

Minutes of the Regular Meeting (via ZOOM) of the Inland Wetlands Agency on October 21, 2020

A. Roll Call

Present: Brendan Magnan, Daniel Bedeker, Ranjit Bhawe, Jim Connors, Dave DeFlumeri Scott Marlow, Steve Munson and Jason Zammiello

Absent: Matthew Connors and Ken Cowden

Also Present: MaryRose Palumbo and Lisa Streit

Magnan called the meeting to order at 7:30 p.m. and reviewed the guidelines in hosting remote meetings to ensure business runs efficiently and that all statutory and administrative rules are followed:

1. In accordance with the Freedom of Information Act and Governor Lamont's executive orders, this meeting is being recorded and will be made available on the City of Milford website.
2. During this meeting, if members of the Inland Wetlands Commission would like to speak, please utilize the "raise your hand" feature via Zoom. All participants will be muted during the meeting unless recognized by the Chair.
3. After being recognized to speak, please state your name and address prior to making a statement.

B. Pledge

All stood for the Pledge of Allegiance.

C. Public Comments

None.

D. Old Business

1. **IW-A- 20-0076: 114 Merwin Ave, CP Mooney, LLC** – proposed single family home with construction, grading and stormwater improvements within 100' of wetlands in the South Central Shoreline Watershed.

MaryRose reported that this is an application by Cal Mooney of CP Mooney LLC for a single-family home with construction, grading and stormwater within 100' of a wetland in the South Central Shoreline Watershed. This is a 0.27-acre parcel with 0.05 acres (2,100 sf) of wetlands. Currently there is an old garage and asphalt and concrete slabs used as a parking area on the property. The 1934 aerials show structures on the parcel and in 1995 the MIWA approved a 14-unit condominium on this and the 3 adjoining parcels. That permit has expired. Mr. Mooney removed the garage for safety reasons last week. The Agency received this application at the 10/7/2020 meeting. No petition has been received and there have been no inquiries from the public. The City Engineers' review was received late yesterday. He would like Mr. Mooney's Engineer to review the proposed rain garden to ensure it is sufficient to accommodate the stormwater requirements. A revised plan was received this morning that shows the plantings for the rain garden to be salt tolerant species. The City Engineer had submitted an additional review today saying that he felt that the items he needs to review can be a condition of approval. Mr. Mooney is in attendance with his Professional Wetland Scientist, Bill Kenny to present the project and answer any questions.

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Mooney stated that he submitted the revised plans to address the concerns that MaryRose had. The plans now show salt tolerant plants and an area to dewater if necessary, during construction. The City Engineer wanted things noted on the plan like it's a state highway and the DOT has to be contacted for curb cuts, etc.

Marlow referenced the City Engineers report and asked if the concern with the rain garden had been addressed. Mooney stated that it will be addressed. The elevation of the bottom of the rain garden will be set so it is not perpetually underwater or it may be enlarged a bit. He feels that like with many homes he has built in the past, there is always some tweaking needed to ensure the stormwater retention works correctly. He has worked with the City Engineer and feels this is not a concern. Mooney stated that they will review the calculations that Paul Stowell did or if it needs galleries in addition to the rain garden, they will be provided.

MaryRose reported that this evening, the IWA can:

- Ask questions
- Ask for further information
- Schedule a site walk
- Schedule a public hearing (no petition has been received as of 10/21/2020. Petition deadline is 10/21/2020)
- Approve the application as presented or with conditions
- Deny the application
- Take no action

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

I move to approve application IW-A-20-0076: 114 Merwin Av based on the plans entitled "*Plot Plan Based on a Boundary / Topographic Survey on Address No's 114 Merwin Avenue, Milford, CT prepared for C.P. Mooney, LLC*" by Paul J. Stowell Land Surveying, 1sheet, dated 9/15/20 rev 10/20/20, 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.
- The Permittee shall post a performance bond to be calculated in cash, money order, or certified check with the Inland Wetlands Agency prior to any site disturbance for S&E controls, wetland boundary markers, plantings and an asbuilt showing finished 2' contours and locating all site utilities and structures to insure that the site development will proceed and will be completed according to the approved design.
- 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.
- Compliance with the City Engineers 10/21/20 memo.

- Site Plantings will be salt tolerant species as specified by William Kenny.
 - The permit is issued 10/21/20 expires 10/21/25 unless otherwise provided by Statute.
- The motion carried unanimously.

2. IW-A-20-0077: 128 Merwin Avenue, CP Mooney, LLC – proposed single family home with construction, grading and stormwater improvements within 100' of wetlands in the South Central Shoreline Watershed.

