



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

REGULAR MEETING

Wallingford Inland Wetlands & Watercourses Commission

(Remote)

Wednesday, April 7, 2021, 7:00 p.m.

The IWWC Meeting of April 7, 2021 will take place **REMOTELY ONLY**. The Meeting can be accessed remotely from your computer, tablet, or smartphone.

<https://global.goto.meeting.com/join/900717509>

You can also dial in using your phone:

United States (Toll Free): 1 877 568 4106

United States: +1 (646) 749-3129

Access Code: 900-717-509

Live stream of the Meeting will also be available on the Town of Wallingford You Tube Channel: <https://www.youtube.com/c/wallingfordgovernmenttelevision> Materials for this Meeting will be posted on the Town's website (as time allows): www.town.wallingford.ct.us Upon entering the Meeting, please wait for instructions from the Chairman as to how the Meeting will proceed. To all participants: Please **MUTE your microphone** until called on to speak, then UNMUTE. Please wait for instructions from the Chairman before speaking.

Application plans and documents are available for view at the Environmental Planning Office, Basement Level, Town Hall, and are also available on the Town website, www.town.wallingford.ct.us, under 'Upcoming Events & Meetings', IWWC Regular Meeting (Remote), April 7, 2021, 7:00 p.m..

AGENDA

- A. PLEDGE OF ALLEGIANCE
- B. ROLL CALL
- C. CONSIDERATION OF MINUTES
 1. Regular Meeting (Remote), Feb. 3, 2021
- D. PUBLIC HEARING:
 1. Significant Impact #A20-10.3 / 5 Research Parkway / Muddy River – Montante Construction, LLC - (industrial development) - *Continuation of Public Hearing opened Nov. 10, 2020*
- E. CONSIDERATION OF PUBLIC HEARING ITEM
 1. Significant Impact #A20-10.3 / 5 Research Parkway / Muddy River – Montante Construction, LLC - (industrial development)
- F. OLD BUSINESS
- G. NEW BUSINESS
- H. RECEIPT OF NEW APPLICATIONS
 1. #A21-3.1 / 121 Quigley Road - Paul & Margot Kawecki – (installation of shed, drainageway, and fill & removal of one dead tree in upper URA) – approved administratively on 3/8/21
 2. #A21-3.2 / 11 Trumbull Drive – Jill Kobrin - ('after-the-fact' proposed drainage improvements, relocation of shed, play scape installation & regrading)

3. #A21-3.3 / 475 Williams Road – Scott & Sandy Cavallaro – (in-ground pool, patio & rain garden)
 4. Receipt of additional applications filed by close of day, April 6, 2021
- I. ELECTION OF OFFICERS
- J. BUDGET FY21-22
1. (Remote) Town Council Public Hearing for the public, April 12, 2021, 6:00 p.m.
 2. (Remote) Town Council Public Hearing for Council, May 4, 2021, 6:30 p.m.
- K. REPORTS & COMMUNICATIONS (Note: below includes some correspondence for March IWWC Meeting which was cancelled)
1. Discussion of proposal to adopt fines for violations
 2. Farm Hill Road Detention Basin
 3. DEEP Permit Application for the Use of Pesticides in State: pond, 719 Maltby Lane, owner: Murgo; applicator: Stahl Holdings, LLC dba The Pond and Lake Connection; received 2/8/21
 4. SWCA Environmental Consultants re: Algonquin Gas Transmission, LLC re: 12-inch C-7 System Anomaly Investigation Project, on Oliver Creek Road within AGT R.O.W., dated 2/8/21; received 2/9/21
 5. TEC Associates re: 2021 Vegetation Management Plan for National Railroad Passenger Corporation (Amtrak); dated 1/25/21, received 2/9/21
 6. DEEP Webinar notice, 'Avenza Maps' (GPS app.), Mar. 5, 10-11:30 a.m., received 2/11/21
 7. TEC Associates re: 2021 Vegetation Management Plan for Providence & Worcester Railroad, dated 1/28/21, received 2/11/21
 8. DEEP Permit Application for the Use of Pesticides in State: ponds, 180 Cheshire Road, owner: The Farms Country Club; applicator: Stahl Holdings, LLC dba The Pond and Lake Connection; received 2/16/21
 9. DEEP Permit Application for the Use of Pesticides in State: Spring Lake – 6 Martin Trail, owner: "Spring Lake Association"; applicator: Stahl Holdings, LLC dba The Pond and Lake Connection; received 2/16/21
 10. DEEP Permit Application for the Use of Pesticides in State: 181 Maltby Lane; owner: Levine applicator: Stahl Holdings, LLC dba The Pond and Lake Connection; received 2/25/21
 11. Eversource Energy notification of submittal to CT Siting Council - Sub-Petition 1293-CW-02 re: 1610 Transmission Line Replacement Project - upgrades to infrastructure within Eversource R.O.W. - access roads to impact wetlands, Church Street, Highland Ave., Chimney Hill Rd.
 12. Eversource Energy letter to neighbors regarding notification of work on the "Colony to North Wallingford Upgrade project", dated Jan. 2021, received copy from Mayor' Office, 3/23/21
 13. #A20-3.2 / 52, 58 & 88 Woodhouse Avenue – Sunwood Development Corp. – (apartment complex) – submittal re: permit conditions of approval regarding dewatering plan and handling of construction flows; received 3/25/21
- L. VIOLATIONS
1. Notice of Violation - 1245 Old Colony Road & Quinnipiac River –Jerzy Pytel - (unpermitted clearing & filling near river)
 2. Notice of Violation – 950 South Colony Road – 1NRSJ, LLC – carwash facility – (filling)
 3. #A20-2.1 / 12 & 16 Northfield Road – (over-clearing in floodplain wetlands & URA issue)
 4. Notice of Violation - 11 Trumbull Drive – Jill Kobrin – (unpermitted grading, deposition, and structures within URA, rerouting of flows & alteration of drainageway/stream on Town land)
- M. ADJOURNMENT
- N. NEXT SCHEDULED REGULAR MEETING: May 5, 2021

Individuals in need of auxiliary aids for the effective communication in programs and services of the Town of Wallingford are invited to make their needs and preferences known to the ADA Compliance Coordinator at 203-294-2070 five days prior.



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: IWWC
From: Erin O'Hare, Environmental Planner 
Date: April 2, 2021

Re: IWWC #A20-10.3 / SIGNIFICANT IMPACT / 5 Research Parkway /
Muddy River – Montante Construction, LLC - (industrial development)

ENVIRONMENTAL PLANNER'S REPORT

Please refer to EPR, dated 2/26/21, for chronology of status of subject application from the Nov. 10, 2020 Public Hearing to 2/25/21.

This EPR includes status chronology, listing and description of recent updates and revisions to Proposal, comments on latest submittals, recommendations for IWWC's consideration for decision.

Status

- 2/26/21: Environmental Planner's Report forwarded to IWWC
- 3/12/21: Site investigation with Commission Simon, Commissioner McKeen, Alison Kapushinski, Town Engineer, Project Manager Chris Gagnon, and Wetlands Scientist Michael Klein, and this office
- 3/17/21, Commissioner Kern, Commissioner Passaretti, Project Engineer Jeff Dewey, Wetlands Scientist Michael Klein, and this office
- Several phone conferences with Project Engineer and with Project Attorney
- 3/22/21: Office conference with Alison Kapushinski, Town Engineer, Erik Krueger, Water & Sewer Divisions, and Project Engineer Jeff Dewey
Chairman sets (Remote) Public Hearing, to be held Apr. 7, 7:00 p.m.
Applicant submits Manufacturer's specifications, 'GeoSystems - Slope Protection System', for installation on 1:1 slope areas
- 3/24/21: Public Hearing Notice for the continuation of hearing on April 7, 2021 posted at Town Clerk's and on Town website
- 3/25/21: Erosion Control Peer Reviewer submits Bond Estimate and Final Comments on latest revisions/responses (see copy in packet)
- 3/26/21: Legal Notice published in Meriden Record Journal (as requested by Applicant)
CT Dept. of Public Health & CT DEEP MOU re: restrictions on application of chemical in public drinking water supply watershed submitted by Water Division (see copy of cover page (only) in packet)
- 3/29/21: Turbidity levels information submitted by Water Division (see copy in packet)

SLR - Peer Reviewer of Stormwater Management, Hydrogeologic issues, and Wetlands Impact Comments on latest revisions/responses (see copy in packet)

Comments on latest revisions/responses submitted from Water Division (see copy in packet)

- 3/30/21: Applicant submittals (see copies in packet):
 - Regulated Activities Plan – EXH-18
 - Wetland 1A Watershed Reduction Exhibit – EXH-24
 - Off-Site Utilities Plan – OSUP-1
 - Off-Site Utilities Plan – OSUP-2
- 3/30/21: Comments submitted from Town Engineer (see copy in packet)
- 4/1/21: Applicant submittals (see copies in packet):
 - Final Revisions Plan
 - Responses to recent Comments from Peer Reviewer G. Cotter, Peer Reviewer SLR, Town Engineer, Water Division, Environmental Planner (latter: verbal comments)
 - Habitat Restoration Exhibit –HR-1
 - Habitat Restoration Exhibit –HR-2
 - Vernal Pool Radius ---Exhibit EXH-21
 - Wetland/Biological Assessment & Impact Report Addendum

Environmental Planner's Report with Comments, dated 4/2/21 (see copy in packet)

IWWC packets delivered
- 4/2/21: Second Legal Notice published in Meriden Record Journal (as requested by Applicant)

REVISIONS

Revisions to the development proposal are presented below in two categories:

- A. Salient changes to proposed development subsequent to Dec. 22, 2020 submittals reflected in March 5, 2021 submittals
- B. Salient changes to proposed development subsequent to March 5, 2021 submittals reflected in revised documents submitted end of March and by April 1, 2021

A. Salient changes to application proposal subsequent to Dec. 22, 2020 submittals reflected in March 5, 2021 submittals

Erosion Control-Related

- A 'modified slide gate' is proposed to be fabricated and installed at existing discharge pipe facility proximal to existing driveway to regulate proposed flows from Small Pond to Large Pond during initial lowering and subsequently, as may necessary
- Relocation of proposed inlet riser closer to the existing outlet structure to be installed by northwestern edge of Large Pond in pond bottom with use of cofferdams. Riser facility to be used for initial lowering of Large Pond and subsequently will maintain set water level until end of construction phase. See Detail drawing.

- A settling basin has been added, as requested by this office, at the western side of the anti-tracking pad located on the interior drive near Research Parkway to further prevent sediment-laden flows from the pad from travelling downgradient into the proximal wetlands along the Muddy River in this vicinity.
- A dewatering bag has been added to the Contingency Plan, as requested, for potential use if silty waters need to be pumped out upgradient of stop-log installation site.
- All proposed slopes greater than a 2:1 slope are now proposed to be stabilized with a Geogrid Slope Retention System. (The latter proposed areas were previously inadvertently represented as ‘Turf Reinforcement Matting’ on the Dec. 22 submittal – corrected in March 5 submittal.)
- Turbidity curtains are now to be staged for potential installation at these locations: at Small Pond outlet, and around the riser pipe installation and before the dam spillway on the Large Pond, and across Muddy River below the dam spillway on Large Pond, and *across the upper north end and lower south end of Large Pond (prior to start of other work)*.
- The proposed lowering of water levels in the two ponds has been clarified/confirmed to be proposed to be conducted in advance of any site work.
- Two erosion control storage containers have been added - at northern end and southern end of site.
- Temporary sediment traps are sized per requirements up to 5 acres of contributory area, and will be relocated as needed as site work progresses through the three Erosion Control Phases of Construction – so the amount of site area considered ‘opened up’ is constantly in flux. That said, Applicant indicates a preliminary estimate of maximum acreage active or ‘open’ at any one time may temporarily approach 30 acres.

B. Salient changes to application proposal subsequent to March 5, 2021 submittals reflected in revised documents submitted during end of March and on April 1, 2021.

- Exhibit Plan, ‘Regulated Activities’, submitted 3/30/21 in response to a request from this office, depicts and ‘calls-out’ Regulated Activity areas on the site. These activities correlate to regulated activities provided in Wetland/Biological Assessment & Impact Report, submitted 3/5/21.
- Proposed Water Pump Station facility. Due to a determination of insufficient water pressure to service proposed building, a Water Pump Station with access driveway is now proposed off the south side of Carpenter Lane, per March 5 plan, however, associated utility pipes (and erosion control measures) are required to be located on private property. The revised utility location and associated disturbance area located within the URA in this vicinity is depicted on ‘Utility & Grading’ plan sheet, submitted 3/31/21. This additional Regulated Activity is

depicted on Exhibit Plan, 'Regulated Activities'. A statement relative to potential impact to wetlands and URA, is provided in 'Wetland/Biological Assessment & Impact Report Addendum', submitted 4/1/21.

- 'GeoSystems - Slope Protection System'(Manufacturer's specifications document). Proposed for installation on 1:1 slope areas, as requested by Town Engineer, submitted 3/22/21. (One query outstanding as of this writing.)
- Turbidity information – comment submitted by Water Division on 3/26/21
- Proposed use of chemicals in eradication of invasive plants. Water Division submitted 3/26/21 a suggested condition of approval in this regard and a copy of Memorandum of Understanding (MOU) between CT Dept. of Public Health and CT DEEP regarding use of chemicals in public drinking supply watersheds. (Copy of comment forwarded in packet & see under suggested possible conditions of approval, below)
- Pond facility. Existing slide gate on discharge of flows from Small Pond to Large pond via culvert under driveway is to be replaced with a lower slide gate associated with the proposed lowering of both ponds.
- Deer exclusion fencing. The approximate location of deer exclusion fence installations (previously proposed) are to be provided.
- Northwestern swamp - a rough acreage of the area potentially to experience inundation calculated by the existing topography of the lowest swamp area, e.g., in a 5-yr. storm pooled area can be anticipated to cover approximately 1 acre was previously requested. Information provided in Wetland/Biological Assessment & Impact Report Addendum submitted 4/1/21.

