

Minutes of the Public Hearing and Regular Meeting of the Inland Wetlands Agency on May 06, 2015.

A. Roll Call

Present: Cathy Collins, Jim Connors, Dave DeFlumeri, Carol Dunn, Brendan Magnan, Justin Margeson and Daniel Schopick.

Absent: Allan Cegan, Ken Cowden, Lily Flannigan and Steve Munson.

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

Collins called the meeting to order at 7:30 p.m. and deemed Dunn and Schopick the voting alternates and Schopick Acting Parliamentarian.

B. Pledge

All stood for the Pledge of Allegiance.

C. Public Hearing



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.
 - Explanation of the Rules: (applicants will present their proposal, 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 that 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 their 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.
1. **IW-A-14-076: 701 North Street, Stone Preserve, LLC** – proposed residential community with construction, parking and grading within 150' of an offsite wetland or watercourse in the Wepawaug River Watershed.

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

MaryRose reported that the application was received by the Agency on 1/7/15, that the application was first discussed on 1/21/15, The Agency tried to visit the site but

due to the repeated snowstorms and lack of thaw/melting extensions of the 65-day review period were requested and received by 3/13/15. The site walk was held on 4/9/15 and the 130th day for this application is 5/17/15. The Certificates of Mailing copies were submitted by email on 4/21/15 and the originals were submitted this evening.

She further reported that the IWA walked this site on April 9, 2015 the weather was overcast and cold. There were a number of neighbors present on the walk. She walked the site April 15 with Carol Dunn. The weather was warm and clear. She walked the site on May 6 with Jim Connors. The weather was overcast and seasonal and it had rained in the morning. We looked at the relationship of the Northern wetland to the corner of the building. And in relation to the Eastern wetland and the Southern portion of the site near the utility easement and the Lisman property.

- Applicants presentation - Applicant & Consultants

Attorney Tom Lynch introduced the team and noted that there are no wetlands on site; all wetlands are off site.

This is not a development of apartments or multifamily dwellings. This is a Planned Unit Development (PUD); detached single family dwellings with 3-4 bedrooms. Homeowners will own the land. This is not an apartment complex. It was submitted under statutes for affordable housing rentals for house purchase prices under 8-30G. Due to the high median income in Milford the price of the affordable units is only slightly lower than typical house costs. They have not done the analysis to determine house costs but he could anticipate \$400,000 for the regular units so an affordable unit under the 8-30g Statue would be about \$300,000. 30% of the units will be affordable.

He proceeded to review the history of the property. This is the third application entertained by the IWA for this site:

- 2008 The Cornerstone Christian Center – 46,500 sq. ft. in the upland review area where there is 41,000 in this application.
- 2014 A Jurisdictional Ruling for a 6-lot subdivision that was 27,000 sq. ft. verses 41,000 sq. ft. now. Hardscape is the same 9,000 sq. ft. in prior application.

He would like to add any prior correspondence incorporated into the record:

1996 deed Vol Page A Harris Stone & Tanya Stone easement in 1989 for Pond View Acres subdivision. Lot #6 Schedule A shows 25' sanitary easement for utility across that area of the land to tie into utilities on Platt Lane. That work is within the 150' review area. In 1996 Mr. Stone transferred the title to the Lisman's and this is part of this application. His client is legally entitled to utilize this easement for utilities.

Bob Wheway, PE, Codespoti and Associates reviewed the existing conditions with Sheet SP1. The Southeast wetlands were identified by Otto Theall in 1989. There are 3 offsite wetlands; all flagged by Otto. The topography was reviewed; the area is generally flat. A local high point was identified in the area

of the existing house where water sheds off in the NSWE direction and is steeper in the SE corner with a less than 3% slope. The watershed was further divided into 3 sections to distinguish the flow directions. Sheet W1 was reviewed which is an enlarged map and part of the drainage report. Watersheds ECS1, ECS2, ECS3 and ECS4 were reviewed as well as the drainage flow.

