

**Inland Wetlands & Watercourses Commission  
(Remote) Regular Meeting  
Wednesday, February 3, 2021, 7:00 p.m.  
Town Hall, 45 South Main Street  
Wallingford, CT 06492**

**MINUTES**

Chair James Vitali called this (Remote) Regular Meeting of the Wallingford Inland Wetlands & Watercourses Commission to order at 7:01 p.m. This meeting was publicly noticed and held entirely remotely. [A YouTube recording was produced and posted on the Wallingford Town Website by Government Access Television.]

**A. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**B. ROLL CALL**

**PRESENT:** Chair James Vitali, Secretary Nick Kern, Commissioner Deborah Phillips, Alternates Jennifer Passaretti and Aili McKeen, and Environmental Planner Erin O'Hare

**ABSENT:** Commissioner Michael Caruso and Alternate Robert Simon

There were six persons in the remote audience plus all the speakers named below.

**C. CONSIDERATION OF MINUTES**

**1. Regular Meeting (Remote), Jan. 6, 2021**

**MS. PHILLIPS: MOTION THAT THE MINUTES OF THE REGULAR MEETING OF JANUARY 6, 2021, BE ACCEPTED AS SUBMITTED.**

**MS. MCKEEN: SECOND**

**VOTE: MS. PASSARETTI – YES; MR. KERN – YES; MS. PHILLIPS – YES; MS. MCKEEN – YES; CHAIR VITALI - YES**

**D. OLD BUSINESS**

**1. #A20-9.2 / 2 Northrup Industrial Park Road East & 1117 Northrup Road – 1070 North Farms Road, LLC – (industrial development)**

Attorney Ceneviva said, I am representing the Owner and Applicant. With me are Mr. Matt Davison, Professional Wetlands Engineer and Professional Soils Scientist, Davison Environmental, and Mr. Jim Cassidy, P.E., Project Engineer, from Hallisey, Pearson & Cassidy Engineers of Cromwell. This is 46.4 acres in size, about 12.98 acres of wetlands, a combination of several parcels from a 2002 subdivision. It is vacant, and is Zoned IX. We intend to construct a 250,000-square-foot industrial building with automobile and truck parking and associated drive aisles. Note: Mr. John Orsini, Owner, was in the audience.

Mr. James Cassidy shared his screen and said, This is for a 250,000 square-foot warehouse/industrial building on property owned by 1070 North Farms Road, LLC, located at 1117 Northrup Road and 2

Northrup Industrial Park Road East. First is an existing site photo. The property is outlined in yellow. The entire property is 46.45 acres. It presently consists of two parcels that we are merging: one parcel, the bottom portion on the west, is 1117 Northrup Road; and the east portion is 2 Northrup Industrial Park Road East. Frontage is on Northrup Road to the north. About 862 feet of frontage is on the western section and about 540 feet of frontage is on the eastern section. It's bounded on the west in the upper portion by four existing industrial buildings on Northrup Industrial Park Road West, on the south by farmland, on the north by Northrup Road. There's an individual single-family residence located in the center on 2021 Northrup Road. The majority of the site is clear. It was used for agricultural formerly. There's a Helco high-tension Right-Of-Way that traverses the property east to west. They have recently done some work there. There's some post-agricultural use toward the front. Everything to the south of the Helco ROW is a post-agricultural use, which was cleared, and then a wooded area.

Mr. Cassidy continued: Wetlands are delineated by Matt Davison. There are two primary wetlands areas. One along the western portion, Wetlands area #1, is a large wetlands area space consists of 5.89 acres. It continues off the site as part of a larger wetlands area that's in the industrial park to the west. The second is on the west, a wooded swamp with a wetlands watercourse in the center of it, is flowing in a southerly direction and getting into North Farms Reservoir. And we have two other wetlands areas on the east side of the property: Wetlands #2, long and linear, flows in a southerly direction. It's a wetlands swamp with an old farm pond in the center of our site. It continues in a southerly direction, eventually getting into a channel or watercourse that goes into another and goes off the property to the south and going to North Farms Reservoir. This wetlands is part of Catlin Brook headwaters. This is the final Wetlands #3, 1.98 acres. Total wetlands on the site are about 13.98 acres. The topography grades are moderate, 3% to 7%. There's a slight ridgeline running from Northrup Road down through the center of the cell tower. From that ridgeline, the property slopes moderately to the west and the east to these wetlands areas. As to history of the property, this property has gone through a number of applications over the past 20 years. So we created a demonstration of the subdivision maps through the years. This first one shows the original property survey with all the property along Northrup Road at the top and North Farms Road on the left. The property we're developing would be on the right, having several lots. In May 2020 these properties were all merged to form two pieces, 1117 Northrup Road and 2 Northrup Industrial Park Road East, 46 acres. The bottom plan has these merged as our plan.