RECOMMENDATIONS

Steps of the Process

After hearing from the Applicant and staff regarding new information submitted and any changes to the proposed application project as previously presented, asking any remaining questions, hearing testimony from the public, and entering all documents into the record, the Chairman may close of the hearing. Before the close, the IWWC may discuss the suggested conditions of approval with the Applicant as part of the hearing.

Should the IWWC decide to continue the hearing, the Chairman will set a date for the continuation.

Should the hearing be closed, the Chairman may move to the Consideration Item on the agenda for IWWC deliberations – or this step can be taken up at a later date. As the application is a Significant Impact activity, the Chairman should walk the IWWC through the steps in the process as provided for under Section 10.2, "*Criteria For Decision*", and must find that a prudent and feasible alternative does not exist, under Section 10.3. (It is

anticipated that the Applicant will present in support of this finding during the hearing.) Findings and the reason therefore must be stated on the record by the Chairman. The IWWC may wish to deliberate further regarding possible conditions of approval.

After deliberations are completed, the IWWC may act to approve (with conditions), deny, or, should it take no action, the application will be null. (The Law Dept. does not advise the latter for any application).

Conditions for Consideration

Should the IWWC be ready to move forward with the application, this office has provided suggested conditions of approval to be considered as part of the IWWC's deliberation process.

Conditions are grouped by topic area below. The conditions fall into four broad types: Bonding, Substantive items (e.g. elements not currently provided in the application submittal to date but that the Applicant has agreed to incorporate in final plan to be submitted within 60 days), Required reporting (to aid 'housekeeping' through memorializing required reporting under the permit which will assist in tracking report submittal compliance later on), and Discretionary, i.e., elements not included in the application but requested by the IWWC. The latter would include IWWC placards and mitigations the IWWC may wish to request. Under Sect. 10.2.d., mitigations may include measures to:

- 1) To prevent or minimize pollution or other environmental damage
- 2) To maintain or enhance existing environmental quality, or
- 3) In the following order of priority: to restore, enhance, and create productive wetland or watercourse resources.

Suggested Conditions of Approval

1. Conditions Regarding Final Revised Site Plan Set and Final Revised Documents:

- **Final Revised Site Plan Set and Final Revised Documents**

Final Revised Site Plan Set and Final Revised Documents shall be submitted within 60 days of IWWC permit approval and shall be reviewed and accepted by the Environmental Planner for completeness. These document submittals shall include the following information as agreed to by Applicant: revisions and information requested in latest comments submitted to IWWC and agreed to by Applicant pertaining to comments from the following parties: E&S Peer Reviewer, Peer Reviewer of Stormwater Management, Hydrogeology, and Wetlands Impact, Town Engineer, Water Division, Environmental Planner; and comments of the IWWC at the April 7 Public Hearing and other revisions and information that the Applicant agreed to during the April 7 Public Hearing. Changes to the plan set as depicted on the "Final Plan Revisions for Inland Wetlands Permit" - 2 plan sheets -EXH-25A and EXH-25B), submitted 4/1/21, shall be added to the final plan set incorporated into the Permit.

2. Conditions Regarding Possible Changes Proposed To Plan or To Application Documents After Significant Impact Permit Approval:

• Changes required by PZC:

Regarding possible changes to the approved site plan set or to any documents associated with this Permit that may need to be made in order to comply with required changes relative to the PZC Special Permit and Site Plan approvals, it is understood that before these changes are incorporated into the IWWC final plan they will be subject to Environmental Planner review to determine if review by the IWWC may be needed before acceptance as updates to the plan, or, if further IWWC permitting may need to be obtained (see bulleted item below for permit application categories that may apply).

• Changes other than those required by PZC:

With the exception of changes required by the PZC associated with original PZC approvals (as per above bulleted item), any proposed changes to the Approved site plan set, to any of the approved documents associated with the application on file, or to the terms or conditions of this Permit, will require submittal of an IWWC application under one of the following categories per Section 19, Application Fees, IWWC Regulations: "Permit Modification (Not Minor Revisions)", "Minor Plan Revisions Within Scope of Original Permit", "Modification of Specific Terms or Conditions Imposed As Part of Original Permit", or "Administrative Approval Request" - with appearance before the IWWC, accordingly.

3. Conditions to be Met Before Any Alteration of the Site Occurs:

• Bonding:

A bond in the amount of \$1,375,000.00 (amount per recommendation of E&S Peer Reviewer) to be posted prior to commencement of any site work activity associated with this Permit on any portion of the property. Draft bond documents to be submitted by Permittee two weeks prior to anticipated commencement of any activity on the site to allow time for Town review and approval of same.)

(This bond amount will be finalized in discussions with Planning Department and Engineering Department.)

• Independent Erosion Control Plan Implementation Monitor:

Under the authority of Sect. 14.2, the Town shall and retain an Independent Erosion Control Plan Implementation Monitor ("Monitor"). Permittee shall cover reasonable and necessary expenses of the Monitor for the duration of the permit work including completion of site stabilization tasks per the IWWC's approved Scope of Work (copy attached, hereto). Permittee shall otherwise have no role in the selection of the Monitor or the Town's administration of the Monitor's work. Monitor will forward written reports as agreed to the Town (i.e., municipal network comprised of Environmental Planner, Town Planner, Town Engineer, Water Division, Building Official) and to the Permittee, the Project Site Manager and the Permittee's designated engineering firm. The terms of the Monitor's

engagement will be drafted and agreed to by and between Town's legal representative Janis Small, Corporation Counsel, and Applicant's attorney, Tom Cody, Esq., prior to the commencement of any site work.

- Confirmation of Infiltration Trench Infiltration Capacity
Permittee shall install pre-construction percolation test pits in the areas of all infiltration trenches to a depth equal to the bottom of stone proposed for each trench to confirm infiltration capacity and shall report findings to the Environmental Planner within 30 days of permit approval.
- Monitoring protocols of the Box Turtle Protection Plan
Monitoring protocols of the Box Turtle Protection Plan are to commence immediately prior to any scheduled clearing activities under the supervision of the Site Environmental Monitor.
- Activity limits
Any activity beyond the limits of the silt fence installations are prohibited for the duration of site redevelopment project.
- Permit Pre-Construction Meeting:
A Permit Pre-Construction Meeting to be held with the Town prior to commencement of any work activity associated with this Permit anywhere on the property to review all permit requirements (including DEEP General Stormwater Permits obtained for the redevelopment project), the Town's expectations for performance, and to establish a Contact Network. Attendees to include Permittee, Permittee's professional engineering firm, Project Engineer, BL Site Monitor, Permittee's Site Project Manager, Permittee's Site Construction Manager, Permittee's Responsible Party for Erosion Control (individual identified on the DEEP Stormwater General Permit issued), Permittee's attorney, and representatives of the Town of Wallingford (Town Engineer, Town Planner, Environmental Planner, Water Division Senior Engineer, Building Official, Independent Erosion Control Plan Implementation Monitor, and IWWC Chairman).

4. Conditions to Be Met Before Commencement of Demolition Phase of Plan:

- Flocculant Use:
Permittee to use industry professional regarding appropriate use of flocculants on the site as per E&S Peer Reviewer recommendations.
- Pre-Drawdown of Ponds:
Regarding initial drawdown of the Large Pond and Small Pond associated with this permit, Permittee to perform review of condition and functionality of Large Pond's draw down gate valve and associated 30-inch diameter culvert near the spillway to assure that facilities are free of debris and there are no deficiencies; to inspect vicinity of the outlet to ensure there is proper armoring in place to avoid scour or erosion, and, if issues are found, they are to be addressed prior to any further site activities.

- Erosion Control Plans and ‘Construction Site Contingency Plan For Erosion Control and Emergency Spills’:
A copy of the (final) approved Erosion Control Plans and a copy of the ‘*Construction Site Contingency Plan For Erosion Control and Emergency Spills*’ document (final revised version) to be kept onsite by Project Site Construction Manager and Project Site Manager at all times with two copies in the main construction site trailer for reference.
- E&S Control Material Supply Storage Container:
One E&S Control Supply Storage Container to be installed at onset of site preparation. Container is to be kept fully stocked at all times with routine E&S control materials and with the materials specified in the approved ‘*Construction Site Contingency Plan For Erosion Control and Emergency Spills*’ document (as revised) in the event of large storm or hazard events. Materials to be re-stocked ASAP upon the use of product.
- Spill Signage:
Signage indicating DEEP Emergency Spill Reporting contact number and “Wallingford Public Drinking Water Supply Watershed” to be displayed prominently on outside of all site trailers and Erosion Control Storage Containers.
- Monitoring in Quiet Periods:
Should there be a hiatus in site activity between this Demolition Phase and the Construction Phase – be it regarding weather conditions, change in plans or scheduling – disturbed areas must be stabilized (as is required in the approved plans) to the satisfaction of the E&S Control Plan Implementation Monitor, and monitoring for adequacy of erosion control measures by E&S Control Plan Implementation Monitor and the Permittee’s designated Site Monitor is to continue throughout any ‘quiet period’.

5. Conditions To Be Met Before Commencement of Construction/Stabilization Phase:

- Second E&S Control Supply Storage Container:
Second container is to be installed at the onset of site clearing. Both storage containers provided onsite are to be kept fully stocked at all times with routine E&S control materials and with the materials specified in the approved ‘*Construction Site Contingency Plan For Erosion Control and Emergency Spills*’ document (as revised) in the event of large storm or hazard events. Materials to be re-stocked ASAP upon the use of product.
- Monitoring in Quiet Periods:
Should there be a hiatus in site activity at any point during the Construction/Stabilization Phase – be it regarding weather conditions, change in plans or scheduling – disturbed areas must be stabilized (as is required in the approved plans) to the satisfaction of the E&S Control Plan Implementation Monitor, and monitoring for adequacy of erosion control measures by E&S Control Plan Implementation Monitor and the Permittee’s designated Site Monitor is to continue throughout any ‘quiet period’.

6. Conditions Relative To Ponds

- Dam certification information
Dam's hazard rating and required periodic update to Emergency Action Plan (EAP) to be submitted to Environmental Planner within 2 months of this permit issuance.
- Slide gate
Existing slide gate for handling discharge of flows from Small Pond to Large pond via culvert under driveway is to be replaced with a lower slide gate associated with the proposed lowering of both ponds.
- Drawdown Sequence Plan:
Final sequence for the planned coordinated lowering of the two ponds to be provided to Environmental Planner within one-month of permit approval. Sequence Plan shall be subject to the review and approval of the Wallingford Water Division and Environmental Planner.
- Plan for Possible Unfavorable Aquatic Conditions
A plan to be submitted within 60 days to address the possible need for salvage/rescue of aquatic animals should low water levels create distress/unfavorable conditions for viability. In the event fish or other aquatic life is observed to be in distress, actions need to be undertaken. Aeration device for ponds is to be installed in the event low-dissolved oxygen levels in the water of the lowered ponds should become an issue for aquatic life. .
- Possible Pond Bottom Restoration
At the completion of construction phase, a determination will be rendered by Town in conjunction with Independent E&S Control Plan Monitor as to the possible need for restoration of the bottom of the ponds as a consequence of sediment build-up from construction activities. Additional IWWC permitting may be required.
 - a) Should restoration by sediment removal be determined to be necessary Permittee shall provide a proposal for the removal activity subject to Town review and approval and Permittee shall be held responsible for its implementation
 - b) In the event sediment removal is determined to be not necessary due to minimal depth of sediment layer on pond bottom and/or adverse impact anticipated to result from the removal process itself, Permittee will be requested to provide appropriate remedies, e.g. treatment of ponds for algal blooms, post-construction phase erosion control measures in the event sediment is stirred-up into the water column during large storm events leading to possible introduction of silty flows to Muddy River below the dam, etc.

7. Condition Regarding Chemicals to Be Used in Eradication of Invasive Plants

- Permits for application of chemicals on the site will be required during redevelopment activities and to continue moving forward after completion of development. A proposed plan for the use and identified target areas is to be submitted to the Water Division for its review and approval at least two weeks prior to anticipated use. Any chemical use on site is to be administered in accordance with the Memorandum of Understanding (MOU) between CT Dept. of Public Health and CT DEEP regarding use of chemicals in public drinking supply watersheds (copy attached hereto for reference).

8. Condition Regarding Box Turtle Protection Plan

- **Natural Diversity Database final response letter**
The anticipated final response letter from the DEEP Natural Diversity Database shall be submitted to Environmental Planner prior to commencement of clearing work.
- **Box Turtle Protection Plan Implementation Overseen By Site Environmental Monitor:**
 - a) Site Environmental Monitor (Davidson Environmental, LLC, or other qualified firm) shall oversee full implementation of plan protection protocols either by the Contractor (as applies) and/or by the Site Environmental Monitor, addressing isolation measures, use of appropriate erosion control products, and education of Contractor regarding specific protocols for turtle protection on the site.
 - b) Monitoring protocols are to commence immediately prior to scheduled clearing activities.
 - c) Site Environmental Monitor to conduct periodic inspections of silt fencing installation generally on a bi-weekly basis or more frequently if site conditions warrant.
 - d) Site Environmental Monitor to submit reports regarding any observation of box turtles on the site – over the course of the clearing, demolition, construction, and site stabilization phases - to CT DEEP NDDDB with a copy to be submitted to the Environmental Planner.

