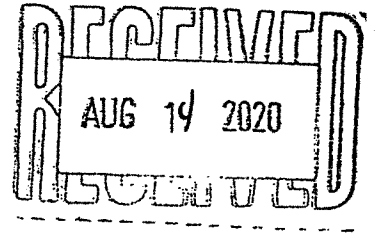


409.20A

**PLANNING & ZONING
INTER-DEPARTMENTAL REFERRAL
NOTICE OF PROPOSED DEVELOPMENT**

APPLICATION: #409-20
DATE OF SUBMISSION: August 6, 2020
DATE OF RECEIPT: August 10, 2020
SCHEDULED MEETING: September 14, 2020



NAME & APPLICATION OF PROPOSED DEVELOPMENTS: Special Permit (soil remediation – fill & excavation)/Pfizer, Inc./ 21 Toelles Road

LOCATION: 21 Toelles Road

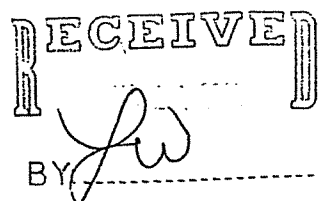
REFERRED TO:

- ELECTRIC HEALTH BUILDING
- ENGINEERING INLAND WETLANDS OTHER
- FIRE WATER & SEWER

DEPARTMENT COMMENTS: NO COMMENT

SIGNED BY: [Signature] FM (Title)

DATE: 8/12/20





Town of Wallingford, Connecticut

INLAND WETLANDS & WATERCOURSES COMMISSION

409-B

JAMES E. VITALI
CHAIRMAN
ERIN O'HARE
ENVIRONMENTAL AND NATURAL RESOURCES PLANNING

WALLINGFORD TOWN HALL
45 SOUTH MAIN STREET
WALLINGFORD, CT 06492
TELEPHONE (203) 294-2093
FAX (203) 294-2095

RECEIVED

SEP - 3 2020

WALLINGFORD
PLANNING & ZONING
APPLICATIONS AND/OR

MEMORANDUM

To: Tom Talbot, Acting Town Planner
From: Erin O'Hare, Environmental Planner *40*
Date: September 3, 2020
Subject: IWWC

Re: Report to PZC as per CGS Sec. 8-3(g) regarding applications and/or requests:
Special Permit #409-20 (Fill and Excavation) / Pfizer / 21 Toelles Road
IWWC #A20-7.1 / 5 & 21 Toelles Road & Wharton Brook - Pfizer Inc. - (soil remediation project)

This memorandum is to provide the PZC with a report from the IWWC in accordance with CGS Section 8-3(g), as amended, relative to the disposition of certain matters pending before the PZC.

Status of IWWC Application:

Special Meeting

At its Sept. 2 Regular Meeting, the IWWC set a Special Meeting for Sept. 16, 5:00 p.m. with a rain date of Sept. 17, 5:00 p.m. convening in the parking area of 21 Toelles Road for the purpose of conducting a site investigation to observe site conditions in the upland review area, in the wetlands, and in Wharton Brook located on both the 5 Toelles Road property and on the 21 Toelles Road property.

Peer Review

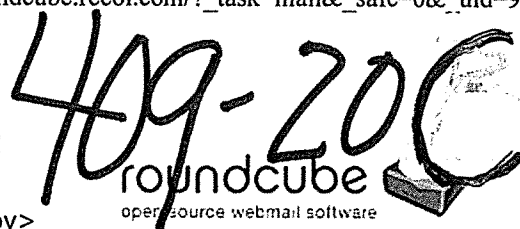
At its Sept. 2 Regular Meeting, the IWWC authorized a peer review study to focus primarily on the proposed remediation project activities located within the Wharton Brook Floodway area (1.1. acres) and within the channel of Wharton Brook, and possible storm event / flood-associated impacts of the proposed project.

Regulated Activities

Underlined below are the pertinent Regulated Activities proposed in the pending application. (Note: the latest application revisions, submitted Aug. 27, 2020, may not be reflected below.)

Under Section 2.1.z.: "Regulated activity" means any operation or use of a wetland or watercourse involving the removal or deposition of material; or any obstruction, construction, alteration or pollution, of such wetlands or watercourse, ...".