SP3 – the site plan drawing was reviewed. The setbacks for development were shown with unit 44 at the closest point being 62.5' away. Unit 33 is 113' away from the wetland. Sheet SP4 was reviewed, which is the utility easement area. The water and gas line are to be brought into the site from Platt Lane based on discussions that there is low pressure in the 16" main in North Street that has a 32 psi. The 12" line at Platt Lane has a 65 psi and will be able to provide a better water supply to the proposed property and to the properties along North Street including greater flow for firefighting purposes. A letter from the Water Company was submitted. The 1989 Pond View Acres approval showed the sewer easement with underground utilities approved in the easement. This was submitted.

Sheet SP9 was reviewed for storm drainage incorporating green infrastructures and porous asphalt used for storm water management. This system includes a reduction in heavy metals and will have no thermal impact at all.

The open cell structure system will be able to provide a breakdown of pollutants. A cross section detail of this was reviewed. This system allows for rainfall to infiltrate through porous asphalt with no run off. The stone reservoir provides a storage area for rain fall. Extensive testing was done on site and is included in the report. There are favorable soils for this system.

The drainage flow was reviewed:

6 cell areas on Sheet SP4 were reviewed: units 7 and 8 are cell 1. Units 22 and 31 are cell 2. Unit 37 is cell 3. Unit 43 is cell 4. Unit 46 is cell 5 and Unit 60 is cell 6. The system will provide zero increase in run off. In the winter time porous pavement is very effective. It has a high void content and black ice is almost eliminated with this system and plowing is much easier. There cannot be sanding with this system. However, de-icing agents can be used. Porous asphalt is better in winter time conditions versus asphalt.

Otto Theall, Soil and Wetland Scientist, flagged the wetlands on the Lisman property in 1989 and in December 2014 he flagged the area on the golf course property. The wetland to the north is 5,200 sq. ft., the wetland to the east is 7,000 sq. ft. and the Lisman property south east is 42,000 sq. ft. The current conditions are low value. The vegetation was reviewed. The two wetlands on the golf course provide some function as groundwater discharge areas and storm water attenuation. The larger wetland off site is wooded and would offer more value for nutrient and sediment trapping. The wetland to the north has very low value and the one to the east is slightly better. There will still be ground water hydrology with this proposal. The golf course is right up next to

this with lawn up to the wetlands and has low value. There will be no further degradation to the wetlands with this project.

Matt Popp, Landscape Architect and Soil Scientist, walked the site this past Monday and submitted photos taken on 5/4/15. 6 photos were reviewed and oriented to the plans, reviewed and submitted his report dated May 6, 2015 (copy attached).

Jeff Gordon, Environmental Planner with Codespoti and Associates, reviewed the S & E measures as well as the landscape plan. Sheet SP5 was reviewed; mud tracking pad and silt fencing to protect the perimeter and road areas for the pervious asphalt. Silt fence and fiber log will be used on the eastern and southern portions of the site. The landscaping plan was reviewed, Sheet SP6. A stone wall delineates a portion of the site and will have to selectively look at what trees to save. Bamboo Japanese knotweed removal protocol was submitted in April. These are not naturally occurring wetlands but come from the golf course.

He then reviewed alternatives considered. They are not proposing altering or loss of wetlands. The road system that has no point discharge, will not increase runoff and will have a cleansing feature. Plan shows the amount of fill being placed adjacent to the wetland systems. 18 – 24” on the northern boundary could have decks instead of patios and injector pumps for sewer. No real benefit and more site work. The eastern portion; if fill behind units 17 – 39 were removed would have more impact and the sewer line would have to be flattened and injector pumps used and this would not be prudent. Snow stockpile areas were looked at behind units 15 and 17 there is ample parking; each unit will have a garage and 2 driveway spaces. There is some visitor parking that can be used for snow storage if need be.

Joe Codespoti Sr., founder of Codespoti and Associates, Land Use Consultant, thanked the IWA and the audience for their patience. Tonight is to discuss wetlands and if this proposal will cause irretrievable loss or decrease of wetlands and he feels it is a very clear no. There will be no clearing or activities that will impact or affect the wetlands. The IWA approved a church project that did more work in this area without a Public Hearing and two Soil Scientists have shown clearly that there will be no effect on the wetlands. Not one square foot of wetlands will be filled and no wetland will be entered upon by equipment or personnel. This application should be approved based on its merits not its popularity.