9. Condition Related to Required Periodic Reporting

- **Habitat Restoration Reporting:**
 - a) Habitat Restoration Monitoring Reports are to be submitted to Environmental Planner no later than Dec. 15 of each year in the three-year monitoring period for the first three growing seasons following completion of construction and planting. First-year of monitoring is defined as when the restored area has been through a full growing season after planting (Note: a 'growing season' starts no later than May 31).
 - b) Reports to provide percent survival of plantings, extent of herbivory, and observations of vegetative development, and recommendations for any needed remedial actions and evaluation of success standards with the goal being that these standards are satisfied by the end of monitoring-year three. Success standards are: at least 75% of surface area established with indigenous plant species within three growing seasons (with 25 % non-native plant species, 10% of which may be invasive plant species) and the soils are properly stabilized as evidenced by lack of active erosion and 75% cover.

10. IWWC Plaques

- IWWC plaques signage shall be installed at 100-foot intervals at the boundary of the approved Upland Review Area encroachment limit to notify primarily property management personnel of the regulated limit of routine activity. (Plaques are provided by the Town at no charge.)

Attachment: (Draft) Scope of Work - *Independent Site Sediment & Erosion Control Plan
Implementation Monitor*

Attachment – EPR, dated 4/1/21

DRAFT (subject to Town interdepartmental review)

Independent Site Sediment & Erosion Control Plan Implementation Monitor

Site Preparation & Demolition Phase and Construction & Stabilization Phase
Redevelopment Project
5 Research Parkway, Wallingford, CT

Note: The “Town” as used herein encompasses the Mayor’s Office, Town Engineer, Town Planner, Environmental Planner, Water Division, and Public Works Dept. A Town personnel “phone tree” system will be put in place. Individual contact numbers will also be provided to Permittee representatives and to the Monitor and vice versa.

SCOPE OF WORK

1. Monitor to attend Pre-Construction Meeting held by the Town of Wallingford between Town personnel and Permittee representatives.
2. Monitor to inspect initial Limit of Disturbance silt fencing installation and report to Town the findings prior to any further site alterations being conducted. Town will notify Permittee to commence further work based on satisfactory report by the Monitor.
3. Once initial Limit of Disturbance erosion control measures have been found to be satisfactory, Monitor to be present onsite during hours of active operation, (number of days/week and number of hours/day, tbd) checking site progress.
4. Copy of approved final site plan set and copy of approved final “Construction Site Contingency Plan For Erosion Control and Emergency Spills” will be kept with Monitor on site at all times.
5. Monitor is to provide Town written weekly reports of site conditions (with photo documentation), including onsite alterations to the approved final Erosion Control Plan that needed to be implemented to address an identified issue, and recommendations regarding possible changes to be implemented by the Permittee in the opinion of the Monitor.
6. The Permittee is responsible to check erosion control measures in place before, during and immediately after a storm event, with storm event defined as a precipitation event of over ¼ inch of rain, as per DEEP General Stormwater Permitting requirement. The Monitor will review conditions and report on satisfactory compliance.
7. In the event of a dire weather forecast (hurricane, heavy rains, heavy snowfall, blizzard, or precipitation events where the “IDF” (intensity, frequency, duration) of weather conditions occurring or forecast to occur indicate concern), Monitor will insure that (final) Contingency Erosion Control Plan protocols are followed by the Project Site

Manager and Permittee's professional engineering firm's Site Overseer and that measures installed by Permittee representatives appear to be satisfactory. If in the opinion of the Monitor, further controls are warranted anywhere on site, the Monitor shall request the Project Site Monitor to install same.

8. Should the Monitor be unavailable during any period of contracted time or unavailable during a forecast that may trigger implementation of the Contingency Erosion Control Plan, the Monitor will notify the Town and the Mayor's Office as soon as possible, preferably with advance notice, so that alternate monitoring oversight function can be provided by the Town.

MAR 29 2021

WLF.D. INLAND/WETLAND

INTEROFFICE MEMORANDUM

TO: ERIN O'HARE, ENVIRONMENTAL PLANNER
FROM: ERIK KRUEGER, P.E., SENIOR ENGINEER - WATER AND SEWER DIVISIONS *hkr*
SUBJECT: INLAND WETLANDS AND WATERCOURSES PERMIT APP. NO. A20-10.3
MONTANTE CONSTRUCTION LLC - 5 RESEARCH PARKWAY
DATE: MARCH 29, 2021

CC: N. AMWAKE, P.E.; R.C. VANSKI; D. SULLIVAN; J. PAWLOWSKI; A. KAPUSHINSKI, P.E., TOWN ENGINEER; T. TALBOT, ACTING TOWN PLANNER; BYRON DELUKE, MONTANTE CONSTRUCTION, LLC; J. DEWEY, BL COMPANIES

The Wallingford Water and Sewer Divisions received revised documents for the subject Inland Wetlands application on March 5, 2021 in addition to a letter from Mr. Jeffrey Dewey dated March 3, 2021. The comments contained herein are in addition to previous comments made in my memos to Erin O'Hare dated November 6, 2020 and February 19, 2021. In this memo I am focusing on the responses contained in Mr. Dewey's March 3, 2021 letter and other items that have not been addressed previously.

It is requested that the following comments and questions in addition to all other comments that have been previously submitted be made conditions of approval to be resolved prior commencing activities at the site and prior to issuance of a building permit for the proposed structures. In general the numbering system below matches the comments in my previous memo dated February 19, 2021:

1. Storm water management and treatment systems:

- a. Some of the volumes of the sand filters shown in the tables of Stormwater Management Report Appendix containing the StormCAD output files do not match the volume of the 1" of rainfall for each sand filter shown in the Sand Filter Design 1" volume in Attachment 4. Of specific concern is the volume of sand filters SF-2A, SF-2B, SF-4A and SF-4B which appear to be less than the sand filter design 1" volume. The volume of the sand filters shall be revised and corrected throughout the drawings, calculations, and stormwater management plan to provide a minimum volume equal to 1-inch of rainfall over the entire area tributary to the sand filter with 1-foot of free board. This must be addressed and can be accomplished during the Planning and Zoning application review.
- b. All stormwater pipes that convey untreated stormwater must be a minimum of 12-inches diameter. This includes all of the pipes between the diversion structures and the hydrodynamic separators. This must be addressed and can be accomplished during the Planning and Zoning application review.
- c. The Wallingford Water Division (WWD) Technical Standards require that the oil/water/grit separators including the inlet and outlet piping be designed to have sufficient capacity to pass the flow directed to the oil/water/grit separators during the 25-year storm return frequency rainfall event (Q25) without backup. Currently the capacity and model number of the hydrodynamic separators shown in the

stormwater management plan and attachments do not match the drawings. Several of the hydrodynamic separators, specifically HDS-2A, HDS-2B and HDS-5A do not have sufficient capacity to pass the flow directed to them during the Q25 rainfall event. The size, model and capacity of all of the proposed hydrodynamic separators shall be revised and corrected throughout the drawings, calculations, and stormwater management plan. This must be addressed and can be accomplished during the Planning and Zoning application review.

- d. The reasoning for the proposed emergency overflow structures within the sand filters was adequately addressed in the letter dated March 3, 2021 from Jeffrey Dewey.
- e. All oil/water/grit separators and stormwater treatment systems shall be designed to limit the maximum liquid level in the tank to an elevation no higher than 3-inches down from the inside of the top slab for during the 100-year storm return frequency rainfall event (Q100) for the tributary area. Several hydrodynamic separators such as HDS-3A, and HDS-3BC appear to be surcharged during the Q25 and Q100 rainfall events. This must be addressed and can be accomplished during the Planning and Zoning application review.
- f. Please provide summaries of the calculations and water surface elevations in the hydrodynamic separator to show that storm water treatment systems will not be surcharged under various storm flows including the 25-year and 100-year storm return frequency rainfall event. This must be addressed and can be accomplished during the Planning and Zoning application review.
- g. A detailed review of each stormwater treatment system including the surface water elevations associated with the 25 year and 100 year rainfall event shall be provided by the applicant.
 - i. Some of the tabulated areas, volumes and computations shown in the tables of Attachment 4 – Water Quality & Groundwater Recharge Calculation in the Stormwater Management Plan do not match the areas, volumes and computations shown in Attachment 5 – Sand Filter Calculations.
 - ii. The elevations shown in the table on sheet DN-12 for the most part have been corrected; however, there are discrepancies in the size of the pipes of the water quality outlet when compared to the drawings. As stated under item 1.b. above all of the pipes from the diversion structures to the hydrodynamic separators shall be a minimum of 12-inch diameter.
 - iii. A concrete splash pad shall be shown for outlet protection at the water quality outfall in the sand filters.

All of the pipe invert elevations, stormwater structures elevations, pipe slopes and capacities, sand filter volumes, hydrodynamic separator capacities and water surface elevations during the Q25 and Q100 rainfall events shall be corrected for consistency throughout the drawings, stormwater management report and calculations in order to meet approval and requirements of the Wallingford Water Division during the Planning and Zoning application review.

The following specific items listed under sections 1.g.iv. through 1.g.vii. below must be addressed and can be accomplished during the Planning and Zoning application review:

iv. **Sand Filter System SF-2 (Plan sheets GD-3 & GD-7)**

1. Specific comments:

- a. Top of frame elevations for HDS-2A and HDS-2B need to be adjusted.
- b. 8-inch perforated drain should be routed around CB-202.
- c. HDS-2A and HDS-2B do not currently have adequate capacity to pass the flow directed to them during the 25-year rainfall event.
- d. Sand filters SF-2A and SF-2B appear to be undersized.
- e. No underdrain outlet is shown for sand filter SF-2B

v. **Sand Filter system SF-3 (Plan sheets GD-4 & GD-8)**

1. Specific comments:

- a. Pipe from MH309 to HDS-3B has 0% slope.
- b. HDS-3A and HDS-3BC appear to be surcharged during Q25 and Q100 rainfall events. A proposed backwater valve is shown upstream of HDS-3BC which will not protect the separator from surcharging. Revise as necessary to eliminate surcharging of the hydrodynamic separator.
- c. Top of frame elevation for HDS-3D needs to be corrected.
- d. HDS-3BC is shown as 14 feet deep, this may cause issues associated with accessing the unit during maintenance.

vi. **Sand Filter system SF-4 (Plan sheets GD-2 & GD-6)**

1. Specific comments:

- a. Pipe from DIV-4A to HDS-4A-1 has a slope of 0%.
- b. Top of Frame elevation of HDS-4A-1 needs to be corrected.
- c. HDS-4A-2 is shown as 14 feet deep, this may cause issues associated with accessing the unit during maintenance.
- d. Sand filters SF-4A and SF-4B appear to be undersized.

vii. **Sand Filter system SF-5 (Plan sheets GD-5 & GD-9)**

1. Specific comments:

- a. The underdrain outlet from Sand filter SF-5B is shown with reverse pitch which needs to be corrected.
- b. HDS-5A does not currently have adequate capacity to pass the flow directed to it during the 25-year rainfall event.

2. Site Grading:

The slope of the embankment on the west side of the proposed access road shown on sheets GD-7 and GD-8 is proposed to be a slope of 1 vertical to 1 horizontal. A portion of the

slope at the northeast corner of the building as shown on sheet GD-4 is also shown as a slope of 1 vertical to 1 horizontal. A geogrid slope retention system is shown to be installed on the 1 to 1 slopes. These slopes exceed the requirement of section 6.27 of Wallingford Zoning Regulations. The maximum slope requirement of 1 foot vertical to 2 feet horizontal may be modified upon the recommendation of the Town Engineer.

There is a grass swale collecting drainage from the hillside shown on the 2 to 1 slope on sheet GD-1 which needs to be revised to be an armored riprap type swale.

3. Erosion Control and Construction Site Contingency Plan for Erosion Control and Emergency Spills:

Specific comments:

- a. Page 2 under "Existing Ponds / Dam" – second bulleted item

Change:

"Lowering of the water surface within the ponds shall be under the direction of the Wallingford Water Division: the existing ponds may be required to have the water surface lowered to a level prescribed by the Water Division different than above."

To:

"Lowering of the water surface within the ponds shall be subject to the review and approval of the Wallingford Water Division."

- b. Page 3 - Suggest changing "muni-ball" to "temporary inflatable plug"
- c. Application rate of flocculants shall be as prescribed by the Manufacturer but shall not exceed the concentration allowed under NSF 60 for water in a drinking water treatment plant.
- d. Delete the following statement: "Existing pond shall be drawn down as directed by the Town of Wallingford Water and Sewer Department"

- e. Change:

"The existing drawdown valve shall be tested by the Owner and the Town of Wallingford Water and Sewer department prior to commencement of any site work."

To:

"The existing drawdown valve shall be tested by the Owner prior to commencement of any site work."

- f. Page 3 under "Pedestrian Crossing Stop-Log Installation" third bulleted item

Change:

"Prior to a severe storm event and/or as directed by the Wallingford Environmental Planner, Town Engineer, Water Division or the Project Engineer: Stop-logs shall be installed at a prescribed level (number of boards)"

To:

"Stop-logs shall be installed at a prescribed level (number of boards) prior to a severe storm event and/or as directed by the Project Engineer subject to the review and approval of the Wallingford Environmental Planner, Town Engineer, and Water Division."

3A. Erosion and Sediment Control Report:

Page 6, second paragraph delete the following:

"Lowering of the ponds shall be completed under the direction of the Wallingford Water and Sewer Department."

4. Site Operations and Management Plan:

Provide copies of the Annual Checklist, Quarterly Checklist and Monthly Checklist for review and approval by the Town. Once approved these forms shall be included as part of the Site Operations and Management Plan.

The third paragraph of "Section A – Catch Basins, Yard Drains, and Manholes" on page 7 shall indicate that during the inspection floatables, oil and scum shall be removed.