Project herpetologist to canvas project area for Eastern Box Turtles, a CT Special



Subject RE: Special Permit Application 409-20 21 Toelles Road
From Lucas Hellerich <LHellerich@woodardcurran.com>
To kacie.hand@wallingfordct.gov <kacie.hand@wallingfordct.gov>
Cc Somers, Samantha <samantha.somers@pfizer.com>
Date 2020-09-04 2:28 pm

Mr. Talbot,

Per our discussion earlier this week, I am sending this email to the Town of Wallingford, Connecticut Planning and Zoning Commission.

On behalf of the applicant, Pfizer Inc., we are requesting that the start of the Planning and Zoning Public Hearing for Special Permit Application #409-20 (5 and 21 Toelles Road) be postponed from September 14, 2020 to October 14, 2020.

Can you please confirm receipt of this email?

Thank you.

Luke

Lucas Hellerich, Ph.D., P.E., L.E.P.
Senior Technical Practice Leader, Environmental Remediation Services
Woodard & Curran
Middlesex Corporate Center
213 Court Street, 4th Floor
Middletown, CT 06457
Direct: (203) 699-6081
Cell: (860) 367-2470
lhellerich@woodardcurran.com
<https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.woodardcurran.com&c=E,1,E4ghGwc6BSPrSDnvViiQuB-KLno98ci9pkxaduF9pn9RHYS3 uF tvCX Tf7a4xK-VqHyLbPGTLkZ0Rtt U8-ZIRbfSLpVgDqjuO6keXiZ5tyw,,&typo=1>

COMMITMENT & INTEGRITY DRIVE RESULTS

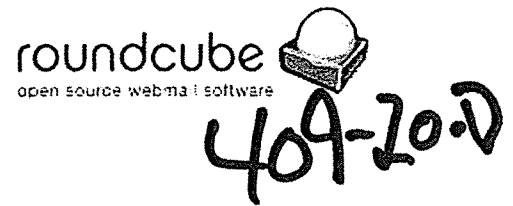
-----Original Message-----

From: Kacie Hand <kacie.costello@wallingfordct.gov>
Sent: Wednesday, September 2, 2020 1:43 PM
To: Lucas Hellerich <LHellerich@woodardcurran.com>
Subject: Special Permit Application 409-20 21 Toelles Road

Lucas Please see attached

--
Kacie A. Hand, AICP
Town Planner
Town of Wallingford
203-294-2090
Fax: 203-294-2095
kacie.costello@wallingfordct.gov

Subject Special Permit Application 409-20 21 Toelles Road
From Lucas Hellerich <LHellerich@woodardcurran.com>
To kacie.hand@wallingfordct.gov <kacie.hand@wallingfordct.gov>
Cc Somers, Samantha <samantha.somers@pfizer.com>, Kyle Apigian <kapigian@woodardcurran.com>
Date 2020-10-28 7:23 pm



Mr. Talbot,

On behalf of the Applicant, Pfizer Inc., Woodard & Curran is requesting that the start of the Planning and Zoning Public Hearing for Special Permit Application #409-20 (5 and 21 Toelles Road) be postponed from November 9, 2020 to December 14, 2020.

Please confirm receipt of this request and let me know if you have any questions.

Thank you.

Luke

OCT 29 2020

Lucas Hellerich, Ph.D., P.E., L.E.P.
Senior Technical Practice Leader, Environmental Remediation Services
Woodard & Curran
Middlesex Corporate Center
213 Court Street, 4th Floor
Middletown, CT 06457
Direct: (203) 699-6081
Cell: (860) 367-2470
lhellerich@woodardcurran.com
www.woodardcurran.com



COMMITMENT & INTEGRITY DRIVE RESULTS

Subject **Fwd: Attn Jim Seichter, Chairman P&Z - Public comment for tonight's P&Z hearing**
From <towngov@wallingfordct.gov>
To Amy Torre <amy.torre@wallingfordct.gov>
Date 2020-09-14 16:46



409.20E

----- Original Message -----

Subject: Attn Jim Seichter, Chairman P&Z - Public comment for tonight's P&Z hearing
Date: 2020-09-14 16:34
From: Adelheid Koepfer <koepfer@gmx.net>
To: "towngov@wallingfordct.gov" <towngov@wallingfordCT.gov>