Mr. Cassidy continued: We're proposing to develop the site with one industrial warehouse distribution building where you see the tan rectangle, 175 feet wide by 333 feet deep, one story. Total square footage will be 250,000, with the primary use of offices at 7,500 square feet and 242,500 of warehouse. The access aisle/driveway will be a single access at the high point on Northrup Road—one lane in and two lanes out, providing access around the circumference of the building, with parking areas and loading areas around it. We have one parking area to the north, one to the east, and one to the south. Total spaces will be 250, in addition to the west side of the building where tractor trailers could back up to drop loading docks. Also, there's 18 tractor trailer storage spaces on the south near the Helco ROW that we mentioned. Drainage is a detailed system. We looked at controlling the rate of runoff off the site to not increase runoff post-development. So we have two design points on the southern property line: one where the wetlands area of the pond discharges to the east side and the second where the west wetlands drain to the south. We incorporated measures to control the rate and quality of runoff. We put two kidney-shaped areas as stormwater management basins, one to the right at the north and one to the south. The north stormwater management Basin #1 will pick up drainage from the east side parking lot and building. Arrows indicate water and the drainage system going to this basin #1. On the south is stormwater management Basin #2, picking up all the access driveway and stormwater runoff to this basin. Both will also attenuate flows and treat stormwater quality of the first flush runoff.

Mr. Cassidy continued: In addition, we have two underground infiltration systems, for the roof leaders and for the trailers area. The larger system consists of 500 concrete galleys to pick up 2.58 acres, about half of the roof leader area and all of the pavement of the truck loading area. Direction arrows are shown to each system, with catch basins going to a stormwater quality structure, an outlet pipe and control structure, and a level spreader to overland. The second system picks up only the roof leaders from the easterly half of the building and operates similarly. We outlined in orange what goes to stormwater basin #1. What is outlined in green goes to stormwater basin #2. The area shown in yellow goes to the area in blue and to the underground system toward the parking lot and to the east. We wanted to show the area in blue in order to say what water is going to this point. The existing drainage area consists of 14.5 acres. We wanted to see what volume of water is going to each area presently. Post-development, the light blue area is less than before. The outlined red is the present drainage subarea, into the pond and exiting out. Now 18.54 acres go to that pond; post-development it's 15.457 acres in light blue, less area. Presently, this light blue rectangle is an open meadow. Next, we took a look at the conditions. With a roof area its runoff, so this increase the rate of runoff we don't know the increase by rain. Our table at the bottom corner looked at the flows on what's going to the pond. This table shows you different storm details. The norm is pre-development flows and pre-development volumes. The most import thing to look at is volume when more could go to the pond. Matt will talk about that. The pond has filled in with sediment over the years, and it will get more water into it.

Mr. Cassidy continued: As to the stormwater management basins, there are detailed plans for each basin. We propose to landscape them with seed mix, and then the shallow detention basin with flatter sides. Mr. Orsini will keep these in pristine condition. Here is a typical section on the righthand side of the page. We have an inlet pipe and opposite an outlet flow control structure. This basin has two purposes: to treat stormwater quality for the first inch of runoff, which will infiltrate the ground; and we have 2"-diameter caps with weep balls to regulate the outlet. This will promote some infiltration with the larger volume with larger storm features. There's a V-notch weir to discharge water going to a level spreader on the adjoining area. Basin #1 and Basin #2 pick up the majority of the road. They act very similar, with bottom drainage for stormwater quality and the upper portion is for flood stormwater accumulation.