The third paragraph of "Section B – Hydrodynamic Separators (or approved equal)" on page 7 shall be revised to state "For the first year of operation following construction, inspect each HDS once each month for the months of January, February, March and April, once every four months thereafter and after every major storm event with greater than 1-inch of rainfall."

"Section H – Parking Lots" add the following "Sweepings and road sand shall be removed from the site and disposed of properly."

"Section Q- Outdoor Storage" on page 12 shall be revised to include no storage of road sand.

5. Water and sanitary sewer utilities:

A proposed pump house to supply the domestic water and needed fire sprinkler demand to the building is shown on the south side of Carpenter Lane west of the drive way entrance to the site.

The drawings currently show a single combined water service to the pump house; however, a separate domestic line and fire line will be required between the public water main in Carpenter Lane and the pump house.

The water lines from the tapping valve at the public main in the street to the building will be installed, owned and maintained by the property owner. The water lines from the pump house to the building will need to be located outside of the Town owned right of way for Carpenter Lane and be located completely on private property.

The size of the required domestic water service, booster pump, fire service, and fire pump will be based on plumbing fixture counts and needed fire flows to be supplied by the Owner and as approved by the WWD.

The fire protection system, fire hydrants and remote fire department connection shall be installed at locations and in accordance with the requirements of the Fire Marshal.

Demolition drawings DM-7 and DM-9 do not indicate where the existing water line will be temporarily cut and capped. The new loop water main will be connected to the existing water main at this location which needs to be shown on the drawings.

The municipal sanitary sewer gravity main in Carpenter Lane will be extended to bring the sewer line up to the driveway entrance at the north end of the site. The alignment of the

proposed municipal sanitary sewer main in Carpenter Lane shall be revised to show the pipe to be at the centerline of the road.

It is anticipated that additional comments regarding the storm water management systems and site utilities for this project will be issued when the drawings are revised and reviewed as part of the Planning and Zoning application process.

O:\Engineering\P&Z Applications\Research Parkway 5 - Special permit 401-21 - Response to 2021-03-03 letter.docx

FACSIMILE TRANSMISSION COVER SHEET

Town of Wallingford, Connecticut

DEPARTMENT OF PUBLIC UTILITIES

WATER & SEWER DIVISIONS

ENGINEERING SECTION

377 South Cherry Street, Wallingford, Connecticut 06492
Telephone (203) 949-2672
Fax (203) 949-2678

DATE: March 26, 2021
TOTAL PAGES INCLUDING COVER SHEET: 13
PLEASE DELIVER TO: Erin O'Hare
COMPANY NAME: Environmental Planner
FAX NUMBER: 203-294-2095
FROM: Erik Krueger, Senior Engineer
SUBJECT: 5 Research Parkway Redevelopment
DIVISION: Water [X] Sewer [X]

COMMENTS:

Erin,

Attached is a copy of the executed MOU between CT Dept. of Public Health and CT DEEP regarding the use of chemicals in the waters of the state specifically in public drinking water supply watersheds.

We propose to stipulate that the use of any chemicals on the site for the eradication of invasive species be administered in accordance with the attached MOU. The applicant would need to obtain all permits required for use of chemicals in the public drinking water supply watershed and submit a proposed plan to the Water Division for review and approval.

Please call if you have questions.

File: 5 Research Parkway

(without attachment)

[X] Transmitted

CW International



2091 Highland Avenue, Cheshire, CT 06410
Phone: 203-272-8952 Fax: 203-271-2727

RECEIVED
MAR 25 2021
WLFD. INLAND/WETLAND

Chairman James Vitali
45 South Main Street
Wallingford Ct 06410

March 25, 2021

Re: IWWC #20-10.3 / 5 Research Parkway, LLC -Significant Impact- (Industrial Redevelopment) Peer review of Erosion Control Plan Bond Estimate

Dear Chairman Vitali;

I am attaching the Bond Proposal for the Erosion and Sedimentation Control Measures. These measures are proposed during all four Phases of the E & S protections on the Construction works for this project. I have reviewed the quantities and unit prices for the items shown on the attached list. This Bond List is meant to show the materials and work for the E & S items that are shown in each Phase of the Erosion and Sedimentation Control Plans for this project. The One Million Three Hundred and Seventy Five Thousand Dollars (\$1,375,000.00).is the estimated value for this work. It should be discussed with the planning on how the bond is accepted by the town as the applicant should not have to post two bonds that cover the same work.

CC Jeffrey Dewey BL Companies

Best Regards,

George Cotter PE



BL Companies



Project Name: **DOB6**
 Location: **5 Research Parkway, Wallingford, CT**
 Design Level: **Erosion Control Cost Opinion**

Date: **February, 1 2021**
 Revised: **24-Mar-21**

Item No.	Items	Quantity	Unit	Unit Price	Cost
Demo					
1	Construction entrance/anti-tracking pad	220	SY	\$25.00	\$5,500.00
2	Sediment Trap, 5' berm, skimmer, spillway, level spreader, riprap	2	EA	\$2,500.00	\$5,000.00
3	Watering/Dust Control	1	LS	\$2,000.00	\$2,000.00
4	Concrete curb for employee vehicle parking (2 areas)	640	LF	\$25.00	\$16,000.00
5	Bituminous Concrete for employee vehicle parking (2 areas)	160	TON	\$80.00	\$12,800.00
6	CB Type II 48" Diameter	2	EA	\$3,000.00	\$6,000.00
7	Storm Manhole	1	EA	\$3,000.00	\$3,000.00
8	HydroDynamic Separator	2	EA	\$15,000.00	\$30,000.00
9	8" PVC Pipe	400	LF	\$13.33	\$5,332.00
10	6" PVC Pipe	290	LF	\$12.60	\$3,654.00
11	Silt Sack	80	EA	\$50.00	\$4,000.00
12	Haybale check dam	70	LF	\$4.00	\$280.00
13	Double Silt Fence (reinforced on outside) with Haybales	9310	LF	\$15.00	\$139,650.00
EC-1					
1	Stone check dam in diversion swales	135	EA	\$70.00	\$9,450.00
2	Silt Fence	3110	LF	\$4.00	\$12,440.00
3	Diversion Swales with Stone Check Dams 50' o.c.	9500	LF	\$0.25	\$2,375.00
5	Sediment Trap, 5' berm, skimmer, spillway, level spreader, riprap	13	EA	\$2,500.00	\$32,500.00
6	Watering/Dust Control	1	LS	\$2,000.00	\$2,000.00
7	6" PVC Pipe	25	LF	\$12.60	\$315.00
8	Haybale	782	LF	\$4.00	\$3,128.00
9	Riprap	7	CY	\$70.00	\$490.00
10	Concrete for refueling pad	2600	SF	\$15.00	\$39,000.00
11	Concrete curb for refueling pad	300	LF	\$25.00	\$7,500.00
12	8" PVC Cleanout	2	EA	\$224.19	\$448.38
13	Additional Double Silt Fence (reinforced on outside) with Haybales	4900	LF	\$15.00	\$73,500.00
14	Turbidity Curtain	80	LF	\$25.00	\$2,000.00
15	Stop Logs	2	LS	\$2,000.00	\$4,000.00
EC-2					
2	Silt Fence	5580	LF	\$4.00	\$22,320.00
4	Sediment Trap, 5' berm, skimmer, spillway, level spreader, riprap	8	EA	\$2,500.00	\$20,000.00
5	Final Settling Basin with spillway	2	EA	\$2,500.00	\$5,000.00
6	Watering/Dust Control	1	LS	\$2,000.00	\$2,000.00
7	Haybale	527	LF	\$4.00	\$2,108.00
8	Riprap	4	CY	\$70.00	\$280.00
9	Erosion Control Blanket	173600	SF	\$1.50	\$260,400.00
10	Turf Reinforcement Mats	60530	SF	\$2.50	\$151,325.00
11	Additional Double Silt Fence (reinforced on outside) with Haybales	7570	LF	\$15.00	\$113,550.00
EC-3					
1	Silt Fence	2020	LF	\$4.00	\$8,080.00
2	Silt Sacks in new CB's	105	EA	\$200.00	\$21,000.00
3	Erosion Control Blanket	106160	SF	\$1.50	\$159,240.00
4	Temporary Seeding (all phases)	1250000	SF	\$0.10	\$125,000.00
5	Flocculant Logs (all phases - contingency planning)	20	EA	\$120.00	\$2,400.00
Subtotal					\$1,309,565.38
Erosion Control					\$1,309,565.38
5% Mobilization					\$65,478.27
TOTAL					\$1,375,000.00



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

Alison Kapushinski, P.E.
Town Engineer

MEMO

TO: Inland Wetlands and Watercourses Commission

FROM: Department of Engineering AMK

RE: **IWWC Application #A20-10.3**
5 Research Parkway

DATE: March 30, 2021

Dear Commissioners:

We are in receipt of the following materials for the referenced application:

- Permit Documents for Proposed Development by BL Companies dated October 6, 2020 and revised through March 5, 2021.
- Erosion and Sedimentation Control Report by BL Companies, dated October 6, 2020 and revised through March 3, 2021.
- Stormwater Management Report by BL Companies, dated October 6, 2020 and revised through February 19, 2021.
- Stormwater Management Basin Design Summary Report by BL Companies, dated October 20, 2020 and revised through February 24, 2021.
- Construction Site Contingency Plan for Erosion Control and Emergency Spills by BL Companies, dated October 20, 2020 and revised through February 24, 2021.
- Wetland and Biological Assessment by Davison Environmental, dated March 5, 2021.
- Geotechnical Engineering Report by Terracon GeoReport, dated February 18, 2019.
- Correspondence from Presto Geosystems to Jeff Dewey, BL Companies dated March 19, 2021.
- Response to Comments Letter from BL Companies to Erik Krueger, P.E. Water and Sewer Divisions dated March 3, 2021.
- Response to Comments Letter from BL Companies to Erin O'Hare, Environmental Planner dated March 3, 2021.
- Response to Comments Letter from BL Companies to Matthew J. Sanford, SLR dated March 3, 2021.
- Response to Comments Letter from BL Companies to George Cotter, P.E. dated March 3, 2021.

Alison Kapushinski P.E., Town Engineer, attended the following meetings with Erin O'Hare, Environmental Planner, and various members of the applicant's team in reference to the subject application:



March 30, 2021
5 Research Parkway

- December 10, 2020 Plan Review
- December 30, 2020 Plan Review
- March 17, 2021 Site Walk
- March 22, 2021 Plan Review

In general, there has been a great deal of coordination that has resulted in the current submission documents. The applicant's engineer has responded to comments from various Town Departments as well as peer reviewers for stormwater, hydrogeology, wetlands, and soil erosion. We are generally in agreement with the various comments/recommendations made by the peer reviewers. In the event the applicant and their engineer can not come to an agreement with a peer reviewer, this Department is more than willing to assist the Commission come to a determination.

This Department would like to offer the following comments on the subject application:

1. The applicant is proposing a Geosystems Geoweb Slope Protection System to allow up to a 1:1 slope in several areas. The supporting calculations are based on site-specific characteristics and the site's geotechnical report. Throughout the calculations, the Factor of Safety (F.S.) varies for different components from 0.53 to 1.47. A 1.0 F.S. correlates to when the actual stress equals the allowable limit. Applicant to provide explanation why all Factors of Safety are not greater than 1.0.
 - a. This Department attempted to contact Mr. Bryan Wedin with Presto Geosystems regarding the above clarification. Our message was not returned by the date of this letter.
 - b. As the engineered slope is required for slopes greater than 2:1 per the Zoning Regulations, this can be addressed during the Planning & Zoning application review.

Should the Commission grant approval of the subject application, we'd like to offer the following as suggested Conditions of Approval:

1. The proposed infiltration trenches receiving the roof water are set very deep in relation to existing grade. Therefore, it is not feasible to complete percolation tests prior to construction. Suggested COA: Percolation tests to be performed at grade equal to the bottom of stone in the infiltration
2. Applicant to include cleanouts approximately every 300-feet along the 8-inch underdrain at the bottom of slope in the northeast corner.

If you have any questions or require any additional information, please let me know.

FACSIMILE TRANSMISSION COVER SHEET

Town of Wallingford, Connecticut

DEPARTMENT OF PUBLIC UTILITIES

WATER & SEWER DIVISIONS

ENGINEERING SECTION

377 South Cherry Street, Wallingford, Connecticut 06492
Telephone (203) 949-2672
Fax (203) 949-2678

DATE: March 26, 2021
TOTAL PAGES INCLUDING COVER SHEET: 1
PLEASE DELIVER TO: Erin O'Hare, Environmental Planner
COMPANY NAME: Inland wetlands
FAX NUMBER: 203-294-2095
FROM: Erik Krueger, Senior Engineer
SUBJECT: 5 Research Parkway Redevelopment
DIVISION: Water [X] Sewer [X]

COMMENTS:

Erin,

The Water Division requests that the following requirement to limit the turbidity of storm water in the Muddy River leaving the site during construction activities be made a condition of approval for the Wetlands Permit as we discussed at our meeting on March 22, 2021:

"Turbidity of the storm water exiting the site in the Muddy River shall not exceed 50 NTU above ambient levels found in the river upstream of the site. In the case the turbidity exceeds 50 NTU above ambient the Contractor shall immediately furnish and install all additional erosion and sediment controls necessary to reduce the turbidity to the required levels."

Please call if you have questions.