Dear Chairman Seichter, dear members and staff of the Wallingford Planning and Zoning commission and department, I hope this finds you well. Unfortunately, I will not be able to attend tonight's public hearing in person. May I ask that you accept via email, relate tonight and consider the following comments/ questions regarding the environmental remediation project (5 & 21 Toelles Road):

I highly commend Pfizer and their consultants for finally tackling the cleanup of wetlands soil. Nickel as a heavy metal with consequences on human health fish and wildlife should not be allowed to leak into Wharton Brook, the Quinnipiac River, or the Long Island Sound. Let me repeat, I am glad that the company is willing to remediate the issue.

However, I am concerned about a few aspects of the proposed plan. Some concern the effects on wildlife and plants, much like Mrs. O'Hare talked about in the recent Record-Journal article, and the chance to really restore this wetland (especially 5 Toelles Road) to a similar or better state without losing habitat along the way. But just as much as with wildlife and plants, I am concerned about the risk of nickel escaping downstream, or the soil in general being washed away from erosion during the process, especially when the clean-up should happen this fall, while new plants only come next spring. That would mean the area is exposed all late fall and winter and possibly through April, correct?

As this is an extraordinarily large project, I am concerned about the sheer amount of exposed soil for such a long time:

- how will the excavating contractor ensure that no nickel is washed off during the excavation?
- how will such a large project in the flood way affect areas upstream, e.g. the recently updated underpass of Wharton Brook underneath the I-91 ramp, or the underpays under route 5, or Allen Brook and the Wharton Brook State park ?
- how will downstream communities be affected by possible sediment transportation along Wharton Brook? The area is very close to the North Haven boarder...
- can the applicant clarify where the contaminated soil will be treated or deposited, and where the clean soil will come from?
- has Pfizer or have their consultants considered other strategies to remove nickel from the environment, such as phytoremediation or phytomining or any other options, that might avoid excavating and exposing such a large area for such a long time?

I understand the Inland Wetlands and Waterway Commission has a site visit scheduled for this week, and another public hearing in November. Therefore I respectfully ask that

- the P&Z commission coordinate with the IWW Commission,
- ask for more details regarding the concerns raised by IWW, and
- subject any permit to the same or similar conditions that IWW might pose.

RECEIVED

SEP 14 2020

WALLINGFORD
PLANNING & ZONING



Town of Wallingford, Connecticut

JAMES SEICHTER
CHAIRMAN-PLANNING & ZONING COMMISSION

KACIE A. HAND, A.I.C.P.
TOWN PLANNER

WALLINGFORD TOWN HALL
45 SOUTH MAIN STREET
WALLINGFORD, CT 06492
TELEPHONE (203) 294-2090
FAX (203) 294-2095

October 29, 2020

409-20F

Lucas Hellerich
Woodard & Curran
Middlesex Corporate Center
213 Court Street
Middletown, CT 06457

RE: Special Permit (Excavation and Filling of Land) #409-20
21 Toelles Road

Mr. Hellerich:

This office has the following preliminary comments/questions regarding the submitted application and associated plans:

1. The project background section of the application refers to the fact that this work is required by DEEP. Please submit copies of any Remediation Order or other correspondence from DEEP confirming such requirement.
2. Plan does not appear to include daily hours of operation. Generally, such work in Industrial districts is limited to between 7am and 7pm Monday through Saturday.
3. Given that most of the project area lies within the limits of the Floodway, 100 Year Flood Plain and 500 Year Flood Plain, what specific measures are proposed to prevention inundation of the site in the event of a 100 or 500 year flood event. Sedimentation and Erosion control barriers are proposed at elevations as low as 25ft while the 100 year flood plain extends in part to elevations in excess of 28ft.
4. More detail of proposed piping of storm water from parking lot outfall to temporary outfall outside of work area should be provided. Will pipe be above or below ground? If below ground will it be removed or covered over at project completion?
5. Will a permit from the Army Corps of Engineers be required?

