

Minutes of the Regular Meeting of the Inland Wetlands Agency on December 18, 2019.

A. Roll Call

Present: Brendan Magnan, Daniel Bedeker, Ranjit Bhave, Jim Connors (by via conference call)
Ken Cowden, Dave DeFlumeri and Steve Munson

Absent: Matthew Connors, Carol Dunn and Lily Flannigan.

Also Present: MaryRose Palumbo and Lisa Streit

Magnan called the meeting to order at 7:30 p.m. and deemed Bhave the voting alternate

B. Pledge

All stood for the Pledge of Allegiance.

RECEIVED
DEC 23 2019

C. Public Comments

None.

MILFORD INLAND WETLANDS

A motion was made by DeFlumeri, seconded by Bhave to hear item D. 2. on the agenda first. The motion carried unanimously.

D. New Business

- 2. IW-M-19-023: Milford Oral & Maxillofacial Surgeons** – proposed modification to an approved stormwater system for demolition of one existing building and construction of a dental office with minor improvements within 150’ of a wetland or watercourse in the Wepawaug River Watershed.

MaryRose reported that this is a proposal for modification to the stormwater system for the demolition of an existing building and construction of a new dental office at the corner of West River Street and the Boston Post Road. The Agency issued a Jurisdictional Ruling for minor work within 150’ of the Wepawaug River for this project on 4/3/19. The Applicant is now proposing to change the location of the detention area and level spreader that had discharged approximately 175’ from the Wepawaug River to a point where it discharges approximately 90’ from the Wepawaug River. The level spreader is the overflow from the underground detention system that is designed to carry the 25 year storm. (While they are also proposing to move the stormwater system that area is greater than 150’ from the Wepawaug River). Ron Wassmer of CT Civil Group was in attendance to present the project.

Ron Wassmer PE, LS, of CT Civil Group stated that he was representing Milford Oral Surgeons. This site is at the corner of Boston Post Road and West River Street adjacent to the Pump Station. He reviewed plans from the MIWA 4/3/19 approval looking at sheet GD-1. The underground galleys for the stormwater treatment system were originally proposed in the lawn area. They are now proposing moving it underneath the parking lot. They would like an option for future development and this revision could provide that. The galley system discharges to a shallow detention system which is also a compensatory storage area for work in the flood zone. The area has three functions: it is a small extraction to compensate for fill in the flood zone; it provides detention above and beyond what was required for the 25 year storm; and it is the level spreader for the stormwater system.

Wassmer referred to drawing GD-1 revised 12/18/19 showing the galley system moved into the parking lot and the detention area is a few cubic feet larger but functions the same way. Referring to sheet LS-1 showing the plantings moved from the previous location to between the detention basin and the pump station. He has also proposed a New England Wetland Plants conservation mix for the basin. They are not proposing to create wetlands but they are enhancing the area by removing pavement and adding the wetland mix and plantings. On the original application he had a typo of 1.01 acres for the review area altered. It was a scribe's error and should have been 0.55 acres.

The following motion was made by Munson and seconded by Cowden: that the Designated Agent issue a Modification to the Jurisdictional Ruling for IW-M-19-023: 708 Boston Post Rd for the relocation of stormwater demolition of one existing building and construction of a dental office with minor improvements within 150' of the Wepawaug River based on the plans entitled "*Milford Oral Surgeons, 708 Boston Post Road, Milford, Connecticut*" by CT Civil Group, 10 sheets dated 3/29/19 revised as follows: EX-1, D-1, D-2 5/2/19, DM-1 5/10/19, LS-1, SP-1 GD-1, U-1, ES-1, FPM-1 12/17/19, *This action will not have an impact or effect on the physical characteristics of the adjacent wetlands and watercourses*".

The motion carried unanimously.

1. **IW-V-19-083: 48 Cambridge Avenue, Wayne Wyman** – filling and grading within 100' of a wetland in the Housatonic River Watershed without a permit.

MaryRose reported that based on a complaint to Planning and Zoning, she visited the site at 48 Cambridge Avenue on 12/13/19. The lot is at the east end of a dead end street. There is a significant amount of fill to the south of the house. The Milford GIS shows wetlands within 100' of the fill. From the topography on the Milford GIS mapping, the grade change on the lot in the area of fill is approximately 12'; the lot depth is approximately 92'. The filling appears to be active. There are no erosion and sedimentation controls on site. Her field notes and the violation letter were in Commissioner's mailings.