RECEIVED

MAR 25 2021

WETLAND/WETLAND

CW International



2091 Highland Avenue, Cheshire, CT 06410
Phone: 203-272-8952 Fax: 203-271-2727

Chairman James Vitali
45 South Main Street
Wallingford Ct 06410

March 25, 2021

Re: IWWC #20-10.3 / 5 Research Parkway, LLC -Significant Impact- (Industrial Redevelopment) Peer review of Erosion Control Plan; BL Letter March 3, 2021

Dear Chairman Vitali;

In a letter dated March 3 Jeffrey P Dewey responds to my "Preliminary Erosion Control Review Memo dated 1/28/21" and the Draft correspondence dated February 9, 2021 to Chairman James Vitali "5 Research Parkway Peer Review of Erosion Control Plan". I have the following comments to his letter:

Preliminary Comments January 28, 2021

Demolition Phase

1. The response is understood that Phase 1 erosion measures will be transitioned into within each intermediate area. The intent of this phase is to remove all utilities and pavement. The intent of my comment is that channelized flow after the pavement is removed shall have stone checks to minimize unimpeded flow to 100 feet maximum. Phase 1 actions will address this concern.

Phase 1

2.
 - a. Addressed on the revised plans
 - b. It was not the intent of my comment to have swales constructed every 100 feet during construction activities. The applicant has added details and notes to the plans as to how the perpendicular swales will be constructed after hours and prior to storm events.

Phase 2

EC-16 &18 Addressed

EC-19

- b. The contractor and the town should review how and when Turbidity curtains should be installed. The turbidity curtains should be installed at the beginning of the project construction in Phase 1.

- c. i. I agree that the disturbance of the wetland to install the pipe and the floc logs does impact the wetlands. A second turbidity curtain at the north end of the pond should be installed. This could effectively protect the pond and water supply from sediment runoff from the northerly site development area.
- ii I agree with their comments

EC-20

- a. I agree with their response that the infiltration systems are to be blocked during construction.
- b. The construction of a level spreader will dissipate the discharge from this basin as recommended.

Phase 3

EC-26

- 7. a. It is imperative that the level spreader with the infiltration trenches be constructed properly as detailed to prevent slope erosion.
- b. The basin that I was referring to is SMB-5A. The discharge from this basin has a portion directed toward the existing service road off of Old Barnes Road. The infiltration trench from this basin should be relocated so the water from it flows to the north to the Muddy River.
- c. Discharges shown on Sheet 33 & 34 will not have an adverse impact on the wetlands or slopes above the wetlands.
- 8. Items 8 & 9 have been addressed

Request for Review February 9 2021

- 1. Construction Site Contingency Plan for Erosion Control & Emergency Spills:
 - Items 1-5; No Response needed.
 - 6. They added note 59 on EC-39
 - 7. The pipe in the channel north of the large pond was discussed previously and I have recommended an additional turbidity curtain at the north end of the pond.
 - 8. Item 8 is addressed in the Construction Site Contingency Plan
- 2. Flocculant Review: Applicant agreed to Coordination with APS on Polymer use
- 3. Temporary Sediment Trap Hydraulic Analysis Report: No Action required
- 4. Geotechnical Report and Letter dated Dec. 22, 2020 No Action Required

Modification to the Plan February 9, 2021

The following are items addressed following the December 5, 2020 site meeting:

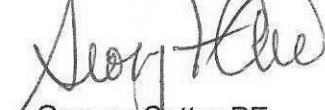
- Bullet points 1-6 No action required.
- Bullet points 7-9 These have been addressed as previously noted in Phase 1 Item 2a & 2b
- Bullet point 10 The riprap swale has been added to the plan
- Bullet point 11 This item was addressed earlier in "Phase 2 c. I believe that it is imperative that Turbidity curtains be installed at the beginning of the project at the north and south ends of the pond. The contractor should not wait until there is a problem during a storm event to install the curtains in the large pond.
- Bullet point 12 On the response earlier for EC-20, BL Companies responded that a level spreader could be added below the settling basin shown on this sheet. The location of the level spreader should be shown on the final set of plans.
- Bullet point 13 The level spreaders are designed with 3 feet of turf reinforcement on the downhill side of the trench to dissipate the flow down the slopes from the infiltration trenches. This will eliminate any potential erosion on the downhill slopes.

Recommendations February 9, 2021

All recommendations in my Draft Report have been acknowledged and agreed with and where appropriate, noted and added to the plans. The only item I have a comment on is that the infiltration trench from SWMD-5A I recommend it be relocated so that any flows from this trench are not directed to the service road and Old Barnes Road as indicated by the contours shown on the plan. This can easily be accomplished and show on the final plan.

In my final comment, I state that the plans and accompanying documentation will protect the wetlands and the town water supply. I believe this to still be true and that the applicant has addressed my concerns except the installation of the turbidity curtain noted above. As the applicant has noted the erosion and sedimentation control measures have been designed to meet and exceed all applicable standards, including the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control. The Contractor will detail Project sequencing of all construction activities prior to Construction as noted by the applicant.

Respectfully Submitted,



George Otter PE



March 29, 2021

Ms. Erin O'Hare, Environmental Planner
Town of Wallingford
45 South Main Street
Wallingford, CT 06492

*Emailed to
Town 3/29/21*
RECEIVED
MAR 30 2021
WLFD. INLAND/WETLAND

**Re: Independent Technical Peer Review – 5 Research Parkway
Comment Letter No. 2
Industrial Redevelopment – IWWC Permit No. A20-10.3
Wallingford, Connecticut
SLR #141.17456.00001.0010**

Dear Ms. O'Hare:

Per the request of the Inland Wetlands Commission in the Town of Wallingford, Connecticut, (the "Town"), SLR International Corporation (SLR) has reviewed supplemental materials submitted in association with the wetland application for Montante Construction. The proposed development, located on the 180-acre site of the former Bristol-Meyers Squibb headquarters, will include demolition of existing structures and construction of a new 219,000-square-foot delivery station building and 1,500 parking spaces in addition to delivery van staging areas, truck loading docks, and installation of required utilities in Carpenter Lane. SLR has been retained to review the redevelopment plans and other supporting materials related to stormwater management, hydrogeology, and wetlands and watercourses and to perform an assessment of the potential adverse impacts that the project may have on existing natural resource systems. As part of this effort, SLR has reviewed the following materials:

Applicant Documents

- Significant Impact Application Form, submitted 10/5/20
- Full Site Plan Set entitled "Permit Documents for Proposed Development, 5 Research Parkway Wallingford, Connecticut," prepared by BL Companies, dated 10/6/20 and revised 03/05/21 with the following attached sections, drawn at a scale of 1 inch = 40 feet:
 - Existing Conditions
 - Demolition Plan
 - Site Plan
 - Grading and Drainage Plan
 - Site Utilities Plan
 - Sediment and Erosion Control Plan (including Phases 1-3)

- Landscape Plan
- Lighting Plan
- Habitat Restoration Plan, drawn at a scale 1 inch = 60 feet
- Overall Development Plan with Colored Stormwater Management Elements – Exhibit 5, dated 10/6/20
- BL Companies Response to Environmental Planner Comments of 10/16/20, dated 10/27/20
- BL Companies – Summary of Responsive Changes & Additions to Application Materials, dated 12/22/20 (includes response to Heilman letter "Re: Hydrogeology/Wetlands Concerns")
- Stormwater Management Report, dated October 6, 2020, rev. 10/28/2020, rev. 12/21/2020, rev. 2/19/2021 along with Appendix and Summary Report
- Stormwater Management Basin Design Summary Report dated October 20, 2020, rev. 12/21/2020, rev. 2/24/2020
- Site Operations & Maintenance Plan, dated rev. 12/21/20, rev. 3/3/2021
- Geotechnical Report, prepared by Terracon Consultants, Inc., dated 2/18/19
- Letter to Jeffrey Dewey, P.E., BL Companies, from Terracon re: 2020 Plan Review Comments, dated 12/22/20
- Slope Stability Review, prepared by Terracon Consultants, Inc., dated 10/22/18
- Hydrogeology Report, prepared by Terracon Consultants, Inc., dated 10/22/2018
- Cover letter to BL Companies from Erik Davison (Wetland Scientist), dated 10/6/20 with copy of 2018 Wetlands Report prepared by Davison Environmental
- Comments and Recommendations Letter to Mr. Gagnon, BL Companies, from Michael S. Klein, Principal, Soil and Wetland Scientist, Davison Environmental, dated 10/30/20
- Wetland Biological Assessment & Impact Report, Davison Environmental, dated 3/5/21
- Construction Site Contingency Plan for Erosion Control & Emergency Spill, dated October 20, 2020, rev. 12/21/20, rev. 2/24/2021
- Comment-Response Letter from Jeffrey P. Dewey, P.E., BL Companies to George Cotter, P.E., CW International, LLP, regarding IWWC #20-10.3 / 5 Research Parkway, LLC Significant Impact- (Industrial Redevelopment) Peer Review of Erosion Control Plan, dated March 3, 2021
- Comment-Response Letter from Jeffrey P. Dewey, P.E., BL Companies to Erik Krueger, P.E., Senior Engineer, Water and Sewer Divisions, Town of Wallingford Department of Public Works, Engineer Section, regarding Inland Wetlands and Watercourses Permit Application #A20-10.3 5 Research Parkway, dated March 3, 2021
- Comment-Response Letter from Jeffrey P. Dewey, P.E., BL Companies, Michael Klein, Davison Environmental, and Carl W. Thunberg, Terracon, to Erin O'Hare, Environmental Planner, Town of Wallingford Environmental Planning Office, regarding IWWC #A20-10.3 / Significant Impact / 5 Research Parkway / Muddy River Montante Construction, LLC – (industrial development) – Comments, dated March 3, 2021
- Comment-Response Letter from Jeffrey P. Dewey, P.E., BL Companies, and Michael Klein, Davison Environmental, to Matthew J. Sanford, MS, PWS, RSS, US Manager of Ecology, SLR International

Corporation, regarding Independent Technical Peer Review – 5 Research Parkway, IWWC #A20-10.3 / 5 Research Parkway, Wallingford, CT dated March 3, 2021

- Erosion and Sedimentation Control Report dated October 6, 2020, rev. 12/21/2020, rev. 3/3/2021
- Transmittal from Jeff Dewey, BL Companies to George Cotter, regarding IWWC submission materials, dated March 5, 2021
- Transmittal from Jeff Dewey, BL Companies to Erin O'Hare, regarding IWWC submission materials, dated March 5, 2021
- Site Operations and Maintenance Plan dated October 2, 2020, rev. 12/21/2020, rev. 3/3/2021

Town Documents

- Memorandum received from Erik Krueger, Water Division, regarding demolition on site approved (administratively) under IWWC #A19-1.3, dated 10/15/20
- Memorandum received from Alison Kapushinski, Town Engineer, re: Comments on IWWC #A20-10.3, dated 10/29/20
- Environmental Planner's Comments, dated 10/16/20
- Memorandum submitted from Erik Krueger, Water Division, re: comments/concerns/recommendations, dated 11/6/20
- Environmental Planner's Report, dated 11/10/20
- Environmental Planner memorandum re: pond drawdown proposal, dated 12/4/20
- Watershed District Regulations (per Town of Wallingford Zoning Regulations)
- Technical Standards & Specifications for Watershed – Water Division

Resident Correspondences

- Fax received from James Heilman on 11/6/20, Subject: Reason for Denial of the Wetland Application for 5 Research Parkway
- Letter submitted to IWWC from James Heilman, High Hill Road resident and former IWWC member, re: hydrogeologic issues, dated 11/6/20
- Letter submitted to IWWC for Public Hearing from Ed Bradley, Hampton Trail resident, dated 11/24/20

SLR typically conducts a site visit as part of our technical peer review; however, due to the amount of snow cover, said site visits were not completed. This findings letter has been prepared based on our review of the permit application, supporting materials, and Town record files for this application. The project does not propose any direct wetland impacts and has maintained natural upland buffers along most of the wetland systems on the site. Much of the proposed activity is within areas that have been formerly impacted by past site development. That being said, the activities associated with the proposed warehouse do require a significant amount of land excavation and core upland forest to be cleared. It is important that the proposed project maintain vegetated buffers and protect the hydrogeologic regimes

within/along the wetland and watercourse systems located on site. This findings letter has been subdivided into three primary subheadings: (1) General Wetland Comments, (2) Stormwater Management, and (3) Hydrogeologic Considerations.

GENERAL WETLAND COMMENTS

Davison Environmental (DE) Wetland Impact Report

1. There appears to be a discrepancy in the Wetland Impact Report in the calculation of the area of activity within the 50-foot Upland Review Area (URA). On page 17 of the report, total project activities within the URA are reported as covering 157,045 square feet while on page 18 the total activity area is reported as 53,173 square feet. Please clarify.

Comment addressed.

2. The introduction to the Wetland/Biological Assessment dated December 23, 2020, mentions that on-site investigations to assess habitat conditions occurred in both 2018 and 2020; however, no presentation of findings during the 2020 investigations exists in this report. It appears that wildlife surveys were conducted during only one season, 2018, at which time just one individual box turtle was located on the project site. As over 2 years have passed between the first wildlife surveys and the current proposal, we would expect surveys at the same level of detail to be performed to ensure no changes to any on-site populations of listed species, especially as the report emphasizes the apparent lack of listed species habitat on site.

Additionally, the Connecticut Department of Energy & Environmental Protection (CTDEEP) Natural Diversity Database (NDDDB) 2018 letter response is no longer valid, and the submission of a new preliminary determination request is required per CTDEEP's requirements.

Comment addressed.

3. Under existing conditions of the on-site wetlands, a "cryptic" vernal pool is briefly described and ranked using the 2002 Calhoun and Klemens "Best Development Practices" (BDP) method. The applicant has not provided any graphics and/or calculations confirming that the project meets the BDP Landscape Criteria. It is important that a graphic showing the BDPs in relation to the proposed site development (i.e., Vernal Pool Envelope and Critical Terrestrial Habitat) be submitted for the record.

Comment partially addressed. The mentioned "EXH-21" sheet cannot be located in the updated plan set provided on March 8, 2021.