Please note: Any responses/correspondence, additional documents and/or revised plans must be received by the Planning & Zoning Department by the close of business on **Wednesday, November 4, 2020** in order to be provided to the Planning & Zoning Commission prior to the Monday, November 9, 2020 meeting. If additional information, responses or documents are necessary to address staff comments and have not been submitted by the cutoff date, Commission policy is that the application will not be considered/discussed at the upcoming meeting since the necessary information has not been provided.

If you have any questions or need clarification about any of the above comments, or you wish to discuss the comments regarding your application further, please do not hesitate to contact the Planning Office at 203-294-2090.

Regards,

Thomas Talbot, Planner



Town of Wallingford, Connecticut

INLAND WETLANDS & WATERCOURSES COMMISSION

JAMES E. VITALI
CHAIRMAN

ERIN O'HARE
ENVIRONMENTAL AND NATURAL RESOURCES PLANNER

WALLINGFORD TOWN HALL
45 SOUTH MAIN STREET
WALLINGFORD, CT 06492
TELEPHONE (203) 294-2093
FAX (203) 294-2095

409-209

MEMORANDUM

To: Tom Talbot, Acting Town Planner
From: Erin O'Hare, Environmental Planner
Date: November 2, 2020
Subject: IWWC

Re: Report to PZC as per CGS Sec. 8-3(g) regarding applications and/or requests:

Special Permit #409-20 (Fill and Excavation) / Pfizer / 21 Toelles Road

IWWC #A20-7.1 / 5 & 21 Toelles Road & Wharton Brook – Pfizer Inc. – (soil remediation project)

This memorandum is to provide the PZC with a report from the IWWC in accordance with CGS Section 8-3(g), as amended, relative to the disposition of certain matters pending before the PZC.

The Peer Review requested by the IWWC at its Sept. 2 Meeting did not commence until funds (\$7,500), received from Applicant Pfizer, Inc. on Oct. 17, were processed. The Peer Review findings are anticipated to be presented to the IWWC at its Dec. 2nd Meeting. The Corporation Counsel and this office have conducted two joint phone conversations with Army Corps and EPA representatives regarding concerns relative to the Applicant's General Permit Application pending with the Corps.

Fax to: Tom Talbot 2095

409-20 H

TOWN OF WALLINGFORD
DEPARTMENT OF PUBLIC UTILITIES
WATER AND SEWER DIVISIONS

ENGINEERING SECTION
PHONE: 203-949-2672
FAX: 203-949-2678

INTEROFFICE MEMORANDUM

TO: ERIN O'HARE, ENVIRONMENTAL PLANNER
FROM: ERIK KRUEGER, P.E., SENIOR ENGINEER, WATER AND SEWER DIVISIONS EAK
SUBJECT: INLAND WETLANDS AND WATERCOURSES PERMIT APPLICATION
PFIZER INC. - 21 TOELLES ROAD
DATE: AUGUST 27, 2020
CC: N. AMWAKE, P.E.; D. SULLIVAN; J. PAWLOWSKI, T. TALBOT, PLANNER; K. APIGIAN, PH.D.;
WOODARD & CURRAN

During a telephone conversation on Thursday, August 27, 2020 you indicated that there was an easement for a water main at the subject location.

The status of the easement and water line that once was active on the subject property was described in a letter report dated August 5, 2002 prepared by Vincent Mascia the former Senior Engineer of the Water Division.


In this letter report the following determinations were made:

- A water main from Toelles Road across the subject property and the adjacent property currently occupied by Federal Express was installed and activated in 1962 to serve an area in North Haven known as DEFCO Industrial Park.
- No record of the proposed easement for this water line was ever found and it was determined that no such easement was ever granted to the Town.
- The water line was uncovered and damaged by the operator of Toelles Road Sand & Gravel Co. in 1989.
- The water main was removed and abandoned and the Town of Wallingford Water Division relinquished its claim to any implied rights to an easement in 1990.

Please contact me if you have any further questions relative to this matter.

O:\Engineering\Wetlands Review\Toelles Road 21 - Wetlands Permit - Pfizer Inc.docx

The Water & Sewer Divisions have no other comments regarding the Special Permit application # 409-20 for this site.