A five minute recess was taken.

Collins called for those **IN FAVOR** of the project:

None.

Collins called for those **AGAINST** the project:

Julian Groeger, 200 Platt Lane, addressed the removal of the apple orchard having chemicals for insect removal, arsenic and disturbing this soil will disturb the arsenic. He requested that the soil be tested to determine contamination and the prevention of spreading arsenic. He submitted a superior court case that was similar to this project that was denied. He also submitted a petition against this project with 550 signatures.

John Nowicki, 710 North Street, stated that his family has owned this property since 1953 and his daughter currently lives there. He is concerned with pesticide and contamination and potential effects on the water. This can cause significant damage to wildlife. He spoke to the DEEP in Hartford as well as the Director of the Milford Health Department. The orchard has been sprayed with pesticides from 1990 – 2004 6 -10 times per year. In 1975 Platt sold the orchard. DDT and mercury are concerns. Top soils will be disturbed and this will release the contaminants into the environment. He is concerned with these effects and has expertise with patient experience. He recommends a soil analysis for contaminants.

Rick Atkinson, 170 Platt Lane, is concerned with a City road and sanding on pervious pavement. He has experience with the Building Commission in Fairfield and there is no sanding and salting allowed. Once per year parking lots are to be vacuumed and every 3 years they are to go to the reserve underneath and clean that out. He asked if the developer would be vacuuming the road and that sand on porous pavement will clog the porous. If it does clog this will go into the wetlands and the law says that there is to be zero increase in runoff. UCONN parking lot has failed because of this.

Michelle Kramer, 104 West River Street, has a strong concern about porous pavement which has very specific requirements and asked who will be responsible for this. Trees and wild life will disappear.

Mike Palicki, 70 Eisenhower Drive, is also concerned with long term maintenance of the road. Since 2008 things have changed. 63 houses is ten times what zoning would allow. There will be ten times more lawn treatment/fertilizer and asked that the overall effects of phosphates in the Wepawaug be considered and that density contributes to this.

Gwen George-Bruno, One Vincent Street, stated that this would be severe over crowding and will be a detriment to the environment, car emissions, with 63 families on 7 acres. The eastern box turtle is in this area, it has been seen more than once by both her son and husband. She printed information on the box turtle from the DEEP website and loss of habitat is a direct detriment to these turtles. These turtles live and die within a 2 mile radius.

Elaine Guevara, 141 Platt Lane, stated that she put in an above ground pool. It had been up for 12 years and is in within 1' of the wetlands and she got an after the fact application. She is adjacent to Nancy's Pond and construction will affect this habitat. When she built her home she had to alter the driveway due to the wetlands and this is a huge project and will invade the wetlands.

Barbara Lisman, 201 Platt Lane, questioned the statement that there is high water pressure and asked why she has a water pump in her basement if this is the case. There is considerable runoff coming from higher ground. At times there is standing water in her rear yard. She and her husband planned to keep the second lot as open land. She asked how the applicant knew what trees were on her land as they are trees she planted not trees that were there when the house was built. She has a dry stream bed by the back porch. 6 houses were proposed several years ago and there was no problem with that when Mr. Stone approached the neighbors. She has seen 13 deer in her yard in one day. She would like tests done for contamination and stated that there is a higher than normal incidence of cancer on the block including herself. She has a map from 1989 and was told that it was unusable because it was more than 10 years old. She is having a survey done tomorrow for wetlands and she asked that the IWA please wait for that.

Richard Platt, 132 Platt Lane, he stated that there have been orchards in this field since the 1850's and he has been in the area for 82 years and there has been pesticide used on this property the whole time. He questioned the water pressure. He tapped into the water a few years ago and had to sign a low pressure agreement with the Water Company.

Ivan Fossesiqurani, 37 Pond Street, 369 Grassy Hill Road and his family lives at 594 North Street and still have well water. There was a problem with a gas leak at the orchards and the state had to provide bottled water until it was resolved. This project is proposing 63 units that will have cars, oil and gas that will seep through and get to the water table and he asked who is responsible for this and how do you replace a filtering system. There will be approximately 200 people with waste, washing machines and sewage.

