



TOWN OF MILFORD

Conservation Commission

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CONSERVATION COMMISSION

Conservation Commission Meeting Preparation November 16, 2023

Chair Zacchilli called to order the meeting of the Milford Conservation Commission at 7:00 P.M.

Members in attendance: Chair Zacchilli, Paul Braza, Jeff Fredericks, and Michael Rolo.

Members absent: Derek Atherton, John Erickson, and Domingos Roda

Also in attendance: Elizabeth Mainini (Town Engineer)

Motion by Braza, second by Rolo to approve October 26, 2023, minutes.
Motion carries. Four in favor.

No invoices.

Items 1-3 from the agenda are continued to the December 21st meeting.

7:02 P.M. - #200 Deer St – Continuation Partial Certificate of Compliance DEP# 223-987

Town Engineer received the pump station as built and finds the work related to this Partial COC request to be in substantial compliance with the Order of Conditions.

Motion by Braza, second by Rolo to issue a Partial Certificate of Compliance for the work on the #200 Deer Street Parcel and the work associated with the sewer pump station.

Motion carries. Four in favor.

7:05 P.M. - Deer St Subdivision Road–Continuation Certificate of Compliance DEP# 223-954

Town Engineer received revised plans and calculations incorporating the comments on flood plain and permanent wetland disturbance. With all comments addressed, Mainini recommends issuance of the COC.

Motion by Braza, second by Rolo to issue the Certificate of Compliance for DEP#223-954.

Motion carries. Four in favor.

7:08 P.M. - #250 Fortune Blvd-Target–Certificate of Compliance DEP# 223-1193

Representative in attendance was Chris Haggin from VHB.

All work was within the existing limit of work. Town Engineer inspected the site and stormwater system prior to issuance of the Certificate of Zoning Compliance. Mainini recommends issuance of the Certificate of Compliance.

Motion by Braza, second by Rolo to issue the Certificate of Compliance for DEP#223-1193.

Motion carries. Four in favor.

PUBLIC HEARINGS

7:21 P.M. - #391 Central St - Continuation Public Hearing for Notice of Intent DEP# 223-1231

Representative in attendance was Mike Dean from D & I Design.

Dean reviews the submitted materials regarding the perennial/intermittent status of Beaver Brook. Beaver Brook runs from Central Street in a southerly direction through the subject property, a recently permitted 4-lot subdivision and through the permitted Bear Hill Village development. A valid OOC for Bear Hill Village is in place and thoroughly evaluated the status of Beaver Brook. It was determined by the applicant's wetland scientist, Judy Schmidt, (with photos of 4-dry days) and verified by the Town's Wetland Consultant that Beaver Brook became perennial just south of where Casey Road was later constructed. The Town's consultant (Masson Associates) noted in his report that all points north of that perennial point were to be considered intermittent. Chair Zacchilli indicated he has never seen Beaver Brook dry at Central St and the submitted information isn't necessarily relevant to 391 Central St.

Town Engineer indicated where there is a large flat wetland in between the subject property and where the photographs were taken, Mainini believes Beaver Brook may function as two separate streams connecting the large wetland. Although the regulations say a stream is normally intermittent upstream of the point it becomes perennial, the photos from the Casey Drive area would not apply to the stream at the subject property if the streams are two separate streams.

Dean responded that a stream doesn't go from perennial to intermittent as it moves down stream because there is more contributing flow, that is why it is standard practice to call a stream intermittent upstream of the point it becomes perennial. Dean also indicates regardless of the status of the stream, the applicant is trying to address the issues that led to the enforcement order and this NOI, they are not looking to expand the limit of work. Mainini said if it were Riverfront, she would recommend restoration of the wetland area that was filled in lieu of the replication area.

Chair Zacchilli suggested the Commission make no determination as to the status of the stream and requested the applicant's engineer revise the plan to eliminate the replication area and restore the wetland fill area. The applicant, Mrs. DaSilva, said they built the existing wall to stop erosion into the wetlands, they didn't realize they built the wall in the wetlands. She asked if they could reconstruct a retaining wall along the restored wetland area rather than having a slope.

Dean and Mainini agreed the wall should be reconstructed approximately 5 ft from the restored wetland line and the restoration area will be regraded and wetland plants installed.