Erik Krueger
Senior Engineer

409-201



Town of Wallingford, Connecticut

INLAND WETLANDS & WATERCOURSES COMMISSION

JAMES E. VITALI
CHAIRMAN

ERIN O'HARE
ENVIRONMENTAL AND NATURAL RESOURCES PLANNER

WALLINGFORD TOWN HALL
45 SOUTH MAIN STREET
WALLINGFORD, CT 06492
TELEPHONE (203) 294-2093
FAX (203) 294-2095

MEMORANDUM

To: Tom Talbot, Acting Town Planner *ET*
From: Erin O'Hare, Environmental Planner
Date: Jan. 8, 2021
Subject: IWWC

Re: Report to PZC as per CGS Sec. 8-3(g) regarding applications and/or requests:

Special Permit #409-20 - (Fill and Excavation) / Pfizer / 21 Toelles Road

**IWWC #A20-7.1 / 5 & 21 Toelles Road & Wharton Brook – Pfizer, Inc. –
(soil remediation project)**

This memorandum provides the PZC with a report from the IWWC in accordance with CGS Section 8-3(g), as amended, relative to the disposition of certain matters pending before the PZC - subject applications.

At its Regular Meeting, Jan. 6, 2021, the IWWC acted to approve IWWC #A20-7.1 / 5 & 21 Toelles Road & Wharton Brook – Pfizer Inc. – (soil remediation project), per revised documents and plans up to and including those materials submitted Dec. 29, 2020 and the letter submitted January 6, 2021, with the Conditions of Approval provided below.

Conditions of Approval

The Conditions of Approval, per the Environmental Planner's Report, dated Jan. 6, 2021, (based largely on Peer Review Dec. 30, 2020 recommendations), as modified at the Meeting, follow below. *(To maintain numbering sequence, certain suggested conditions not included in the decision, determined by IWWC to have been adequately satisfied at the Meeting, are indicated below as, "Omitted"):*

- 1) An As-built of final grading in Project area to be submitted to confirm topographical grades were maintained throughout the Floodway area and the 100-yr. Floodplain area with supporting computations to be submitted to demonstrate compliance with the requirement of no net fill in the Floodway or Floodplain completed and stamped by a Licensed Surveyor with stamped approval by a Professional Engineer.
- 2) Prior to commencement of permit work, regarding the twin culverts (60-inch cast-in-place) in Wharton Brook located immediately west of site on the abutting Ulbricht Steel property (50-foot strip joining the Ulbricht parcels in North Haven and Wallingford), an attempt shall be made to clear existing stream debris identified to be blocking flows. Correspondence between Applicant/Permittee and abutting property owner to be submitted to Environmental Planning Office to affirm agreement is 'in the works'.

- 3) *(Omitted)*
- 4) Imported soil replacement materials to be tested for macronutrient levels and laboratory soil analysis results to be submitted to Environmental Planning Office prior to placement of soils within wetland remediation area to confirm compliance with targeted soil chemistry goals.
- 5) Submit a plan depicting proposed monitoring sites distributed across the wetland remediation area, including those currently invaded by non-native plant species.
- 6) Submit a vegetative survey completed for each of the nine monitoring plots prior to construction to serve as a baseline of comparison during the post-remediation monitoring.
- 7) Revised Invasive Plant Species Management Plan to be submitted that ensures invasive plant species cover limited to no more than 10% during the monitoring period.
- 8) Submit revised Sheet 9, 'Wetland Restoration Plan', with a note indicating deer control with chemical solutions or in some manner.
- 9) *(Omitted)*
- 10) *(Omitted)*
- 11) In the event that an immense storm event should occur resulting in substantial damage to site conditions, Permittee shall submit a report to Environmental Planner, with photographic documentation, assessment of post-storm site conditions, evaluation of impact on Project schedule status, and proposal for restoration of pre-storm site conditions.
- 12) Performance bonds (4 total) to be posted at minimum two weeks prior to commencement of any permit-related work.
 - a) Sedimentation and erosion control bond: \$33,000
Satisfactory compliance will be achieved when site soils have stabilized following the third post-restoration growing season
 - b) Wetlands plantings bond: \$75,000
Satisfactory compliance will be achieved when wetland plantings have been established following the third post-restoration growing season.
 - c) Invasive plant species management bond: \$40,000
Satisfactory compliance will be achieved when the post-restoration metrics have been met and monitoring requirements have been completed.
 - d) Post-restoration monitoring/reporting bond: \$30,000
Satisfactory compliance will be achieved when then post-restoration metrics have been met and monitoring requirements have been completed.