Lisa Valerio, 200 Platt Lane, stated that all of these impacts will be funneling into the system and there are concerns with the pervious pavement. She asked how people who need affordable housing will be able to keep up with the pervious pavement maintenance. Who will be bonding the inspection for the pavement and who will pay for the roads to be changed to paved roads and regular drainage? She is concerned with the snow shelf that will seep into the ground and the space proposed is elevated; then high to low and into her back yard. It is illegal for her to put in a drainage pipe and aim it into her neighbors' yard. The trees and vegetation that are potentially removed; she is not clear what will remain. There are a lot of apple trees with a water consumption of 8,000 gallons per acre and this proposal allows for 2,700 and she asked how this is identical. She would like to know what is going to be removed and/or replaced and this will affect her personal property and she would like a City Engineer review.

Linda Swanson, 163 Platt Lane, she is the original owner and has lived here for 23 years. She thanked the IWA for their volunteer services for Milford and stated that as a teacher the wetlands are extremely important. There are some discrepancies; no wetlands disturbed verses the 3rd wetland in the SE would be temporarily disturbed for easement and utilities. There are mixed messages. She is concerned with water pressure and the water mains. She gets information all of the time from the Water Company for insurance. Water seeps through the cement in her basement now from heavy storms. This will not affect anything? Important wetlands? Whose opinion?

This is not fact. The more important wetland is the one to be disturbed. She commented that there are only 2 easels facing the IWA and asked why there were none for the public to see.

Christie Laracuente, 180 Platt Lane, she read and submitted a neighbors letter, Jim Mondie, that resides at 673 North Street. He is a 20 year resident and his property abuts the site. 63 homes on 7 acres will overload the sewer, increase runoff. There is low water pressure now. The tree line is incorrect; it is not on his property. In 1998 his water well contaminated from gas tanks from 701 North Street and they were leaking for many years and there are still trace amounts that can leach if the soil is disturbed. He is concerned with chemicals/pesticides, carcinogens from the orchard and citizens need to be safeguarded as well as the drinking water. He asked if a Phase I survey was done on the environment. The surrounding aquifer will be affected and how will this be assured.

David Chesler, 502 North Street, his property backs onto the open space and he is amazed at the diversity of wild life. He is concerned that the development will affect the wild life. He is from Woburn, MA and effects from a cannery caused cancer and he is very concerned.

Jane Platt, 132 Platt Lane, she is opposed to the project and is concerned with health, safety and quality of life issues.

Kathy Mankus, 186 Platt Lane, has lived here for 20 years. There were 7 white pine trees that were 40' tall and diseased and she took them down. Since then she has had water in her basement and she is concerned with removal of the trees.

Susan Young, 193 Platt Lane, stated that her basement gets flooded; after a heavy rain there was a stream running from the Lisman's house through her yard.

David Ortolea, 59 Cynthia Lane, when he had a paper route when he was young he seldom saw wild life here; now there is a lot. He has seen coyote. These are small lots and density is a concern. Water pressure is also a concern.

Carrie Akin, 579 Orange Avenue, she is opposed to this project and asked how this was affordable housing. She is concerned with wild life; there are deer in the street because they have nowhere to go. She asked what is a little bit of wild life.

REBUTTAL

Bob Wheway, stated that porous asphalt does require maintenance and they are aware of this. Pages 209-211 of the Storm Water Management Report addresses the detail of the maintenance. There will be no sanding. Cleaning will be general routine by a landscaping company. Vacuuming and washing will be less frequent, vacuuming 2 times per year. This is not a public road but a private one and will be privately maintained. The management company will be responsible. Signage is proposed throughout the site; no sanding, no dumping. As Association and Landscaping Company will be doing the maintenance; there will be no fertilizer. Upon review of the DEEP Natural Diversity Database there is nothing within their review area for rare or endangered species. There are 12 homes, 9 driveways and part of a road within the IWA review area and there are no impacts to the wetlands. The Regional Water Authority has been consulted with and a letter from them has been submitted that there is sufficient pressure.