Mr. Cassidy continued: We prepared a stormwater study. We looked at pre- and post- conditions. Here's a map of the existing drainage from the site. Different colors represent different soil types. Then we created a model to show the existing conditions of flow at design point 1 and design point 2. Then we modified the model for existing and development conditions. You'll see for storm events that the post-development will be slightly less, which helps downstream. We have added stormwater management with vortechincs to catch floatables, or basins for stormwater quality to eliminate oil and products before discharge. This property would be served by an on-site septic system to the east of the building on a landscaped island. It's a small system. There's not to be a high employee count. We tested the soils there and found they were adequate for an onsite septic system. For potable water and for fire protection, we extended a 16-inch main down Northrup Road with a couple of hydrants. And we're bringing new service into the building with an 8-inch fire line and 2" domestic water line. Also, because power will be brought in by a new transformer, cable TV and electric communications will be brought in underground. This site has been graded under a prior application before Planning and Zoning, in prep for this application. With that, there were a few stormwater sediment basins built. Those will remain as in Phase #1. Also, we'll have haybale checkdams along the western boundary and along the disrupted area, and two additional diversion berms built here and here. And two new sediment basins to be constructed during the process. On construction issues: We're building two driveway ramps at the site of the proposed driveway. A stone driveway was there from construction for the Eversource towers. That driveway will go away and be reseeded as lawn.

Mr. Cassidy continued: Erosion Controls include stormwater measures and the remaining basins and stormwater management basins. Also, a stormwater management basin will be built to the south during construction. As we build the access road around the site, one sedimentation basin on the north and the one on the south will be eliminated. On the grades of 4:1 slope, we'd put erosion control blankets on those. The onsite access drive to the wetland will be a 2:1 slope, and we'd put additional erosion control blankets along this edge of pavement. This area will have a retaining wall to reduce activity in the uplands side of the project. On the east, we're not having a retaining wall. But there's a lot of invasives out there, so we'd do a natural slope there and reseed it to eliminate invasives. Also, we submitted a Landscaping Plan. It will consist of a series of canopy and shade trees on the islands of the parking area and along the frontage there. Plantings around the building with shade trees/seed mixes that can be maintained as yard. We were asked to seed native plantings along the easterly slope and at the base of the retaining wall along the western side, and some additional seed mitigation. There are seven Regulated Activities on site. Regulated Activities are:

1. Construction of the outlet of our drainage system from Stormwater Management Basin #1. It discharges to the level spreader. One corner of the level spreader outlet will be within the 50-foot URA from the wetlands, about 61 square feet.
2. Grading below the retaining wall plus three areas on the west side of the project is 4,886 square feet in the URA.
3. Construction for the level spreader outlets of the underground detention system has about 48 feet of concrete galleys for a total area of 818 square feet.
4. For the grading of the stormwater Basin # 1 and also for the outlet, the activity here would be 5952 square feet. This will be the elevation here. So water runs to it. Also, the majority of this area will be cleared out from invasive species and planted better.
5. A portion of the slope of the driveway within the 50-foot regulated area is 1045 square feet:
6. Construction of the outlet for the underground infiltration system has the series of level spreaders doubled and becomes 1008 square feet.
7. Is the creation of more than 20,000 square feet of impervious surface coverage included in the Stormwater Management Plan. There are four roof infiltration systems plus stormwater management basins and level spreaders. The total impervious coverage comes to 11.58 acres or 25%, of which 5.77 acres is the area of the building. I'd also mention that we have looked at alternatives for this with Mr. Orsini on the project as to what's best for the Town. We had two access driveways on the west and on the east. The one on the east, that entire access was in the 50 feet of regulated area. Also, the trailer station was on the eastern side of the project, but that meant more regulated activities within the 50-foot URA. This one on the west side of the project was 25,000 square feet. That's better than double of what we're proposing now. So the truck area to the west has been eliminated and put over to the other side.

He continued: We also made a Long-Term Maintenance Plan addressing all the stormwater features that I mentioned. There are five primary features: Stormwater basins, level spreaders, collection roof leaders, infiltration units, and hydrodynamic separators. And we'll probably expand level spreaders here to include more as we can, in working with Erin O'Hare.

Chair Vitali asked, Are there questions?

Commissioner Kern said, On the quality of the water leaving the site, will the quality of the water leaving the site be the same as there is now?

Mr. Matt Davison said, Yes, we decided to treat the green and first flushes, so we added additional catch basins there and we're proposing vortecnic units to incorporate all the environmental designs for post-development.

Commissioner Kern asked, Where are your snow shelves?