A notice of Violation was issued on 12/13/19 by certified mail. She has been contacted by the property owner, Wayne Wyman. He stated that he was unaware he needed a permit and was trying to give a safer flat area for the driveway. She explained that the Agency would likely need erosion controls put in ASAP and a wetland line and a site survey in order to review the violation and potential permit for the work. He said he would install the silt fencing by the weekend and look into the survey and Soil Scientist. He was unsure if he would be able to be here this evening.

Her recommendation would be to require proper soil erosion and sedimentation controls be installed for stabilization of the site and a survey with topography, wetland location and upland review area be submitted.

Pictures of the site were reviewed. There was a general discussion of Commissioner concerns about the type, volume and location of fill on the site and its proximity to wetlands. This is a large area of approximately 20' x 70' x 12'. The stability of the fill pile and potential to slump into the wetlands with the winter weather until it is temporarily stabilized was discussed. With the steepness of the slope and the volume of fill the Commissioners felt that a Professional Engineer should evaluate the stability of the slope and the best method to stabilize or remove the fill without impact the wetlands and upland review area on the site.

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

That cease and desist order IW-V-19-083: 48 Cambridge Av, be upheld and the property owner be ordered to submit the following by 2/15/19:

1. An A-2 survey with T-2 accuracy done by a Professional Land Surveyor licensed in the State of CT showing the following information at a minimum;
 - a. Wetlands line as delineated by a certified soil scientist or professional wetland scientist. Including both inland and tidal wetland lines (if present).
 - b. Soil Scientist's signature
 - c. Property boundaries.
 - d. Site Structures/improvements
 - e. Coastal Jurisdiction Line (CJL)
 - f. Mean High Water Line (MHW)
 - g. Limits of fill
2. Submit a report from an Engineer licensed in the State of CT on the source, type and volume of fill, viability of slope.
3. Impact report by a Professional Wetland Scientist, including any potential impacts to wetland and the existing tree canopy. A proposed mitigation plan must also be submitted.
4. Proposed timeline for execution of the mitigation plan.

By no later than 1/9/20 the Property Owner will install and maintain tiered erosion controls on the slope to prevent erosion into the wetlands until such time as the area is stabilized and the violation is released.

The motion carried unanimously.

F. Minutes

A motion was made by Munson, seconded by DeFlumeri to accept the minutes of 12/04/19 as presented. The motion carried with Cowden abstaining.

G. Staff Report

Site Status:

- Welch's Point Rd Pump Station is nearing completion – the rear of the station is planted and has almost 80% stabilization – waiting for spring growth.
- 0 Tanglewood Circle –mitigation monitoring is ongoing we have received 2/10 reports (monitoring anticipated through 2023). Minor work to remove invasives was done. The next report is due in spring 2020.
- 24 Cooper Ave – ongoing. Mr. Schettino appears to have constructed his home without rain gutters and roof leaders to a rain garden as was on the approved plan. This project is nearly complete. MaryRose will review with the City Engineer for compliance with the Stormwater requirements.
- Ford St / Bailey Ln –houses, landscaping and fencing are complete – waiting for last area of grass to grow for bond release.
- Terrace Rd is ongoing.
- Wheelers Woods – ongoing.
- Eastern Steel Rd – Rail Road Culvert – construction complete, minor corrections to site work and final stabilization to be completed.
- Beaver Brook Boardwalk nearly complete; parking area will be done in phase 2.

- 63 Chester Street is ongoing.
- Westmoor Road is ongoing.
- Sailor's Lane pump station is ongoing.
- Daniels Street (Stonebridge patio) is ongoing.
- Florence Avenue is ongoing – stone swale and galleys are installed.
- Platt Lane is ongoing.
- Connors asked about the rear of Pepe's Farm Road and its drainage. MaryRose stated that she will follow up with this with Public Works.
- The next Board of Aldermen meeting is on 1/6/20 for those that need to be sworn in.

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

G. Chair's Report

Magnan thanked everyone for their service on the Agency this year; the time, effort and diligence is much appreciated. Thank you and good bye to Flannigan and Dunn who will not be returning next year.

For those that are being reappointed, please be sure to get sworn in again prior to the 1/15/20 meeting.

The next meeting will be a Regular meeting in Conference Room B on January 15, 2020.

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 to adjourn at 8:35 p.m. was made by Munson and seconded by DeFlumeri. The motion carried unanimously.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.