

A. Roll Call

Present: Nathan Buchok, Ranjit Bhawe, Ken Cowden, Carol Dunn, Lily Flannigan and Steve Munson.

Absent: Jim Connors, Matthew Connors, Dave DeFlumeri and Brendan Magnan

Also Present: Joe Griffith, DPLU Director, MaryRose Palumbo and Lisa Streit

Buchok called the meeting to order at 7:30 p.m. and deemed Bhawe the voting alternate. Dunn will be recusing herself from discussing item E. 1.

B. Pledge

All stood for the Pledge of Allegiance.

C. Public Comments

None.

D. New Business

1. **IW-A-2018-040: 31-33 Pearl Street, Patrick Tarantino** – proposed construction of a 28' x 50' single family residence on each of the 50' x 100' parcels with construction and grading in and within 100' of a wetland and watercourse in the South Central Watershed.

MaryRose reported that this is a proposal by Pat Tarantino for construction of two single family homes on two lots with construction and grading within 100' of a wetland in the South Central Shoreline Watershed. This proposal is for construction and grading on two fairly level lots that are surrounded by other lots in the area of Silver Sands State Park. On #31 Mr. Tarantino is proposing the house 19.5' from the wetland line with the deck 10.5' and the stairs 8' away from the wetlands on the SE corner of the lot. On #33 he is proposing the house, deck and stairs 8 to 8.1' away from the wetland along the north western property line. The applicant has designed and proposed the houses with rear decks and stairs for access and rain barrels for stormwater compliance. His Surveyor has shown a vinyl split rail fence around the wetlands with boulders. He has asked if he could put in vinyl posts with the boundary markers and the boulders only; he is concerned with the fence rails in a flood. Mr. Tarantino is here this evening to answer your questions.

This application was sent to the City Engineer for review and we will have a response by the next meeting.

This evening the Agency can:

Ask questions

Ask for further information

Schedule a site walk

Determine if a public hearing is necessary

Take no action

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Pat Tarantino stated that he received letters from zoning that the other house was non-compliant and prone to getting flood damaged, so he tore that down and is proposing houses built to modern zoning and flood requirements.

Dunn asked about construction of the first floor – how is it to be elevated and would you do a gravel or pervious driveway. MaryRose stated that the houses would be elevated to 13.6' and 13.7'. Tarantino stated that he would consider gravel or a pervious surface. MaryRose stated that a concrete apron is required by Engineering.

Flannigan questioned the closest point from the wetlands. MaryRose reviewed this on the plans; on #31 the wetlands are 19.5' from the house, 10.5' from the deck and 8' from the bottom of the stairs. On #33 the house deck and stairs are 8' from the wetlands.

Buchok asked if the applicant would consider relocating the stairs on lot 33 further away from the wetland and if they could be on the other side of the house. Tarantino stated that they could be moved to the other side.

Cowden asked about a site walk. MaryRose stated that this site is similar to Maddox and Cooper Avenue. Munson stated that he would be inclined to have a site walk. Cowden, Dunn, Flannigan and Buchok agreed. Buchok asked if there was a stone wall on the property. Tarantino stated that it was more like piled rocks.

Behave asked about the 3 rain barrels and how water would be relieved. MaryRose stated that they need to be emptied after a rain storm and they are emptied and turned over in the winter to avoid breakage. In the past this had been required in the deed as a condition. MaryRose further stated that a rain barrel or rain garden is a State requirement for any increase in impervious area and a rain garden is not appropriate for this site.

Flannigan moved that a site walk be scheduled for application IW-A-18-040 31-33 Pearl Street, on Monday, November 19, 2018 at 4 PM. This was seconded by Munson and carried unanimously.

2. **IW-PA-18-042: 780 North Street, City of Milford DPW** – proposed expansion of Dog Park, creation of small dog park, parking area with construction and grading within 150' of a wetland and watercourse in the Wepawaug River Watershed.

MaryRose reported that this is a proposal by the City of Milford under Section 4.2 Uses Permitted as of Right for expansion of the existing dog park and creation of a small dog park with formalization of the parking area within 150' of a wetland in the Wepawaug River Watershed. A small portion of the expanded large dog area and all of the small dog area are within the 150' upland review area (roughly 0.3 Ac). A corner of the parking area (5 of the 16 spaces), is within the upland review area, where the existing parking lot is. They are also proposing a pavilion with storage and bathrooms that is outside the 150' upland review area. The bathrooms will be connected to the existing sanitary sewers.

The Dog Parks will be fenced in with a concrete barrier to prevent dogs from going under the fence. They are proposing to add a number of trees to the large dog area for shade. The small dog area is in the shade of the existing vegetation. She recommended approval / issuance of this pre-application under Section 4.2.

This is a pre-application for a Use Permitted as of Right under Section 4.2 of the Regulations.

This evening the Agency can:

Determine if this meets Section 4 of the Regulations

Ask questions

Ask for further information

Take no action

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

I move that the Designated Agent issue a Jurisdictional Ruling for pre-application IW-PA-18-042: 780 North Street for the expansion of the dog park, creation of a small dog park and a parking area with construction and grading within 150' of a wetland and watercourse in Wepawaug River Watersheds shown on the drawing in the file. *This action will not have an impact or effect on the physical characteristics of the adjacent wetlands and watercourses*"
The motion carried unanimously.

E. Old Business

Commissioner Dunn recused herself and left the hearing room.

- 1. IW-A-2018-032: 0 Chester Street, Bjorklund Properties** – proposed single family home with construction and grading within 100' of a wetland and watercourse in the South Central Shoreline Watershed.