Motion by Braza, second by Fredericks to close the public hearing and issue the Order of Conditions making no determination as to the status of Beaver Brook and subject to receiving revised plans eliminating the wetland replication area and proposing restoration of the wetland area that was filled.

Motion carries. Four in favor.

7: 57 P.M.- Dilla St Subdivision - Continuation Public Hearing for Notice of Intent DEP# 223-1227

Representatives in attendance: Michael Drylan from Allen Engineering and Quinton Nolan from Old Cedar LLC

Town Engineer received two rounds of revisions and reports the applicant's engineer has addressed all outstanding concerns. Mainini recommends issuance of the Order of Conditions with Special Conditions requiring:

1. Submittal and approval of the SWPPP by the Conservation Agent shall be required prior to the start of work.
2. Prior to the start of work, a competent representative shall submit to the Conservation Agent a certification of properly installed erosion controls.
3. Confirmation soil tests in the location of the underground detention system to be witnessed by the Town Engineer,
4. Town Engineer inspections of the installation of the underground detention system.

5. Yearly reporting of Stormwater BMP Inspections and Maintenance,
6. Yearly stormwater samples and reporting,
7. The submitted O&M be updated, reviewed, and approved prior to the issuance of a Certificate of Compliance.

Motion by Braza, second by Fredericks to close the public hearing and issue an Order of Conditions for DEP#223-1227 with the special conditions recommended by the Town Engineer
Motion carries. Four in favor.

8:02 P.M. - #80 Old Cedar Court - Continuation Public Hearing for Notice of Intent DEP# 223-1228
Representatives in attendance: Michael Drylan from Allen Engineering and Quinton Nolan from Old Cedar LLC.

Town Engineer received two rounds of revisions and reports the applicant's engineer has addressed all outstanding concerns. Mainini recommends issuance of the Order of Conditions with Special Conditions requiring:

1. Submittal/approval of the SWPPP by the Conservation Agent prior to the start of work.
2. Prior to the start of work, a competent representative shall submit to the Conservation Agent a certification of properly installed erosion controls.
3. Confirmation soil tests within the underground detention system to be witnessed by the Town Engineer
4. Submittal of a geotechnical evaluation of the proposed 2:1 slope and stamped design of the 1:1 slope prior to the start of any construction. If the slopes can't be designed substantially within the limits as proposed, an Amended Order of Conditions shall be required.
5. The restoration of Riverfront shall be inspected by a wetland professional during construction.
6. Town Engineer inspections of the installation of the detention basin and underground system.
7. The floor drain tight tank to be equipped with a high-water alarm.
8. Yearly reporting of the Inspections and Maintenance of Stormwater BMPs and the floor drain tight tank.
9. Yearly stormwater samples and reporting,
10. The submitted O&M be updated and approved prior to the issuance of a Certificate of Compliance.

Chair Zacchilli asked if signs regarding no snow storage would be appropriate. Mainini said based on the layout of the site, it was not necessary.

Motion by Braza, second by Fredericks to close the public hearing and issue an Order of Conditions for DEP#223-1228 with the special conditions recommended by the Town Engineer
Motion carries. Four in favor.

8:30 P.M.- Town Engineers Report

The Town Engineer gave report on violations:

1. 7 Morey Way will be in for next month.
2. Received several complaints about 43 Fiske Mill Road, Town Engineer visited the site and found a significant amount of work done along the pond within the property. A violation notice needs to be sent.
3. Discussion with Highway and Parks Dept regarding use of Rosenfeld Park gravel lot for storage of materials.
4. Inspection of 6 Calvin Drive resulted in apparent unpermitted work within the buffer at 12 Calvin Drive. The hose used to backwash the pool filter was observed to be directed into the intermittent brook. A letter will be sent to the resident notifying them work within the buffer needs to be permitted with the Commission and discharge of Chlorinated water to the stream is prohibited.

8:40 P.M. - Motion by Braza, second by Fredericks to adjourn.
Motion carries. Four in favor.

Minutes Recorded by:
Loriann Braza

MILFORD CONSERVATION COMMISSION
Joseph A. Jacobelli