Mr. Jim Cassidy said, We have several islands on the accessway and at the eastern side and also to the west and in the parking lot on the south. Snowmelt can go to the stormwater management basins where they can be treated.

Commissioner Kern asked, Mr. Cassidy, what septic sewer caps are needed? I thought there was no access to a sewer.

Mr. Cassidy said, Three, on the septic system because there's no sewers here. They're in Meriden.

Commissioner Kern said, I'm all set. Commissioners Phillips and McKeen and Passaretti had no questions.

Chair Vitali had no questions, but he asked Ms. O'Hare for any issues.

Ms. O'Hare said, Mr. Cassidy, you mentioned temporary settlement basins all around the property. Can you clarify? I thought they were to be temporary sediment traps that are the ones in construction #1 and #2 phases?

Mr. Cassidy said, Those are temporary sediment traps, not basins.

Ms. O'Hare said, Do you want me to go to my report, or just questions for the engineer?

Chair Vitali advised, Just to the engineer.

Ms. O'Hare said, I brought out the definition of "regulated activities". Mr. Cassidy, if your application is approved, everything that's environmentally impacting wetlands on the site is approved, but we break it down to show the different types of impacts. For the level spreader, water goes into the Upland Review Area. But I look at the greater impact: That it's a point of discharge—that their stormwater flows coming out of that level spreader are adding a line to the wetland, that's how we see it. Discharge of stormwaters is a consideration. We'll talk about it later. Your #7, creation of impervious surface(s). We're not reacting to scale. It's 500,000 square feet being created, and your average application that the IWWC sees is 50,000 square feet. That is an order of magnitude difference—10 times. I'd want stormwater flow spread out more than just your four areas. I'd point to Regulated Activities as stormwater flows coming out of level spreaders and heading to the wetlands. Your Regulated Activity #7 is creating impervious surface. What we look for is infiltration of roof water and replication of the natural drainage pattern.

Chair Vitali asked Mr. Davison to reply.

Mr. Davison said, I don't have a visual presentation, but I could show those beginning with wetlands.

I delineated the wetlands on the site. Those were done before by Tom Pietras and Richard Snarsky, and those from before are substantially correct. In my report of November 2, I broke the wetlands down into East side and West side. On the western side on the north are the wetlands forest. Both East and West wetlands drain south. The West wetland is emergent and draining to reed canary grass at Eversource. Below, there's a couple of wetlands and watercourses draining south to Catlin Brook to the south. Above North Farms Reservoir, there's a small pocket toward Northrup Road, but it's pinched by the residential property to the east. It seems that it continues to drain south, but there are times when those dry out. There are discharges to the south by an excavated channel and others and a farm pond and to Catlin Brook and also to North Farms Reservoir. I used the Highway Methodology, also, for 13 wetlands functions and values. The functions and values analysis for those systems had you look at the wetlands' effectiveness related to weather conditions. With rain, it increases retention there. A forested hillside shape would provide very low function in terms of water quality because water is trying to move slowly overland and not filtered, where here you are surrounded by roadway and wetlands.

Mr. Davison continued: On page 4 of my report, we showed flood protection services that the wetland performs. These are the most important functions in landscapes like this. In a developed landscape there's more need for wetland functions to combat pollution. These are headwater wetlands. On the Watershed, page 2, on the very northern tip of the North Farms Reservoir we added water flows because then you have downslopes. On page 5, I listed the Regulated Activities. There are eight. Overall, we have 7.21 acres of 50-foot URA area; of that, we have 10.3 acres area of upland discharges. Of that discharge, 80% will remain post-construction. Also, I reported that I broke down the potential for wetlands short-term and long-term impacts. For short-term impacts, the tabulation related to construction impacts and upkeep of the Erosion Control and Sedimentation Control Plan were good. The project needs Special Permitting from DEEP and watercourse channel requirements. I don't have a concern for these impacts. In terms of long-term impacts to wetlands, typically these relate to water quality and wetland hydrology relate to improperly treated stormwater. Generally, they have avoided this. And in a meeting on this, we removed retaining walls and put in some vegetated slopes and stabilized them. Also, the URA will remain after construction. The other thing is to maintain existing drainage patterns on the site. But I'd point to the volume of water, pre and post, to the pond that's on the east side. Going through these calculations with Jim, the post-construction will be some increase water to that pond. We've also considered breakout of the outlet wall. That was moved and in the process of the layout, and we located that level spreader to put the discharge point to the northern end of the building, to maintain the hydrology and to take advantage of the water function and wetlands function. That watercourse will be clean when it's discharged but it will drain southerly to that wetland and it will go slowly. The soil has a very high mineral content.