MaryRose reported that this is a proposal by Bjorklund Properties for a single family home with construction and grading in and within a wetland in the South Central Shoreline Watershed. The site is at the end of Chester Street adjacent to the Calf Pen Meadow Marsh. The owner is proposing a single family home with disturbance for construction of the house. The Agency walked the site on 10/03/18.

The CT-DEEP asked to review this application due to the proposed work at and below the Coastal Jurisdiction Line (CJL of 4.7'). The Applicant and his consultants submitted plans to DEEP and revised their site plans per the DEEP review. DEEP advised that any work waterward of the CJL would require a DEEP Certificate of Permission (COP) or a Structures Dredging and Fill permit (SDF). The applicant submitted the plans to the City Engineer for review this afternoon and he did not have time to review and submit his memo.

The shape and location of the house has changed and the driveway is now pervious.

Attorney Curseaden, property owner Chris Bjorklund and Soil Scientist Jim McManus were present to answer any questions.

Curseaden, representing the applicant, clarified that there is a quorum present this evening. He reviewed the proposed work – explained the CJL and that DEEP would require Structure

Dredging and Fill permits (which add 12 months to the process) and did not want the rain garden or any fill below the CJL of 4.7.

They have removed all work including temporary silt fencing from below the CJL and changed the shape and size of the house. Previously drainage leaders were into the rain garden now it is in a leaching system under the driveway. Those calculations have been submitted to the City Engineer and a drainage report has been submitted. They were going to do 2:1 mitigation and wetland enhancement plantings; this has all been nixed by DEEP. They have a retaining wall which will elevate the grade landward of the CJL. The Agency had asked about feasible and prudent alternatives and this is the most feasible and prudent.

There is no temporary or permanent fill in the wetland now, only work in the upland review area. This is a certified building lot by Zoning and economically speaking this is a house that will work there. They have submitted 3-4 different sets of plans to the file and find this to be the most feasible and prudent alternative. The Wetland Scientist is here if you have questions.

They understand that there are no engineering comments back yet due to the timing of DEEP's response. If moving forward tonight he suggested that it be contingent with the City Engineers' requirements.

MaryRose reviewed that the options for the IWA are to:

Ask questions

Ask for further information

Determine if a public hearing is necessary

Approve the application

Deny the application

Take no action

The 65-day review period for this application was extended to this evening (11/7/18). The applicant may extend another 46 days up to a total of 65 days (12/23/18).

Munson stated that he likes the new plan with no disturbance and he could either approve this pending the City Engineers memo or wait until the next meeting of 12/5/18.

Cowden stated that nothing would change by 12/5/18. Buchok agreed.

Bjorklund stated that the house has been moved away from the wetlands line; back and forward. The house was 56.8' long and is now 50'. They carved out a portion in front based on DEEP's input.

Bhave asked if there was a 100' or 150' buffer for this area. MaryRose stated that it is a 100' review area, not a buffer, for this watershed. Bhave asked how the water is going to go from right to left. Bjorklund stated that the wall is Versalock, is impervious and is at grade.

Curseaden stated that the system is capable of handling a 25 year storm and they have provided as much mitigation of water as possible. They have spent a lot of time on this and had another Engineer come in to review this. Bjorklund stated that the whole driveway is infiltration.

Flannigan stated that the house is 120 sq. ft. smaller, the driveway would be a leaching field and she has no problems with this plan and could be contingent on the City Engineer's report.

Buchok agreed.

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

I move to approve application IW-A-2018-032: 0 Chester Street based on the plans entitled "*Bjorklund Properties LLC #0 Chester Street – (MLBU#038-0536-8) Milford, New Haven County Connecticut*" by PHI Engineering, LLC, 6 sheets dated 9/14/18 revised 11/06/18, 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.

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.
- 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.
- Compliance with the City Engineers memo.
- A permit construction bond to be calculated must be posted with the MIWA for S&E controls, border plantings, wetland boundary markers and an asbuilt showing finished 2' contours and locating all site structures.
- 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 is issued 11/07/18 expires 11/07/23 unless otherwise provided by Statute.

The motion carried unanimously.

E. Minutes

No action taken.

F. Staff Report

MaryRose reported that the CACIWC meeting is Saturday, 11/17 from 8:30-3:30 in Cromwell. This Saturday, Professor Dr. Juliana Barrett of UCONN will be holding a discussion on Water Climate Change at the Library at 2:00.

Site Status:

- 33 Schoolhouse Rd - Original Ecosystems is doing the invasive management and basin plantings and monitoring for the site.
- Welch's Point Rd Pump Station is ongoing. The contract end date for the work is 12/22/18.
- Rock Lane Pump Station is ongoing. The contract end date for the work is 12/22/18.
- Forest Rd – nearing completion, waiting on plantings and asbuilt.
- Great River Golf Course – waiting to receive the revised mitigation plan for planting.
- 0 Tanglewood Circle – nearing completion; waiting on asbuilts.
- 24 Cooper Ave – no change at this time.
- 74 Surf Av – ongoing.

- Ford St. / Bailey Lane – ongoing.
- Wheelers Woods – has started. This phase of the project is clearing and rock excavation. The site was checked by George Logan on 10/31 for turtles. MaryRose walked the site on 11/1, the silt fencing was installed and the haybales secondary barrier was being installed.

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

G. Chair's Report

The next meeting will be a site walk on 11/19/18 at 4:00 p.m.

The next Regular meeting will be in Conference Room B on December 05, 2018. The second November meeting would have been on Thanksgiving Eve and the IWA opted to not schedule that meeting when the Calendar was done last year.

Please let the office know if you are unable to 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 to adjourn at 8:30 p.m. was made by Munson and seconded by Dunn. The motion carried unanimously.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.