4. Similarly to comment 2 above, the wetland report is lacking detailed description of the two on-site man-made ponds, which are proposed to be drawn down during the construction phase. It is

mentioned in the report that they are "shallow," with "relatively limited ecological value" though photographs and a more qualitative description of their current vegetative and water quality condition may provide a clearer picture of the potential impacts they face related to their use as additional stormwater/sediment storage during the construction phase of the project. In addition, the ponds will be drawn down by approximately 12 inches during the construction phases of the project. It is not clear how deep either pond is under current conditions. What water levels will remain within each pond, and does supplemental oxygenation need to be supplied to the ponds during the summer months to keep aquatic organisms alive?

Comment addressed.

5. On page 20 of the DE report, specifically bullet number 4, it states that volumetric increases across all proposed watersheds will be less than 5 percent. This statement should be reviewed for consistency with the stormwater volume table submitted by the applicant's engineering consultant and corrected for the record accordingly.

Comment addressed.

6. There have been statements and comments raised by the Town and residents related to the supporting surface water and groundwater hydrology for the Northeast Wetland (1A). Based on review of the existing versus proposed conditions watershed mapping, there will be some modification (reduction) to this wetland's contributing watershed. A graphic depicting this change for this wetland and the percent watershed change should be provided to the Town. The applicant's environmental consultant should provide a statement on the impact of this watershed modification to Wetland 1A.

Applicant has provided a detailed response under a separate cover.

Existing Conditions Plan

7. Applicant's environmental and engineer consultants should review depicted watercourse lines on current plans. Several of the watercourse lines do not follow the existing v-shaped contours, or the lines extend outside the delineated wetland boundary, or do not match with existing culvert inlets and outlets on site.

Comment addressed.

Habitat Restoration Plan

8. Within the Wetland Biological Assessment under Section 9, Wetland and Wildlife Impact Mitigation Measures, it is stated that ± 1.5 acres of box turtle habitat will be conserved, and ± 14.2 acres of wildlife habitat in and adjacent to the wetlands and ponds at the site will be restored. Are all of these areas currently depicted on the plans? For this technical review, a single sheet "Habitat Restoration Plan" (HR-1) has been provided, which includes a markup of areas proposed for clearing, seeding, and planting, along with a landscape plant schedule table. However, no area calculations are depicted on this plan, making it difficult to assess whether the restoration plans have been suitably drawn as described. Furthermore, as the current cover of invasive species has not been quantified or described in the wetland report, it is difficult to review the level of enhanced habitat quality that the proposed restoration activities will bring to the project area. The Wetland Report should provide justification as to why invasive species removal is recommended for this project and what type of approach will be used.

On plan HR-1, the area of scalp mow and slit seed is depicted as upslope from the invasive species removal areas, which are positioned along the wetland edge (and in several small areas within the wetland). Please provide more detail as to the following:

- a. When in the construction phasing will the habitat restoration take place? Will there be a separation in phasing between the scalp mow and slit seeding (upslope) and the invasive species removal downslope? As no sedimentation and erosion (S&E) measures have been noted to protect the downslope wetlands from increased erosion following the clearing of vegetation upslope, extra care should be made to minimize the length of time that the slopes are bare by planning seeding to immediately follow the removal of vegetation.

Comment partially addressed. Review of the S&E Control plans revised 3/5/2021, does not show additional perimeter controls between the limit of invasive species removal and the wetland boundaries as discussed, including along the northwestern section of the Northern Pond to protect Wetland 1C from exposed sediment movement, or the areas surrounding Wetland 1E.

- b. What means will be used to treat the invasive species?

Comment not addressed. SLR disagrees with consultant's statement that the means and methods of typical invasive species management cannot be provided at this time. An invasive species management plan should be provided that addresses management methods across all seasons.

- c. What is the current cover of invasive species, and what is the goal coverage after treatment?

Comment partially addressed under comment 9. SLR assumes that areas that are being restored will be allowed after 3 years to have up to 25 percent invasive species colonization. Applicant should clarify.

- d. Instruction 24. under the Sediment and Erosion Control Construction Sequence Notes recommends the use of a 10-10-10 fertilizer at 1 lb of nitrogen per 1,000 S.F. – is this to be used with a native seed mix? The use of this fertilizer should be judicious, especially in an area with water quality concerns, and it should be noted that fertilizer is generally not recommended for use with local native seed mixes.

Comment addressed.

- e. Currently, detailed seeding notes including dates are presented on the Sediment and Erosion Control notes only. They should be added to the Habitat Restoration plans as well.

Comment addressed.

9. Three-year postrestoration monitoring against a goal of 75 percent absolute indigenous cover has been prescribed, with no mention of invasive species monitoring. Where will native cover be monitored (within the seeding/planting zones of the restoration areas only, or in the invasive species removal areas as well)? To ensure an effective execution, the current, pretreatment cover of invasive species should be recorded and mapped and a post-treatment goal set (for example, "less than 5 percent cover of invasive species after 3 years").

Comment not addressed other than stating that 75 percent indigenous cover after 3 years is the goal. No additional information as requested has been provided by the applicant.

10. The second measure of habitat restoration success will be monitoring that "soils are properly stabilized." What metrics will be used to determine whether this outcome has been achieved?

Comment addressed.

11. The restoration plan should be further enhanced to include reestablishment of a wooded Muddy River Greenbelt Zone between Wetland flags 49x through 60x. From aerial photos and the site plans, there appears to be a lawn area that remains from the former site development. Reestablishment of a forested zone within the lawn area would provide an enhanced greenbelt zone for Muddy River.

Comment addressed.

12. It is assumed that white tailed deer are prevalent within the property site and that the proposed restoration areas around the ponds and wetlands will potentially be impacted by deer browse. Has the applicant considered the implementation of deer herbivory measures at the time of planting? If yes, please specify the intended extent and methods to be used to control deer herbivory.

Comment addressed.

STORMWATER MANAGEMENT

Existing Stormwater Management

13. There are several cases where additional information and labeling of existing stormwater features are required to clarify the design of the existing stormwater management system on site. They include the following:
- a. We recommend that all existing diversion structures, existing underground storage areas, outlet control structures, and ponds are labeled on the site plans. Also, we recommend additional information about these structures be added to existing conditions plans, for example, inverts, types of underground structures, size of pipes, outlet pipe, etc.

Comment partially addressed. The applicant's engineer has attempted to provide 1984 design plans electronically; however, we have been not able to open the documents and have requested them to be resent.

- b. The applicant should provide clarification on whether the existing watercourse to the east of the existing southern parking lot, shown on Existing Conditions Plan, Sheet EX-1, is a stormwater feature from the previous development of the site or is a regulated watercourse.

Comment addressed.

- c. We recommend additional information (size, inverts, etc.) be provided on the existing culvert under the roadway for Muddy River (POS #2). The existing culverts do not appear to line up with the wetlands and watercourse symbols. Please clarify.

Comment addressed.

- d. Provide additional information on the stormwater system at the main entrance to the site along Research Parkway that discharges to Muddy River.

Comment remains. See updated comment 13a.

- e. Provide additional information on the existing stormwater pond for the Day Care portion of the site.

Comment addressed.

Demolition Stormwater Management

14. The Water Quality Structure HDS-3B serving the proposed bituminous concrete pad for the employee parking during demolition is set 15' deep to the inverts, which will cause a large soil disturbance during installation and increase the difficulty of servicing the unit. We recommend that the unit is set closer to existing grade and repositioned to the final elevations once the demolition phase is completed.

Comment addressed; however, the demolition plans, specifically Sheet DM-4, should reflect the adjustment to HDS-3B and associated piping shown on the erosion control plans.

Stormwater Management System

15. The proposed infiltration trenches with catch basins rely on elevation head for stormwater to discharge from the trench in addition to infiltration. We recommend the applicant's engineer consider alternative options that do not require elevation head to force the stormwater discharge.

Comment addressed. It is our position that an at-grade discharge with a stone infiltration trench will meet the intent of providing groundwater recharge while ensuring positive (and visible) drainage outlets. We do not, however, take exception to the design as proposed. Note that careful inspection of the subsurface discharge will have to be performed periodically, and any accumulated sediment within the underground pipes will need to be removed.

16. With stormwater discharging to existing grade through the catch basin inlet and stone trench during large rainfall events, there is a potential that the stormwater will channelize downgradient of the infiltration trenches leading to erosion. Provide information on potential erosion downslope of the infiltration trenches and on the frequency that water will discharge from the catch basin tops (and/or manhole tops) on the infiltration trenches.

Comment partially addressed (See updated Comment 15). We do recommend that a hard edge at a uniform elevation be applied along the downgradient side of all infiltration trenches to limit the potential for rill erosion at a low point along the trench.

17. The proposed van parking area is set approximately 15' higher than the elevation of the existing parking area, which has led to a watershed modification with steeper slopes draining to the south toward a residential neighborhood. The applicant's engineer should consider methods to reduce the amount of additional watershed reaching the residential neighborhood to the south. It should be noted that the boundary of watershed P-5-00 is shown along the southerly property line, but absent any collection of runoff from the slope off the southerly side of the parking/emergency access, there will be additional runoff to neighboring properties.

Comment remains. There is a proposed slope to the south of the proposed van parking area and emergency access way on Sheet GD-5 that directs water toward the neighboring properties. This area is shown on the Proposed Conditions watershed map as part of Watershed area P-5-00 (right up to the southerly boundary). The grading along the southerly slope will direct small areas to the neighboring parcel. Drainage inlets along the toe of the slope should be considered to collect surface runoff to MH 501 and/or DIV 5A.

18. The Storm Water Treatment System Sand Filter Basin in Watershed Protection District detail by the Town of Wallingford Department of Public Utilities Water Division indicates the maximum slope of the inlet pipe for the Sand Filter Basin should be 0.5 percent. A majority of the inlet pipes of the proposed Sand Filter Basins do not meet this requirement.

Comment partially addressed. It is understood that the flow directed to the sand filters will be less than the 25-year storm as shown in the above-referenced detail. There are several inlet pipes into sand filters that have a significant slope, for example an inlet pipe into SF-4B has 13.41 percent slope, where decreasing the slope would limit the potential that the sand filter would be disturbed around the inlet location.

19. We recommend that the applicant's engineer reconsider the stormwater system layout and elevations in order to reduce the depth of the MH-307, which as proposed is approximately 36 feet deep. Additionally, the applicant's engineer should consider combining the two roof infiltration trenches to reduce infrastructure within the fill slope.

Comment remains. While the stormwater system layout and elevations have been revised, MH 307 is still proposed to be over approximately 30 feet deep.

20. The infiltration trench (Invert = 384.85) for SF-3ABC and SWMB-3D is set below the elevation of the wetland downgradient. The applicant's engineer should provide evidence supporting that groundwater will not interact with the infiltration trench.

Comment remains. Given the depth below the wetlands, it is reasonable to assume that these outlets will be submerged for portions of the year. Test pit data may result in redesign.

21. Portions of the grass swale proposed to the east and northeast of the van parking lot and the grass swale along the toe of the proposed cut slop to the northeast of the proposed building have slopes as low as 0.5 percent. We recommend that the slope of the grass swales be at least 1.5 percent.

Comment addressed. Construction of the swale will have to be performed carefully to ensure positive drainage.

22. The perforated underdrain east of the van parking area discharging to the water quality swale will be surcharged due to the proposed grading of the water quality swale. The applicant's engineer should comment on whether this underdrain will be able to act as a groundwater control and confirm that the 8" diameter is adequate to handle the watershed reaching the pipe.

Comment addressed. Please note that the 8" discharge at the grassed swale on sheet GD-1 may be periodically submerged.

23. There are three locations east of the van parking areas where the proposed 2' horizontal by 1' vertical (2:1) grade intercepts existing swales/reverse bench. The continuation of the swale/reverse bench should either be armored with riprap, or the reverse bench could be continued longitudinally along the swale to reduce the pitch along the swale.

Comment partially addressed. To simplify, we recommend that a riprap swale be installed down the proposed 2:1 slope to the toe where existing grassed swales are encountered by proposed excavation on sheets GD 1 and 2.

24. There are several places throughout the proposed van parking area where the slope of the parking area is at or less than 1 percent. More grading information is needed to confirm the drainage paths. With the accuracy of construction in mind, there is potential for flat spots leading to water ponding or trapping water. We recommend that there are no parking areas with a slope less than 1 percent to decrease the risk of flat spots and ponding.

Comment addressed.

25. The applicant's engineer should comment on how several of the sand filter basins do not discharge to the associated detention basin as shown on Town of Wallingford Department of Public Utilities Water Division's *Typical Layout of Storm Water Treatment System in Watershed Protection District* detail. For example, Sand Filter Basins 2A, 2B, 3ABC, 3D, and 5A do not discharge to a detention basin.

Comment addressed.

26. The applicant's engineer should comment on the future access to the proposed infiltration trenches for maintenance purposes given that the location of several of the trenches is limited in access due to the proximity to wetlands and steep slopes, especially infiltration trenches to the west of the proposed building at the bottom of 1:1 slope.

Comment partially addressed. We recommend that reasonable access to the infiltration trenches be provided for maintenance vehicles. This may result in some clearing/grading within the upland review areas.

27. The Water Quality Outlet Pipe of Diversion Structure DIV-2B has a slope of 0.06 percent. We recommend that the slope be increased to a minimum of 0.5 percent, and the upgradient invert of this pipe should be clarified.

Comment addressed.

28. There are several pipes that have slopes over 15 percent, which could lead to scour and abrasion of the pipe invert of the HDPE storm pipes. Pipe slopes should be reduced to less than 15 percent where possible and joint restraints be considered for extreme slopes. For example, the outlet pipe from Water Quality Structure HDS-2B to Sand Filter Basin 2B has a slope of 66.06 percent.

Comment addressed.