Regulated Activities

Underlined below is a listing of some of the regulated activities involved in the permit work – with the activity identified below the respective applicable regulatory provision.

Section 2.1.z. “Regulated activity” means any operation or use of a wetland or watercourse involving the removal or deposition of material; or any obstruction, construction, alteration or pollution, of such wetlands or watercourse, ...”.

Alteration and temporary loss of existing habitat used by identified species:
Project herpetologist to canvas Project Area for Eastern Box Turtles, a CT Special Concern Species, and to re-locate any found to the outside the area. Monitoring of area for turtles – inside project Area and outside Project Area – is to continue throughout duration of Project.

Proposed installation of a temporary stormwater outfall unit and a temporary rip rap protection swale to receive the discharge in the Floodplain Forest wetlands on 5 Toelles Road. Installation of an over-the-ground by-pass pipe to convey upland storm flows that are proposed to be re-routed to the temporary unit.

Proposed discontinuance of the discharge of upland storm flows on 21 Toelles Road to the Floodplain Forest wetlands and to Wharton Brook downgradient. Re-routing of flows to discharge to a point on the forest floor near Wharton Brook in the southeastern corner of 5 Toelles Road.

Proposed erosion controls to be installed prior to further work commencing.

Once three proposed access routes are installed within the Upland Review Area, a proposed sump water collection system to be installed at base of anti-tracking pads at wash-down area to wash contaminated soil off trucks/equipment.

Proposed flood contingency measures to be installed along Wharton Brook in the area where excavation work is closest to the river.

Proposed removal of all vegetation with the exception of large trees (15” dbh and greater) in the identified 2.2 acre-contaminated Floodplain Forest wetlands area – with erosion controls to be installed accordingly.

Proposed excavation of contaminated soils to a 2 foot depth in the central area of Floodplain Forest wetlands and to a 6-inch depth in the east area and in the west area of the Floodplain Forest wetlands – with erosion controls to be installed accordingly.

Proposed stockpiling of contaminated soil.

Introduction of sedimented flows to Wharton Brook filtered through the protective silt fencing installed upgradient on cleared slope during storm events.

Potential for introduction of sediment to Wharton Brook during excavation activities during storm events and during flood events.

Proposed installation of clean soil material (meeting certain soils analysis testing requirements) in the excavation areas.

Proposed deposition of stockpiled vegetation (removed from site as 'wildlife brush piles' in the post-remediated wetlands area.

Proposed installation of a plant restoration plan (900 plants) in the clean soil substrate with subsequent plant monitoring schedule.

Eradication of invasive plant species growing within the Remediation Area before and after the Remediation phase and also within a 20-foot buffer zone around the Remediation Area.

Invasive plant species monitoring and eradication over the required monitoring period.

Section 2.1.z. 3. Activities within 50 feet of a wetland or watercourse, likely to impact or affect wetlands and watercourses, including, but not limited to, any clearing, grubbing, filling, grading, paving, excavating, constructing, erecting of a structure, depositing or removing of material or any indigenous vegetation, the planting of lawns or landscaping, the expansion of existing lawns or landscaping, or the discharging of storm water.

Proposed installation of three (3) anti-tracking stone pads used to access wetlands downgradient (with associated erosion control protection on sides) and proposed restoration of stormwater outfall (upper portion).



Town of Wallingford
Department of Engineering
45 South Main Street
Wallingford, Connecticut 06492
Tel: (203) 294-2035; Fax: (203) 284-4012

409-20J

Alison Kapushinski, P.E.
Town Engineer

MEMO

TO: Tom Talbot – Acting Town Planner

FROM: Department of Engineering AMK

RE: **PZC Application #409-20**
21 Toelles Road / Special Permit (Fill & Excavation)

DATE: January 8, 2021

Tom-

Please note this Department has reviewed the submitted application package and have no comments.

Thank you