Attorney Lynch, stated that he does have a Phase I Environmental report and the IWA will receive a copy of this. In August 2014 an assessment was done and a pesticide report that reviews the history of gas storage tanks. Impacted soils have been removed. Soils samples were taken under DEEP supervision and there is no further actions warranted. In May 2013 it states that pesticides were used due to the history of the apple orchard and there are recommended guidelines to oversee development of the property which stated that the soil can be mixed with other soils on the site but can not be used as top soil. Schopick asked if the entire report was submitted. Lynch stated that he has just the summary but can submit the whole report after tonight.

Joe Codespoti, stated that there are no filling of the wetlands and no disturbance to the wetlands. No one has to enter the wetlands for utility, etc. No equipment has to enter the wetlands.

Matt Popp, stated that there would be temporary disturbance in the easement area 25' away from the wetland for installing utility lines.

Attorney Lynch stated that he has the full Phase I report electronically and can submit this tomorrow.

Michelle Kramer, 104 West River Street, asked why this report was not presented and this seems unusual.

Julian Groeger, 200 Platt Lane, stated that based on the Phase I report pesticides were found and based on his case study this required substantial evidence that this has been taken care of to cause no harm. Bedrock was found and porous pavement won't work; it would flow sideways.

Lisa Valerio, 200 Platt Lane, there are no endangered animals? Is it ok to endanger them in the future? Was pervious pavement considered in the Phase I study? Water goes through all of the soil now. She feels a second study should be done.

John Nowicki, the Phase I shows that the top soil is contaminated with arsenic. The top 10" of topsoil would have to be removed.

Richard Platt, there is conflicting information and he requests an independent study of the soils/property.

Mike Palicki, would like clarity of the status; is it a community but properties are individually owned. Will landscapers take care of the entire property or will individual owners take care of their own property? What is the property owners' responsibility and established protocol to potential buyers?

Gwen George-Bruno, questioned the RWA letter that there are no pressure problems as there is per the neighbors. Mr. Codespoti stated that there will be no environmental impact; neighbors have seen endangered species on site. In every remediation of soil, soil is removed. She can not fathom mixing soils. She requests that the IWA appoint professionals to investigate and provide reports at the owners' expense.

Linda Swanson, they stated that these were not original wetlands but from the golf course. She questioned how do wetlands grow, change, etc. and will removing and building create new wetlands. Lisman's property has large areas of ponding so could more wetlands be created from this and what is that affect.

Barbara Lisman, stated that she has all of the plans from the golf course and it was planned around the wetlands. So, she does not think the wetlands were created, they were there. Wetlands delineation can change which is why the plan from 1989 is not valid.

Attorney Lynch, soil contamination is not a wetlands issue. A gas leak is the owners' responsibility to find out about before purchasing. If there was anything further, a Phase II report would be required. All issues were remediated per State DEP guidelines/protocol for contaminants and is not a wetlands issue. There is individual ownership of the lots and Association dues for maintenance of common areas which is the road. Individual mowing is not an issue.

Connors asked about the snow shelf and stated that it seemed like an insignificant area and asked how the snow would get there. Wheway stated that the area is not uncommon and snow may have to be hauled off site if need be. Connors asked about the porous asphalt and its' long term maintenance with sand being tracked in from public roads and its cost. Wheway stated that this is not low income housing but affordable. Everything needs maintenance and this is outlined in a detailed plan with safeguards built in with a 20% void ratio. There are tons of case studies that show that this works. He referenced the University of New Hampshire study and that it is colder there.

Magnan asked about the detailed maintenance and a cost profile on an annual basis. Wheway stated that it would probably go out to bid and that he had no cost range. Magnan stated that he would need a cost profile to move forward.

Schopick questioned Wheway's statement that the IWA did not have jurisdiction over the entire project. Wheway clarified that he spoke to the portion of what is within the 150' review area. Schopick asked if the applicant would consider a bond for a long period of time for maintenance or a transfer of property. Wheway stated that he would have to discuss that with the applicant and asked how the IWA handles other underground detention systems. Collins stated that each project is looked at individually and Mrs. Lisman is getting her property surveyed tomorrow and she is interested in that.