MaryRose reported that this is an application by Cal Mooney of CP Mooney LLC for a single-family home with construction, grading and stormwater within 100' of a wetland in the South-Central Shoreline Watershed. This is a 0.17-acre parcel with 0.15 acres (653 sq. ft). Currently the property is covered with vegetation. The 1934 aerials show structures on the parcel and in 1995 the MIWA approved a 14-unit condominium on this and the 3 adjoining parcels. That permit has expired. Mr. Mooney removed the garage for safety reasons last week. The Agency received this application at the 10/07/2020 meeting. No petition has been received and there have been no inquiries from the public. The City Engineers' Review was received late yesterday. He would like Mr. Mooney's Engineer to review the proposed rain garden to ensure it is sufficient to accommodate the stormwater requirements. This work could be a condition of approval based on the City Engineers' acceptance. A revised plan was received this morning that shows the plantings for the rain garden to be salt tolerant species. Mr. Mooney is here this evening with his Professional Wetland Scientist Bill Kenny, and his surveyor Paul Stowell to present the project and answer any questions.

Mooney stated that this is similar to the application for 114 Merwin Avenue with the temporary dewatering basin and the salt water tolerant plantings for the rain garden as now specified on the plan.

MaryRose reported that this evening, the IWA can:

- Ask questions
- Ask for further information
- Schedule a site walk
- Schedule a public hearing (no petition has been received as of 10/21/2020. Petition deadline is 10/21/2020)
- Approve the application as presented or with conditions
- Deny the application
- Take no action

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

I move that after duly considering all relevant factors, I move to approve application IW-A-20-0076: 128 Merwin Av based on the plans entitled "*Plot Plan Based on a Boundary / Topographic Survey on Address No's 128 Merwin Avenue, Milford, CT prepared for C.P. Mooney, LLC*" by Paul J. Stowell Land Surveying, 1sheet, dated 9/15/20 rev 10/20/20, 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.
- The permittee shall post a performance bond to be calculated in cash, money order, or certified check with the Inland Wetlands Agency prior to any site disturbance for S&E controls, wetland boundary markers, plantings and an asbuilt showing finished 2’ contours and locating all site utilities and structures to insure that the site development will proceed and will be completed according to the approved design.
- 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.
- Compliance with the City Engineers 10/21/20 memo.
- Site Plantings will be salt tolerant species as specified by William Kenny
- The permit is issued 10/21/20 expires 10/21/25 unless otherwise provided by Statute.

The motion carried unanimously.

E. Minutes

A motion was made by Connors, seconded by DeFlumeri to accept the minutes of the 10/07/2020 Regular Meeting as presented. The motion carried with Zammiello abstaining.

F. Staff Report

- The office continues to be busy with inquiries, bond release requests and minor reviews for additions, sheds and pools.
- We are working with Municipity, the permitting software vender to incorporate the MIWA applications into the online permitting request system – City Squared.
- Bruce Hyde from the UConn Center for Land Use Education and research (CLEAR) has put the portions of the Land Use Academy training for local land use officials online. I sent the email out in September and included the link in the 10/07/2020 meeting minutes. This is a very helpful class for all Land Use Officials. <https://clear.uconn.edu/luu/index.htm>
- Please let me know what your preferred method of plan review is. If you would like a paper set of plans on all applications or just larger applications so that I can get you what you need to review the proposals.

Site Status:

- Flax Mill Lane Bridge is ongoing.
- 0 Tanglewood Circle –mitigation monitoring is ongoing we have received 3/10 reports (monitoring anticipated through 2023). Minor work to remove invasives was required from the December 19 monitoring report. Next report is due in Fall 2020. Removal of invasive was recommended by the site monitor. Permit holder removed but they grew back. He said he would remove them again and ensure the tree gets replanted to be reported on in the November inspection.
- Terrace Rd is ongoing.

- Wheelers Woods – ongoing.
- Beaver Brook Boardwalk – ongoing.
- 63 Chester St waiting on bond release inspection.
- Westmoor Rd– waiting on final plantings and asbuilts.
- Sailor’s Lane pump station has some stabilization and will be reseeding in the fall.
- Daniels St (Stonebridge patio) waiting on bond release inspection.
- Florence Av is ongoing – stone swale and galleys are installed waiting on asbuilt.
- Platt Lane is ongoing.
- Live Oaks School parking area waiting on asbuilt.
- French Drive Fields – ongoing.
- Lansdale Av Fields –ongoing.
- 30 Bridgeport Av – has started.
- 17 Maddox Av – has started.
- 37 Lakeside is a violation from 2013 that we had referred to the City Attorney’s office for non-compliance. The new owner is asking for review of the file and release of the violation. I will work with the City Attorney’s office on what the last requirements of the Agency were. This may come back to the Agency for resolution in the next month or so.
- Please remember to call or email me if you are unable to attend a meeting.

G. Chair Report

The next meeting will be November 04, 2020 at 7:30 p.m. via ZOOM. Please let the office know if you cannot attend.

There being no further business to discuss, a motion was made by Connors, seconded by Munson to adjourn at 8:10 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.