Mr. Davison continued: In my Impact Assessment, #4, one of the multiple wetland impact assessments is to provide primary stormwater treatment; for typical basins it's proposed to have a vortecnic unit. Also, "Storm Water Quality Management" with Basin filtration. In particular, with pre-treatment which is presently provided here. So I'd consider them to be primary treatment. I don't think that this development would adversely affect the wetland since that has been identified.

Mr. Davison said, As to Mitigation #7 in my report, we're trying to do mitigation at each of the ground disturbance areas. We have a total of 25,000 square feet of URA disturbance. We're proposing 20,000 square feet of mitigation. We have detailed each of the disrupted areas. The mitigation plans have native shrubs under with some native emergent species. Along both boundaries we'll have some native wildflower mix and trees to give canopy coverage. Also, monitoring for a period of three growing seasons to see that it works along with some performance standards.

Chair Vitali asked for Commissioners questions.

Commissioner Kern said, We talked about water quality. Does the State have any influence on this portion of the project for the North Farms Reservoir and then to Wharton Brook? You want to make sure the water quality is at its utmost. Is the stormwater runoff going to head that way?

Mr. Davison said, The State has the 2004 Stormwater Quality Manual, which advise a number of practices to treat. The highest standard is primary treatment. I think most everything on this site is receiving primary treatment. It's been done in compliance with the guidelines of the State.

Commissioner Kern said, O.K., thank you.

Commissioners Passaretti, Phillips and McKeen had no questions.

Chair Vitali asked Ms. O'Hare for comments.

Ms. O'Hare asked, How long is this pond?

Mr. Davison said, It's 560 feet.

Ms. O'Hare said, With 560 feet long, are you comfortable with one 60-foot level spreader serving 560 feet of surrounding vegetation?

Mr. Davison said, For everything that enters from that level spreader, it drains down to the northern outline, taking advantage of the wetland functions that I described. Going in, it will travel the distance of that wetland. We're trying to feed into the northern tip of the pond. You're also taking advantages of the functions I mentioned.

Ms. O'Hare said, But what abuts the wetlands rim/line? Of those on the west side? Most of the drainage is coming into that collection system.

Mr. Davison said, The level spreader will offset the same flows to that area, pre- and post-construction. You're not going to see overland flow. It's densely vegetated, so you'd have to have pretty dense water to have it overflow. But this is the same post-construction as pre-. It's a concentrated area. Everything you put there into that level spreader will end up at the southern tip, how it drains now and the way it will drain post-construction.

Ms. O'Hare said, But it would be concentrated.

Mr. Davison said, Hydrology for that pond is largely groundwater fed. There's some overland flow, drainage area.

Ms. O'Hare said, And a large part of the drainage area is going to be paved over. So I'm concerned that, in the long term, the levels of the pond can go down. That would affect both overland flows and underground flows.

Mr. Davison said, I think you're likely to have more water in the post-construction volume, larger than pre-construction. So I'm not concerned about dewatering it, based on the calculations Jim has provided. I like that outlet at the northern area, to take advantage of the functions of the wetland.

Ms. O'Hare said, On the opposite side, the western side, again, Matt, I was concerned about a 750-foot-long building and your retaining wall is 700 feet long and the trucks loading areas near in those wetlands and how to get water down the midline of the property, mostly to the west and south and to these wetlands? So I think that the wetlands are going to get cut off.

Mr. Davison said, The flows pre and post are about the same. The forest that abuts development is mostly well, fully-drained soils. It's on the south side of the Eversource easement. So I don't have a concern on that side for flows to that wetland.

Ms. O'Hare said, I'm confused. The overland flows will go to the west, all along that westerly property line. And they're not going to do that anymore, except for an isolated level spreader?

Chair Vitali asked, Erin, what's the resolution? They took the building, and-the westerly side is going-- You're thinking it's going to get cut off? But that water is going to go there. Are you looking for more level spreaders?

Ms. O'Hare said, Yes. They show some in red in the schematic.