Magnan asked if a Hydrologic Engineer was involved in the drainage summary. Wheway stated that it was himself and the hydrology report was under his supervision.

Collins stated that there were over 20 new documents received tonight and as lay people would need time to review. Wheway stated that a lot of material was already received and that he believed that the City Engineer reviewed the stormwater management report. MaryRose stated that the City Engineer's report has not been received yet and that Mr. Popp's report needs to be reviewed. Schopick stated that he would also like to see Mrs. Lisman's report.

Wheway stated that pervious concrete has been used at the Subway parking lot, at JFK school parking lot and at Kingdom Hall as well as in NY on an old apple orchard.

Collins stated that the Public Hearing will be continued until 5/13/15 with the time to be determined and posted.

A five minute recess was taken.

D. Public Comments

None.

E. New Business

- 1. IW-PA-15-014: 31 Shadows End Lane, Nick and Gail Sostilio** – proposed pool house and existing inground pool with construction within 100' of a wetland in the South Central Shoreline Watershed.

MaryRose reported that this is a proposal for a pool house and existing inground pool at 31 Shadows End Lane by Nick & Gail Sostilio. A permit was issued for an above ground pool and shed for this property in the past. They hired a pool company to permit and install the inground pool in 2013 and the contractor did not get an IWA permit for the pool. The inground pool is located approximately 46' from the wetland in the same location we had earlier permitted an above ground pool. The Sostilio's would like to install a 14' X 24' pool house for storage of patio furniture and pool toys etc. The proposed building would be approximately 28' off of the wetland line on the adjacent open space parcel. The structure would be on piers or blocks dependant on costs should the project go forward. Mr. & Mrs. Sostilio are here this evening to answer your questions.

Magnan asked for MaryRose's input. MaryRose stated that they are proposing a pre built structure and her only concern is how the building will be supported and that no fill is brought in.

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

I move that the Designated Agent issue a Jurisdictional Ruling for pre-application IW-PA-15-014 31 Shadows End Lane for construction of a 14' X 24' pool house and the existing 18' X 36' inground pool as shown on the drawing in the file with conditions including:

- there will be no filling within 28' of the wetlands on the property,
- proper soil erosion and sedimentation controls must be installed and maintained while the site is disturbed
- a bond of \$4,100 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. Construction and mitigation bonds 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.

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.

2. **IW-A-15-017: 0 Tanglewood Circle, April Culver** – proposed single family home with construction, grading and filling in and within 100' of wetlands in the Housatonic River Watershed.

This item is on the agenda for the first time and can be heard at the 5/20/15 meeting.

3. **IW-A-15-018: 0 Tanglewood Circle, April Culver** – proposed single family home with construction, grading and filling in and within 100' of wetlands in the Housatonic River Watershed.

This item is on the agenda for the first time and can be heard at the 5/20/15 meeting.

F. Old Business

1. **IW-A-15-004: 220 Rock Lane, SMI Realty, LLC** – proposed building addition and parking expansion with construction and grading within 100' of wetland in the South Central Shoreline Watershed.

MaryRose reported that this is a proposal for a 28,000 s.f. addition for Stevens Manufacturing at 220 Rock Lane with work within 100' of wetlands in the South Central Shoreline Watershed. We have received the soil report from Scott Stevens of Soil Science and Environmental Services, who delineated the soils on the site on 3/31/15. The Agency walked the site on April 23rd. She walked the property this morning (5/6) with Commissioner Schopick and Commissioner Connors informed her he walked the site this afternoon. The weather was overcast and misty we viewed the stakes showing the wetland line, toe of slope, edge of parking lot and galley locations as well as the approximate location of the proposed addition and the second driveway.

Bob Blanchette of Borghesi Building submitted drawings and wetland reports. They have located the galleys further away. The conclusion of the report on page 5 was read; it was just received yesterday. Collins questioned how to ensure per the report "as long as it is done as on the plan". MaryRose stated that if there is any change then she would have to review it again. MaryRose further stated that per Jen Beno (she spoke to her after the site walk) she did not find any vernal pool species. Blanchette referenced page 4 of the report. Magnan stated that he is comfortable with Jen Beno's expert conclusion and is comfortable acting on the application.

