaching field. It will be installed within 20' with stipulations; the Installer must have a valid license, remove the 20' portion of the leaching field with the Health Department verifying this, show the topography pre fill in the area of the bins, trees to be removed by the leaching field (they have already been removed).

Magnan asked if in 2015 they came before the IWA for a permit. Oliver stated that the work was done under the prior permit. MaryRose stated that the trees were doing well, downstream has a 4 bay discharge and the area is stable. The original permit had 5 bins and they had moved further away from the wetlands; the building is now 80' from the wetland line. Magnan asked why this

location. Hiza stated that it is a flat area and the percolation rate as well as the location of graves on site.

The following motion was made by Connors and seconded by Schopick:

After duly considering all relevant factors, I move to approve modification request IW-M-15-038, 273 Cherry Street Based on the plans entitled "Kings Highway Cemetery, 273 Cherry Street, Milford, CT" by Architectural Services, 1 sheet SP-2 dated 5/3/01, revised 9/28/17, the information in the file and presented this evening, for the following reasons:

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

A feasible and prudent does not exist because of pre existing graves.

With conditions including:

- 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.
- An asbuilt showing finished 2' contours and locating all site structures as required in the original bond must be submitted when septic system is relocated.
- 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.
- The permit was issued 8/28/15 expires 8/28/20 unless otherwise provided by Statute.

The motion carried unanimously.

#### **F. Minutes**

It was noted that Schopick and Zeyte were not present at the 9/20/17 meeting. A motion to approve the minutes as amended was made by Connors and seconded by Munson. The motion carried with Schopick abstaining.

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

The CACIWC meeting will be on 11/18/17. The CT-DEEP IWR is having a soils course on 10/17 in Burlington. It will review soils and septic installation. Intent on attending needs to be known this evening as they are only accepting 30 people.

Site Status:

- 1595 Boston Post Rd project is complete, the construction asbuilt has been received and the surety bond will be released. The mitigation bond will be held for the required review period.
- 220 Rock Lane is completed waiting on an asbuilt.
- 605 Orange Ave is completed - awaiting asbuilt.
- 33 Schoolhouse Rd is ongoing.
- 70 Kay Ave is ongoing.
- Welches Point Rd Pump Station - ongoing.
- Rock Lane Pump Station – ongoing.
- Edgefield Av Sewer Replacement – completed. DOT will be paving the area starting next week.
- 73 Cooper Ave ongoing; they would like to add stairs to their deck. They are using a portion of the approved deck.
- Great River Golf Course – waiting to receive revised mitigation plan for planting in the fall.
- Milford Ponds – a pre construction meeting was held with the Contractor last week. A start date has not been set.

- DOT Rails Project – DOT will be replacing the culvert under the tracks between Eastern Steel Road and Pepe's Farm Road. They will be holding an informational meeting on 10/19 at City Hall. They are not proposing to start work until next fall.
- Please remember to call or email if you are unable to attend a meeting.

#### **J. Chair's Report**

Please remember that when applications are before the IWA they can not be discussed outside of a meeting with the public or applicants. If someone approaches you on an application that is before us, please ask them to come to a meeting or to speak to the office so that the entire Agency can hear what they have to say. MaryRose further stated to let anyone know that contacting you may compromise an application.

The next meeting will be a Regular meeting in Conference Room A on October 18, 2017.

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.

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

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.