29. The invert of FES-102 (404.0) does not match the grading of the Stormwater Management Basin 3AB.

Comment addressed.

30. Based on the Profile Report Engineering Profile – CB-300 to FES-203 in Appendix C of the Stormwater Management Report and the Hydraulic Grade Line Computations and elevations of Stormwater Management Basin 2B, catch basins 304 and 305 would be surcharged during large rainfall events leading to water exiting out the catch basin tops. We recommend the applicant's engineer consider two inlets into SWMB 2B to eliminate the surcharging possibility.

Comment remains. Based on the 100-year elevation of SWMB-2B being 395.02', the relocated CB-304 and 305 would still be surcharged. Also, the 12" orifice in OCS-2B is set with an invert of 394.0, and the TF is shown as 395.0. This may not be feasible since the 12" orifice would extend to or above the top of the OCS unit.

31. Based on the elevation of the berm (414.0) and Top of Frame of the Outlet Control Structure OCS-3B (413.0), Stormwater Management Basin 3AB has the potential to surcharge Diversion Structure DIV-3A (TF=409.75) leading to stormwater popping out of the manhole cover.

Comment remains. The 100-year pond report for SWMB-3AB in Stormwater Management Report Appendix has the peak elevation as 413.04', which would still cause DIV-3A to be surcharged by more than 3'.

32. The applicant's engineer should consider setting the invert of the water quality pipes in the diversion structure so that the top of the water quality pipe is set at the invert of the larger diameter inlet and outlet pipes. This will allow for flow in the water quality pipe without interrupting flow paths for larger storm events through the large-diameter outlets.

Comment addressed. Our preference would be to depress the WQ pipe to an elevation below the larger diameter inlet and outlet pipes to divert the WQ flow and not interrupt the continuity of flow during larger storm events. However, we do not take exception to the design as proposed.

Drainage Watershed Plans

33. Appendix B *Post-Development Hydrology* of the Stormwater Management Report indicates that Watershed Area P-2-02 is routed through Roof Infiltration – 3B before reaching Point of Study #2 (Muddy River). Grading and Drainage Plan, Sheet GD-3, displays that Watershed Area P-2-02 is directly piped to a Flared End Section upgradient of Muddy River and is never routed through an infiltration trench or system.

Comment partially addressed. The infiltration capacity of this trench will be limited due to the soil layers of weathered arkose and bedrock in the proximity of the infiltration trench based on Borings B-2 and B-162/I-1. It is unclear if the storage will be available given the potential for little to no infiltration in these conditions. Additionally, the model appears to use elevations for the 48" pipe that are inconsistent with the plans, and the custom storage data appear to use the parking at elevation 416 as storage. This should be clarified.

34. Based on the Routing Diagram for Post-development Hydrology in Appendix B in the Stormwater Management Report, Watersheds P-5-01, 02, and 05 are routed through Sand Filter Basin 5A and Stormwater Management Basin 5A then through Point of Study 4. These watersheds should be routed through Point of Study 5 due to Sand Filter Basin 5A and Stormwater Management Basin 5A discharging downgradient of Point of Study 4.

Comment partially addressed. Sand Filter Basin 5A discharges downgradient of Point of Study 4 and should be routed through Point of Study 5 in the model.

35. In the Routing Diagram for Post-development Hydrology in Appendix B in the Stormwater Management Report, Watershed P-2-06 is shown as routed to Point of Study 2. Based on the existing and proposed grading, a majority of watershed P-2-06 would flow into Sand Filter Basin 2A before reaching Point of Study 2.

Comment addressed.

36. The drainage design shown on the plans indicates that Pond SF-2B should be routed through Point of Study 4 and SWMB-2B be routed through Point of Study 2.

Comment partially addressed. SWMB-2B discharges upgradient of Point of Study 2 and should be routed through Point of Study 2.

37. Based on the drainage design shown on the plans, Watershed P-3-03 should be routed through Sand Filter Basin 3ABC instead of directly to Point of Study 3 in the stormwater modeling report. The existing and proposed grading within Watershed P-3-03 has the watershed draining into Sand Filter 3ABC.

Comment addressed.

Stormwater Management Report

38. The applicant's engineer should provide grate inlet computations to determine the amount of bypass and ponding given the large catchment areas and long flow paths proposed for catch basins, especially in the van parking area.

Comment partially addressed. Our concern is the depth of ponding at sag locations where significant drainage areas directly drain to individual structures, which may have additional flow from upgradient bypass. Should the depth of ponding exceed the curb height, there could be direct runoff with erosive flows down steep slopes, particularly at CBs 512, 513, and 517.

39. For Watershed E-1 Offsite, the calculated time of concentration was 97.4 minutes while for Watershed P-1 Offsite the calculated time of concentration was 100.4 minutes due to the length of the time of concentration flow path increasing by 15 feet from existing to proposed. The applicant's engineer should provide reasoning for the change from existing to proposed while the boundary and land coverage types are the same for the two watersheds.

Comment addressed.

40. There are several inconsistencies between the existing and proposed conditions of watershed E-2 Offsite and P-2 Offsite compared to the modeling of the watersheds.
- a. Based on Overall Existing Drainage Plan, Sheet ED-2 and Overall Proposed Drainage Plan, Sheet PD-2, the boundaries of watersheds E-2 Offsite and P-2 Offsite are different while the overall areas of the watersheds in the stormwater modeling report have remained the same.

Disregard this comment. While the boundaries of E-2 and P-2 (correctly) differ in the vicinity of the 1:1 cut slope nearest to CB-100, we defer to the applicant's engineer response that the overall watershed areas remain the same.

- b. The applicant's engineer should discuss the changes in land coverage types and areas in the calculation of the CN number between the two watersheds. The first change is 1,107,036 square feet of Meadow, nongrazed, HSG C in CN computations for E-2 Offsite being changed to Brush, Fair HSG C in CN computations for P-2 Offsite, which caused a reduction in CN number for these areas (71 to 70). The second change is that for E-2 Offsite there were separate areas for Woods, Fair, HSG B/C and Woods, Fair, HSG C while for P-2 Offsite these two areas were combined into Woods, Fair, HSG B/C, which reduced the CN number from 73 to 64.

Comment addressed.

41. The roof drain pipes according to the design computations do not have adequate capacity.

Comment addressed. The final design of the building and associated roof leader should be sized to accommodate the expected stormwater flows.

42. The stormwater computations do not rely on infiltration for the proposed infiltration trenches; however, the groundwater proximity of the trenches is unknown in most cases. The applicant's engineer should comment in the event that ponding of stormwater persists within the trench and/or groundwater is in close proximity of the trench.

Comment addressed. As previously stated, our preference would be an at-grade discharge with stone/riprap infiltration trench below grade as needed; however, we do not take exception to the design as proposed.

43. The applicant's engineer should comment on 0.00 cubic feet per second (cfs) being directed to the Sand Filter Basin for Diversion Structure 4A-1 for the 2-year storm.

Comment addressed.

44. The applicant's engineer should comment on why there is flow reaching the outlet pipe to the stormwater basin in the modeling of several of the diversion structures while the HW is less than the weir elevation.

Comment remains. The condition above is occurring in the model at Diversion Structures 2B, 4A-1, 5A, and 5B.

45. The information input into the stormwater modeling for the outlet devices for Pond reports for Diversion Structures 3D and 5A does not match the site plans.

Comment partially addressed. The pond report for diversion structure 3D still does not match the site plans.

46. The information input into the stormwater modeling for the storage for Pond reports for Roof Infiltration 3A and Sand Filter 3D does not match the site plans.

Comment addressed.

47. We recommend the applicant's engineer confirm the size of the catch basin outlet device modeled in the stormwater management report as 24" by 36". The standard Curbless Catch Basin (CLCB) top has an approximate grate inlet size of 20" by 37".

Comment addressed.

48. The applicant's engineer should provide justification for using the CN number of 96 for gravel surfaces in all soil groups instead of using the Table 2-2a Runoff Curve Numbers for Urban Areas in United States Department of Agriculture Urban Hydrology for Small Watersheds TR-55 Manual.

Comment addressed.

Additional Comments

49. The top of frame of MH 304 should be raised to above the top of frame of CB 300A to ensure that stormwater will not surcharge out the top of MH 304 during large rainfall events.

50. There is an increase in the peak rates of runoff from existing to proposed conditions for Point of Study #2 (Muddy River Culvert under existing site roadway) for the larger storm events, which may increase further with SWB-2B correctly contributing to flow on the upgradient side of the existing culverts. The applicant's engineer should comment on how the existing culvert (two

36" RCP pipes) will handle the additional flow when the culvert currently can only handle the 10-year storm peak rate of runoff or smaller.

51. The applicant's engineer should consider providing several access gaps in the guardrail that surrounds SWMB-4A and 4B in order to allow access to the basins and sand filter for maintenance or repairs.

HYDROGEOLOGIC CONSIDERATIONS

As part of SLR's review of the potential hydrogeologic impacts for the proposed development, we reviewed current digitally published Geographical Information System data including Quaternary geology, Surficial geology, and soil layers. Copies of the quaternary and surficial geology are appended. Our team also cut cross sections across the site at key locations to gain an understanding of cuts and fills associated with upland areas adjacent to Northeast Wetland 1A and Northwest Wetland 1B.

52. Northeast Wetland 1 is located within a groundwater recharge zone. The surface water within the wetland recharges the groundwater. The gradient from surface water into groundwater is downward. The proposed grading located along the northeast portion of the warehouse section of the site will not adversely change this relationship. However, the northeast wetland is dependent on surface water divides, and the proposed grading comes very close to breaching the surface watershed that feeds this wetland. If the watershed area draining to this wetland is reduced, there could be an impact on this wetland's recharge function. Applicant should further document that there will be no adverse impact on the hydrogeology of this wetland.

Comment was not addressed under the March 3, 2021, BL Companies response letter. Additional letter was submitted on March 19, 2021, addressing this comment.

53. Central Wetland 1B is located within a groundwater discharge zone. Surface water in the wetland comes partly from the groundwater as well as from existing streams and overland runoff. The gradient for this wetland is likely upward from bedrock groundwater to glacial till groundwater to surface water. Maintaining the groundwater that supports this wetland is of primary concern. The plans depict that a series of swales and subsurface drainage features will intercept groundwater at the base of steeply graded slopes and direct this groundwater to proposed sand filter basins and stormwater basins. It appears that the sand filters will use infiltration to reintroduce the groundwater back into Wetland 1B. We would request that the applicant confirm our understanding of this approach.

In addition, the proposed project likely involves removal of bedrock in some places based on the borings that were completed. The water table in the glacial till will be intercepted, and this will remove groundwater from the hydrologic system. The water table in the bedrock could also be

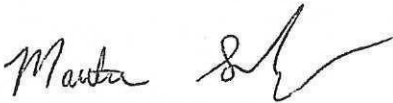
intercepted, and this will remove groundwater from the hydrologic system. The applicant should clearly demonstrate that all of this water is being returned back to Wetland 1B.

Comment addressed.

Please note that this findings letter is the result of our review of the permit application materials provided by the applicant and the Town.

Sincerely,

SLR International Corporation



Matthew J. Sanford, MS, PWS, RSS
US Manger of Ecology



Ted Hart, PE
Principal Civil Engineer,
Associate Manager of Engineering

141.17456.00001.0010.mr2921.1.ltr.docx



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

CERTIFIED LETTER # 7020 0640 0000 4019 2371

March 23, 2021

Jill Kobrin Walsh
11 Trumbull Drive
Wallingford, CT 06492

FILE COPY

Re: 11 Trumbull Drive – unpermitted, unauthorized activities conducted on private property & on Town property (Shoebox Road, a ‘paper street’)

NOTICE OF VIOLATION

Dear Ms. Jill Kobrin Walsh:

This letter is a Notice of Violation concerning certain unpermitted, unauthorized activities on your residential property at 11 Trumbull Road observed during a site investigation conducted by the Environmental Planning Office on January 21, 2021 in response to a complaint from the Wallingford Water Division of possible unauthorized activity being conducted. The violation entailed unpermitted clearing and re-grading in the rear portion of your parcel that extended onto Town property located to the rear that involved wetlands and a watercourse (‘drainageway’). Flows entering this ‘drainageway’ travel down the middle of the Town property on a ‘paper street’ known as Shoebox Road. Photographic documentation was completed at the time (copy of several photos attached).

I had the opportunity to speak with Sean Walsh, onsite and explained the function of the Wetland Act and the Wallingford IWWC Regulations to Mr. Walsh at that time and indicated this Notice of Violation would be forthcoming. Mr. Walsh indicated that he, working with a contractor, had recently graded your land and a portion of the Town property in an attempt to re-route overland flows that he stated results in the basement flooding.

The Engineering Department responded to this matter on Jan.21, 2021 and installed survey stakes to demarcate dimension of trespass and encroachment (portion of shed, a fence installation, dirt piles, and cleared and altered grades on Town land). A drawing of the two properties involved was provided to this office by the Engineering Department. (A copy is enclosed for your information.) This office observed the encroachment on the Town land which evidenced that both recent and old activities had been conducted.

I directed Mr. Walsh to cease any further activity in the jurisdictional area and directed him to immediately - before the forecasted storm - install silt fencing upgradient from the stream (drainageway) along the edge of the limit of disturbance - which was several feet

from the stream's southern bank. I explained that, with this erosion control precaution, it may be possible to prevent sediment from leaving your property and travelling into Town property in the short term giving time for a long-term resolution/remediation of the site and encroachment issue. Mr. Walsh indicated he would do so and would also install hay bales across the driveway to prevent sediment from travelling down the driveway into the street and hence to catch basins and hence to a receiving stream or wetland.