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

After duly considering all relevant factors, I move to approve application IW-A-15-004 220 Rock Lane based on the plans entitled "*Stevens Manufacturing, 220 Rock Lane, Milford, CT 06460*" by Borghesi Building & Engineering Co. Inc 3 sheets dated 1/14/15 revised 4/21/15, the information in the file and presented this evening, for the following reasons:

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

With conditions including:

- The Permittee will 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.
- A Construction plan must be submitted prior to the permit being taken out.
- A 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 5/6/15 expires 5/6/20 unless otherwise provided by Statute. The motion carried unanimously.

- 2. IW-A-15-005: 0 Wheeler's Farm Road, Wheeler's Woods. LLC** – proposed 180 unit apartment complex with work within 100' and 150' of wetlands and watercourses in the Housatonic River and Wepawaug River Watersheds.

MaryRose reported that this is a proposal by Wheelers Wood, LLC for a 180-unit apartment complex with work within 100' of wetlands in the Housatonic River Watershed and within 150' of wetlands in the Wepawaug River Watershed on Wheelers Farms Road. The Agency walked the property on 4/28/15. The Public Hearing for the Application is scheduled for 5/13, next Wednesday. No action.

A motion was made by Magnan, seconded by DeFlumeri to continue the meeting until 11:15 p.m. The motion carried unanimously.

- 3. IW-M-13-024: 553 West Avenue, Grillo Services, LLC** – proposal for a facility for leaf composting, tree and brush recycling, processing of topsoil, sale of landscaping products and 2 buildings with roads, parking, grading and stormwater improvements in and within 150' of a wetland in the Beaver Brook Watershed. Modification Request.

MaryRose reported that this is a modification request for the Grillo Services LLC project on West Avenue that the Agency approved with conditions and bond on 7/24/13 and modified on 11/19/14. The 11/19/14 modification request was for realignment of the buildings and material storage bins on site; an expansion of the stockpile areas, additional drainage improvements, a woodchip berm around the disturbed area and a planting plan. This modification request is for realignment of the driveway on West Avenue per the Police Departments Traffic Review. The proposed change will move the driveway to within 27' of the wetland line and the entrance to within 20' of the wetland line.

Matthew Davison, Professional Wetland Scientist from Tighe & Bond discussing his professional opinion on the proposed modification. Mr. Davison suggested that the stormwater discharge point adjacent to Beaver Brook be evaluated to ensure that it is stable and not a source of ongoing erosion and sedimentation. Fred Mascia from Tighe & Bond has submitted plans showing the new proposed outfall. We requested a review by the City Engineer. We have not received that report yet.

Mike and AJ Grillo and Fred Mascia of Tighe & Bond are here this evening answer your questions. Fred Mascia submitted information requested.

At this time MaryRose does not recommend any action because we are waiting on the City Engineers Review.

E. Minutes

No action.

F. Staff Report

Site Status:

- Burnt Plains Rd field – I met onsite with Chairwoman Collins, Reverend Mixie, Scott Farquharson and Ken Carney on 4/29/15. We reviewed the rain gardens, and wetland areas. Outstanding conditions were discussed. Mr. Carney and Reverend Mixie stated that they will work towards Jennifer Beno's recommendations from 4/15/15 and we will meet with them on 5/15 to see what progress has been made.
- Indian River Interceptor –work has resumed.
- Meadowside Rd – work is ongoing.
- Sanitary Sewers Infills No 2 (Plains Rd/Shelland St/High St/White Oaks Ter) – Final paving/stabilization will begin in the next few weeks.
- Way Street work is ongoing,
- Westmoor Road work is ongoing.
- West Main Street is ongoing.
- 1595 Boston Post Rd project is ongoing.
- 86 Old Field Lane is ongoing.

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

G. Chair's Report

The next meeting will be May 13^h in this room City Hall Auditorium Please let the office know if you cannot attend. .

A motion was made by Connors, seconded by DeFlumeri to adjourn at 11:15 p.m. and carried unanimously.

Respectfully submitted,



Lisa Streit

These minutes have not been accepted or approved.