Mr. Cassidy said, We took a look at that. I understand when you're designing a level spreader, you're trying to treat for the sheet flow. If you want to spread it out more, then I would add additional level spreaders. It's something we identified. As a condition of approval, we could work with Erin O'Hare on that—on the south end, the water would hit the watercourse first. The formula I used dictated for level spreaders.

Chair Vitali asked, What's your average length of level spreader?

Mr. Cassidy said, Fifty feet.

Chair Vitali said, So you'd put three on the west side?

Mr. Cassidy said, Correct.

Chair Vitali said, And on the east side, I'm agreeing that the one all the way to the south is going to hit the stream. What happens to the wetlands on the front corner?

Mr. Cassidy said, It's picking up a portion of the wooded scrub area off to the left and from the access road to the cell tower.

Chair Vitali said, That's an additional two level spreaders here and three on the west.

Mr. Cassidy said, Yes.

Ms. O'Hare asked, Is Eversource keeping that access off Northrup Road?

Mr. Cassidy said, In my presentation, I said we'd be removing that and revegetating that. It's a Condition of Approval to eliminate that accessway.

Chair Vitali said, Good question, Erin.



Ms. O'Hare said, I want to mention my Environmental Planner's Report of last Friday and my comment letter that went out on October 23<sup>rd</sup>. The Applicant responded to all my comments. We were looking at the surface area here and how we could spread out the flow. I'm comfortable with that. Their team and I were conferring on Conditions of Approval yesterday.

Chair Vitali asked, How many conditions?

Ms. O'Hare said, I have nine. I did get them to Deborah Phillips tonight.

Chair Vitali asked, Are they in print anywhere, in your reports?

Ms. O'Hare said, No.

Chair Vitali asked, Has the Applicant received these conditions you're recommending?

Attorney Ceneviva said, Yes, we have them. None of them relates to the concept of the level spreaders. I think, Mr. Chair, it was already handled.

Ms. O'Hare said, I'd read each one.

Chair Vitali said, Let's go over them. So is there anything in print on any of your responses?

Ms. O'Hare said, No.

Chair Vitali asked, Has Counsel reviewed these that are going to be recommended?

Attorney Ceneviva said, We have. One is related to the concept of the level spreader handled tonight.

Ms. O'Hare briefly read the conditions out loud. And a bond associated with this project?

Chair Vitali asked, Nick, what do you think? Attorney Ceneviva, were you going to do this in phases or not?

Attorney Ceneviva said, I think it's going to be.

Commissioner Kern said, Fifty thousand dollars construction bond in two phases: 1) For an Erosion Control bond \$25,000, and 2) And a Wetland bond of \$25,000. He asked Mr. Cassidy, Is that an engineered septic system?

Mr. Cassidy said, Yes. We designed and reviewed it with the Health Department already.

Also, Ms. O'Hare advised having wetlands plaques placed by the parking lots.

Chair Vitali said, Commissioners, do you have any questions?

There were none.

Chair Vitali asked the Applicant, Is this acceptable? Does the Applicant agree?

Attorney Ceneviva said, Yes. I think there will be some communication between the Environmental Planner and the Town Planner.

Mr. Cassidy said, Yes.

Chair Vitali said, I think we are ready to proceed with a Motion regarding the Significance of the Activity.

**MS. PHILLIPS: MOTION THAT APPLICATION #A20-9.2 / 2 NORTHRUP INDUSTRIAL PARK ROAD EAST & 1117 NORTHRUP ROAD – 1070 NORTH FARMS ROAD, LLC – (INDUSTRIAL DEVELOPMENT) BE DECLARED NOT A SIGNIFICANT ACTIVITY.**

**MR. KERN: SECOND**

**VOTE: MS. PASSARETTI – YES; MR. KERN – YES; MS. PHILLIPS – YES; MS. MCKEEN – YES; CHAIR VITALI – YES.**

Then Chair Vitali called for an action Motion.