Two follow-up phone messages in this regard were left for you on Feb. 8 and Feb. 24 indicating further directives would await conditions to be observed in a follow-up site investigation when the snowpack had melted. You called to arrange the second site investigation with this office when you could be present to discuss field conditions and property boundaries, etc., and on March 1 the second site investigation with both you and Mr. Walsh present was conducted. Photographic documentation was completed at that time (see copies of several photographs attached.) About two-thirds of the earthen stockpile had been removed, the open trench had not changed, loose hay was installed over almost all previously disturbed bare areas on your property and on Town property, some posts installed on Town land had been removed, and one hay bale was installed in the ditch draining out of your land to the drainageway/stream located in the middle of (unimproved) Shoebox Road. As the snow had been melting, the stream was running full and flow was observed to be clear. Other bare areas would be revealed one the snow cover melts and you were directed to protect these areas with strewn hay to prevent silty flows offsite.

You explained your drainage issue which results in water in the basement and your intent to drain flows from the south side of your yard into a pipe which could have its outlet in Shoebox Road discharging the flows into the existing drainageway/stream.

The Wallingford Water Division was concerned about unauthorized activities in the vicinity of the Town water main which could possibly jeopardize the water main. A letter was forwarded from the Water Division to you on January 26, 2021 and you have been in contact with the Division personnel in this regard with a second site investigation conducted by the division on January 29. The Division's directives take priority as a public health and safety issue and its directives need to be followed to the letter. This office will work in coordination with the Division and any IWWC directives will dovetail with the Division's directives to achieve compliance and restoration of the area involved.

A third site investigation was conducted by this office on March 5 with you and Mr. Walsh present and Jay Pawlowski and Erik Krueger representing the Water Division. Much of the snow had melted. Conditions were observed, you explained the drainage issue and pointed out a small pipe that conveys your neighbor's flows into your yard further exacerbating the issue. As you were going to be out of the state, you gave permission to the Water Division personnel to enter the property soon to determine a means to direct yard drainage offsite toward the drainageway on Town land given the topography involved. The Water Division completed a drawing and submitted a copy to this office on March 16. (A copy of this drawing is enclosed for your information.)

No person shall conduct or maintain a regulated activity without first obtaining a permit for such activity from the Inland Wetlands and Watercourses Commission (IWWC), as per Section 6.1. of the Regulations. The Commission shall regulate any operation within

or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration or pollution of such wetlands or watercourses and any other regulated activity unless such operation or use is permitted or non-regulated. As per Section 6.2., any person found to be conducting or maintaining a regulated activity without the prior authorization of the IWWC, or violating any other provision of the regulations, shall be subject to the enforcement proceedings and penalties as provided for in Section 14 of the regulations and any other remedies as provided by law.

Wetlands and watercourses and the 50-foot area surrounding them are regulated under the Wallingford Inland Wetlands and Watercourses Commission Regulations adopted June 22, 1988, as revised to May 8, 2016. The activities listed below are activities regulated under the Regulations and, therefore, fall within the jurisdiction of the authority of the IWWC.

The unpermitted and unauthorized activities conducted in the regulated areas on the subject property and on the abutting property by your action are as follows:

- Activities conducted within the IWWC jurisdictional area without a permit for the work and the activities.
- Clearing, disturbance of soil, regrading of earthen material, unprotected stockpiling of earthen material, redirecting of storm flows - all these activities conducted within the IWWC jurisdictional area which is defined as the 50-foot Upland Review Area surrounding wetlands and watercourses. (A portion of the listed activity was conducted on Town property.)
- Installation of fencing and a portion of a shed within jurisdictional area without a IWWC permit to do so. (A portion of the shed is located on Town property.)

You are hereby directed to:

- Immediately cease any further unauthorized activities on your property and on Town property within 50 feet of the wetlands and watercourse (drainageway) located on Town land. (*Verbal directive issued onsite on Jan. 21, 2021 and in follow-up phone conversations.*)
- Immediately install certain erosion control measures (detailed above).
- Install silt fencing (or a row of tightly installed staked hay bales) between any earthen, opened, regraded areas and the wetlands and watercourses (drainageway) to protect these areas from sediment-laden flows entering them.
- Install straw mulch (approx.. 3-inches deep – can use hay bales) on any bare land on both properties to help control erosion.
- Complete further directives on the two properties as issued by the Environmental Planner relative to remediation and restoration of pervious site conditions.

- Monitor site conditions before and after storm events to insure that erosion control measures are sufficient to prevent sedimented flows from exiting your property. Restore and supplement erosion controls as may be necessary.
- Remove shed from Town property. Relocation on your property will likely require IWWC permitting.
- Install conservation seed mix on bare areas - as soon as weather allows - to help control erosion.
- Immediately upon receipt of this correspondence, file an 'after-the-fact' IWWC permit application (with fee) for consideration by the IWWC (and by the Town relative to Town property) regarding the proposed relocation of the existing shed, proposed drainage improvements, and required remediation of rear yard conditions and conditions on Town land.
- Do not initiate any further activities in the rear of your property until further notice.

Your application with the drainage proposal will undergo interdepartmental review by the Town and you will receive notification on how to proceed in this regard. Notification regarding the disposition of this violation matter will be forthcoming pending IWWC consideration. This office is available to meet with you in the office to further discuss the violation requirements, remediation activities, and the application process.

A copy of the IWWC Application Form is enclosed.

Failure to carry out the actions directed in this Notice may result in further enforcement action issuance as provided for in Section 14 of the Inland Wetlands and Watercourses Regulations.

For further information in this regard, please contact the Environmental Planning Office at (203) 294-2093.

Very Truly Yours,



Erin O'Hare, Environmental Planner

Attachments: *photos*

Enclosures: *Engineering Dept. drawing, Water Division drawing, IWWC application*

CC: James E. Vitali, Chairman, IWWC

Neil Amwake, General Manager, Water & Sewer Divisions (without copy of blank IWWC application form)

Alison Kapushinski, Town Engineer (without copy of blank IWWC application form)

Jill Kobrin Walsh (*copy hand-delivered on Mar. 23*)

Gaylord
property

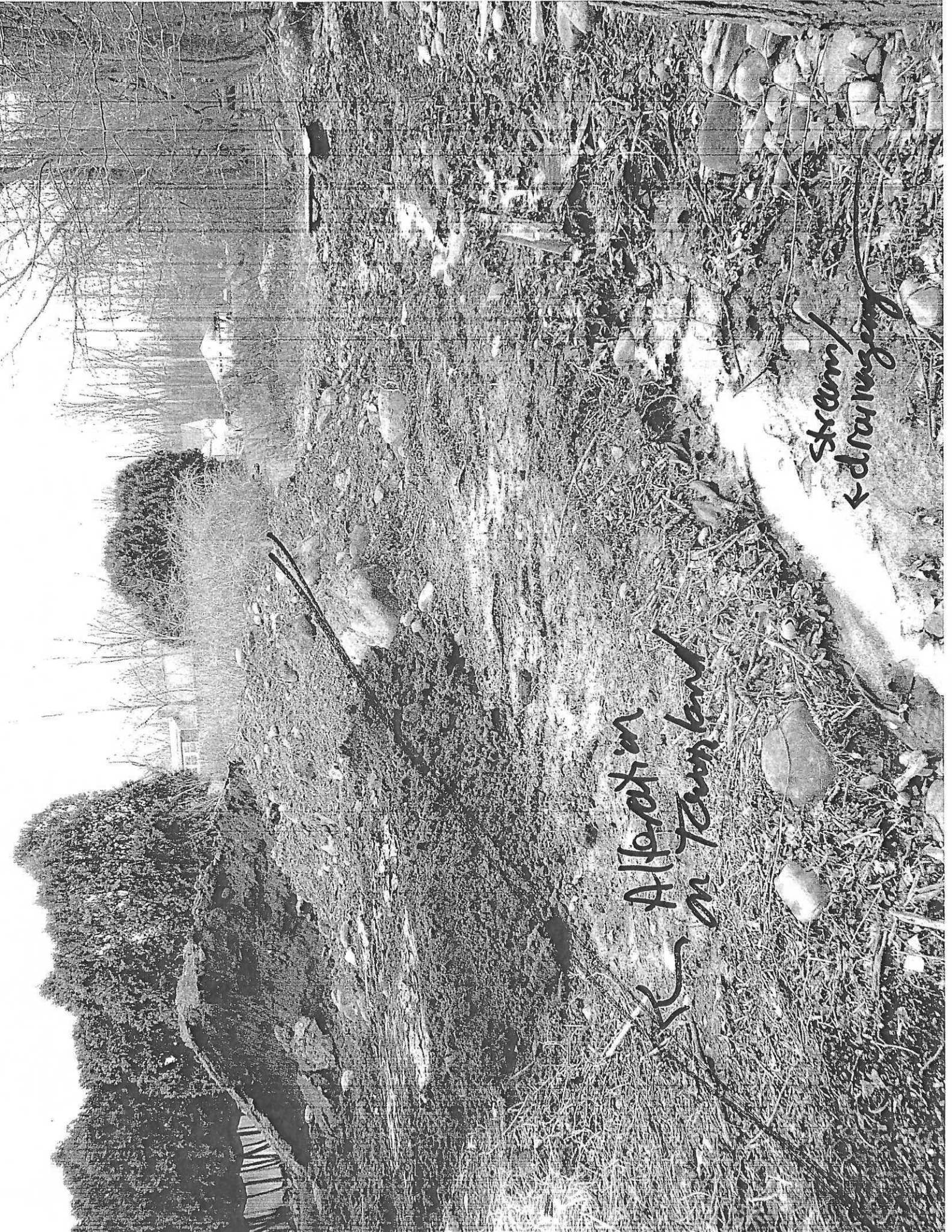
Stream
Drainage

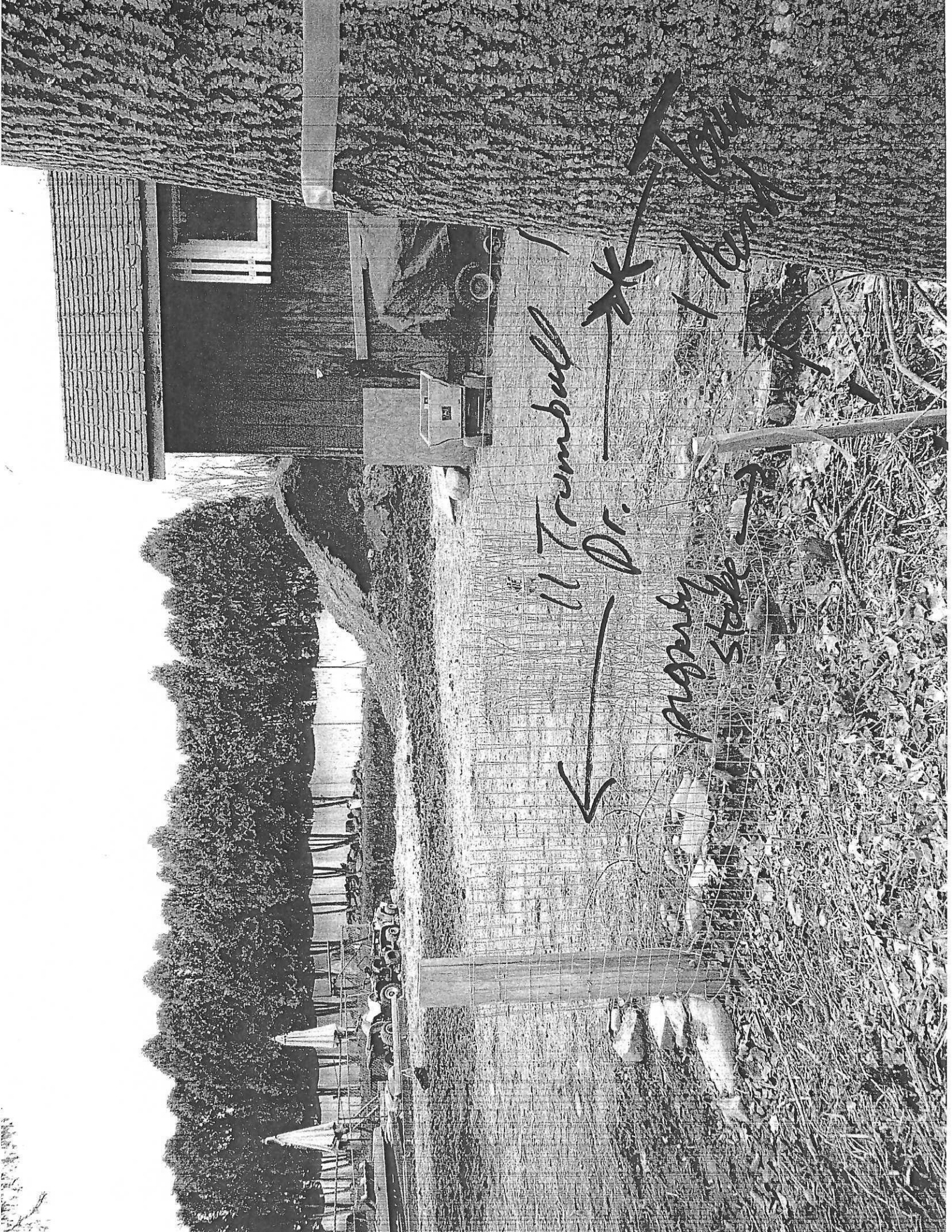
'Shoe Box Rd'

Town land

Allegation
in Township

Stream/
drainage





Trumbull

Dr.

property stake

land loan



Scale: 1"=20'

15

Kobrin

11 Trumbull Drive

99.79

.89

CORRUGATED VG

11 Trumbull Drive	
Proposed Activities	
•	Drainage Improvements
•	Relocation of Shed
•	Restoration of unpermitted work
Annotations by E. O'Hare 3/23/21	
Drawing: Water Division 3/16/21	

TRUMBULL DRIVE