**MS. PHILLIPS: MOTION THAT APPLICATION #A20-9.2 / 2 NORTHRUP INDUSTRIAL PARK ROAD EAST & 1117 NORTHRUP ROAD – 1070 NORTH FARMS ROAD, LLC – (INDUSTRIAL DEVELOPMENT) BE APPROVED AS SUBMITTED WITH THE CONDITIONS OF APPROVAL THAT WERE WRITTEN UP TONIGHT:**

- 1) Submit within two weeks' time a revised plan depicting additional level spreader facilities to be added along both the east and west sides of the developed area to provide flows to wetlands. Engineer to work out final details with Environmental Planner to accommodate facilities – two (2) more on east side and three (3) more on west side – given site constraints in certain vicinities.
- 2) Copy of recording in Land Records of “Right To Drain” granted by 2 Northrup Industrial Park Road West to 2 Northrup Industrial Park Road East to be submitted to Environmental Planning Office prior to commencement of work.
- 3) Submit final plan (after PZC process) depicting corrected wetlands soil classifications by type and corrected boundaries on ‘Existing Conditions’ sheet.
- 4) Should there be a pause in construction for any reason, erosion controls are to be monitored and restored as may be necessary by Permittee through this period.
- 5) Environmental Planner to be contacted one week in advance to schedule appointment to inspect and approve erosion control installations at start of work.
- 6) Erosion Control Plan to be revised and submitted to address the following:
  - a) Extend hay bale protection to meet rear of proposed stockpile (located in southern end of site) on stockpile’s west and east sides.
  - b) Indicate on plan that existing construction entrance is to be removed and this disturbed area restored and hay bale protection to be installed above where entrance meets Northrup Road.
  - c) Delete depiction of those stockpiles created last year as they will be totally removed by the start of ‘Phase 1’.
  - d) Indicate that the northwesterly Temporary Sediment Trap will be filled in Phase II when the new Temporary Sediment Trap is installed nearby in this vicinity.
  - e) Provide protection for existing and proposed catch basins located in Northrup Road from tracked dirt.

- f) Extend hay bale protection along both sides of proposed (central) construction pad to the north to meet Northrup Road.
- 7) (Omitted)
- 8) Submit an Addendum to the ‘Wetlands Assessment’ report to address the following:
  - a) Impact of creation of over 504,000 s.f. of impervious surface area on site’s wetlands, pond, marsh, and stream, respectively.
  - b) Evaluation of catchment area of pond in terms of loss of overland and groundwater flows from the west toward the pond and provide a figure of approximate area lost, e.g. 35% of total existing catchment area lost.
  - c) Evaluation of proposed additional level spreader facilities to lessen impact in terms of flows to easterly and westerly wetlands.
  - d) Clarification of wetlands soils classifications and depiction of same on plan.
- 9) (Omitted)
- 10) E & S Construction Bond (\$50,000) to be posted prior to start of work.
- 11) IWWC plaques to be installed at 100-foot intervals near parking, loading and drives. (*Signage to be provided by Town free of charge.*)

**MR. KERN:      SECOND**

Commissioner Kern said that it’s good to see the Applicant’s engineer come and they’ve done their homework. I’m happy with the plan because they addressed every issue out there that needed it. I want to thank the Applicant for this job of engineering this site. I will vote Yes.

There was no further discussion.

**VOTE:           MS. PASSARETTI – YES; MR. KERN – YES; MS. PHILLIPS – YES; MS. MCKEEN – YES; CHAIR VITALI – YES**

**E. NEW BUSINESS**

- 1. #D21-1.1 / 950 Church Street, Yalesville – Scotland Hardwoods, LLC c/o Rod Burgess – *Request for Determination of Exemption – (selective timber harvest)*

Appearing was Mr. Rod Burgess of Scotland Hardwoods, LLC.

Chair Vitali asked, Erin, What are we exempting?

Ms. O’Hare said, Mr. Burgess is asking to be exempted from needing a Wetland Permit. All he needs is a Determination of Exemption. This is a process that we go through every now and then. I talked to the Cheshire Environmental Planner and Rod Burgess. When a secondary company is doing something for the first time, they typically need just an exemption if they’re going to be crossing streams and wetland. In this case the haul roads are not being built in the wetland. Everything was there some 18 years ago. There will be some wood ruts made from those trees, but not as much erosion as there would have been the first time.

Chair Vitali asked, It’s off Reservoir Road—I’m not sure if that was confined. Is that the issue?

Mr. Burgess could be viewed on screen but was not audible.

Commissioner Kern said, A couple of years ago they took the Rainey project, and we found out the soils were real mucky because the ground was so settled. I'm not saying it was this company here, but some of the ruts that they left turned into brooks/feed ways down to the reservoir.

Chair Vitali, And then the sediment dumped to the reservoir, and it didn't seem to hurt much. But Ms. O'Hare can go out there now and look at it. Or we determine this by means of a previous logging report.

Ms. O'Hare said, It doesn't mean that they get a free pass. I think we need to put conditions on it: That I go out there and check out the wetland controls.

Chair Vitali said, Absolutely. You'd want to check it.

Ms. O'Hare said, I did call the Environmental Planner in the Town of Cheshire, and she was impressed with their work. Apparently, this group understands the importance of erosion control.

Chair Vitali addressed Mr. Burgess. At this time, he nodded that he could hear the discussion, but he could not reply aloud.

There was no additional discussion.

**MS. PHILLIPS: MOTION ON APPLICATION #D21-1.1 / 950 CHURCH STREET, YALESVILLE – SCOTLAND HARDWOODS, LLC C/O ROD BURGESS – REQUEST FOR DETERMINATION OF EXEMPTION – (SELECTIVE TIMBER HARVEST) THAT WE HAVE DETERMINED THAT IT IS NOT NEEDED BECAUSE THERE WAS A PREVIOUS ROAD ASSEMBLED THERE AND THAT THERE WOULD BE A CONDITION THAT WHEN HE STARTS WORK THAT THE ENVIRONMENTAL PLANNER INSPECTS THE EROSION CONTROLS AND CONDITIONS.**

**MR. KERN: SECOND**

There was no discussion on the Motion.

**VOTE: MS. PASSARETTI – YES; MR. KERN – YES; MS. PHILLIPS – YES; MS. MCKEEN – YES; CHAIR VITALI – YES**

## **F. RECEIPT OF NEW APPLICATIONS**

### **1. Receipt of any new applications filed by close of day, Feb. 2, 2021**

Ms. O'Hare stated that no new applications had been filed.

## **G. REPORTS & COMMUNICATIONS**

### **1. Discussion of proposal to adopt fines for violations**

There was no discussion tonight.

Separately, Ms. O'Hare reported that the proposed budget for the 2021-2022 fiscal year is due later this month.

### **2. Farm Hill Road Detention Basin – report**

Ms. O'Hare said the Engineering Department's field mapping and easement survey were received and turned over to the Department of Law for a recommendation.

- 3. City of Meriden referral re: IWWC application (within 500 feet of town line) - 1210 Research Parkway, Meriden – D. DeMartino – two billboard installations on 2/3/21 Meeting; received by Wallingford Town Clerk 1/25/21**  
This correspondence was received.

- 4. City of Meriden referral re: IWWC application for administrative approval (within 500 feet of town line) – 850 Murdock Road, Meriden – Mark Development, LLC – plant installation within (100-foot) URA; approved administratively 1/25/21; received by Wallingford Town Clerk 1/28/21**  
This correspondence was received.

#### H. No entry

#### I. VIOLATIONS

- 1. Notice of Violation – 1245 Old Colony Road & Quinnipiac River – Jerzy Pytel – (unpermitted clearing & filling near river)**

Ms. O'Hare said there has been no movement on this Violation.

- 2. Notice of Violation – 950 South Colony Road – 1NRSJ, LLC – carwash facility – (filling)**

Ms. O'Hare said there has been no movement on this Violation.

- 3. #A20-2.1 / 12 & 16 Northfield Road – (over-clearing in floodplain wetlands & URA issue)**

Ms. O'Hare said there has been no movement on this Violation.

- 4. Notice of Violation – 11 Trumbull Drive – Jill Kobrin Walsh – (unpermitted grading, deposition, and structures within URA & alteration of drainageway/stream on Town land)**

Ms. O'Hare said this item is new. The Owner has been given a verbal notice and also a letter from the Water Division. Ms. O'Hare will write a letter to the Owner about this Violation.

#### J. ADJOURNMENT

**MS. PHILLIPS: MOTION TO ADJOURN THE MEETING.**

**MR. KERN: SECOND**

**VOTE: THE MOTION WAS APPROVED UNANIMOUSLY IN A VOICE VOTE.**

The meeting was adjourned at 9:02 p.m.

#### K. NEXT MEETING: March 3, 2021

Respectfully submitted,

Kathleen L. Burns, Recording Secretary