

**Inland Wetlands & Watercourses Commission
Special Meeting
Wednesday, June 15, 2022, 7:00 p.m.
Robert F. Parisi Council Chambers
Second Floor, Town Hall
45 South Main Street, Wallingford, CT**

MINUTES

Chair James Vitali called this Special Meeting of the Wallingford Inland Wetlands & Watercourses Commission to order on Wednesday, June 15, 2022, at 7:02 p.m. in the Robert F. Parisi Council Chambers, Second Floor of Town Hall, 45 South Main Street, Wallingford, CT. [A recording was produced and posted on YouTube by Wallingford Government Media.]

PRESENT: Chair James Vitali, Commissioner Jeffrey Necio, and Alternates Aili McKeen and James Heilman, and Environmental Planner Erin O'Hare. Alternate Mrs. Caroline Raynis joined the meeting as noted below.

ABSENT: Vice Chair Deborah Phillips, Secretary Nick Kern, and Commissioner Michael Caruso.

There were 17 persons in the audience.

A. PLEDGE OF ALLEGIANCE

The Pledge was recited.

B. ROLL CALL – As above.

C. CONSIDERATION OF MINUTES

1. Regular Meeting, May 4, 2022

MS. MCKEEN: MOTION TO ACCEPT THE MINUTES OF THE MAY 4, 2022, REGULAR MEETING.

CHAIR VITALI: SECOND.

VOTE: MR. HEILMAN – YES; MR. NECIO – YES; MS. MCKEEN – YES; CHAIR VITALI – YES.

2. Regular Meeting, June 1 – Cancelled.

The Regular Meeting for June 1, 2022 had been cancelled, and this Special Meeting of June 15 was scheduled and posted.

D. PUBLIC HEARING

1. #A22-5.1 / 5 Research Parkway – 5 Research Parkway, Wallingford, LLC – (warehouse development)

Appearing were Attorney Dennis Ceneviva of Meriden, representing the Owner/Applicant, and Mr. Chris Gagnon, P.E., and Mr. Jeff Dewey, Senior Engineer, BL Companies, 355 Research Parkway, Meriden.

Chair Vitali said this hearing for this Application was brought on by public interest.

Note: Alternate Commissioner Mrs. Caroline Raynis joined the meeting at this time.

Ms. O'Hare said the public hearing notice was posted in Town Hall on May 13, and published in the Record-Journal, that the public hearing would be held on June 1. However, that meeting had to be cancelled and rescheduled for tonight, June 15. The Applicant sent out mail notices to all property owners within 100 feet of this 180-acre property, and then had to send second notices to all of those for this Special Meeting and public hearing tonight. One letter was received from a member of the public, from Mr. Ed Bradley of Hampton Trail, saying that he wants to testify, and it gave an outline of what he was going to say. Ms. O'Hare gave copies of Mr. Bradley's letter to the Commission and entered it into the record.

Ms. O'Hare referred to her Environmental Planner's Report of June 10, 2022, which the Commission has received. The presentation tonight should explain a significant difference in the level of impact on wetlands and watercourses systems from the previous two applications for this site.

Attorney Ceneviva said, We have had comments from staff and the public. We're here to present the variation in size and differences in this development. We're making some wetlands impacts to be less.

Mr. Chris Gagnon said, We met with Town staff. A new Zoning Regulation is in effect for this property and the watershed. We had comments from the Water Division. The site is 5 Research Parkway. We'd develop where the old building was demolished on the southern side, south of the Muddy River. It's to be a 450,000-square-foot warehouse building with 10,000 square feet of offices and the parking. Truck spaces will be 105 and 97 trailer spaces. The plan utilizes the existing access. Loading space and parking spaces comply with Planning and Zoning regulations. The proposed structure is to be about where the demolished building was. It's a dual-load warehouse, with loading docks on both sides, and trailer parking on the north and east sides. There will be 358 parking spaces on the south and southwest of the proposed warehouse. The parking islands are now required by Planning and Zoning, plus minor upgrades per regulations. It's 150,000 square feet with 10,000 square feet of offices. Before, there was some grading between the ponds and retaining walls. But this application does not have any of that. The only work we're doing in this area is road maintenance and some utility installation. We will demolish the guardhouse and do some URA work. I think this is a significant improvement. Just maintaining the road by the pond isn't necessary, but it's proposed. We have two driveways, one for the personal vehicles and one for trucks to the warehouse as a safety feature. There is no URA impact for the two driveways.

Mr. Gagnon continued: Originally, we showed a green URA area, and we now have eliminated that earth work by the ponds, per Mr. Krueger, and we moved post-disturbance away from some of your regulated area. We have relocated this utility work out of the URA. So this application has evolved with comments from Town staff. In post-construction, earthwork is outside of the 50-foot URA and outside of the 100-foot water body and pond buffer. The other wetland-related impact is related to impervious area. We provided a map: Existing impervious area that remains is blue. Impervious to be removed is in fuchsia, and proposed impervious is in green, for a proposed increase of about 11 acres. But the increase is within the old disturbance. And the proposed building is essentially where the old building was. We have some impervious added at the trailer parking. The previous double warehouse application proposed about 35 acres of new impervious area—so we cut our application in half and we cut impervious area by two thirds.

Mr. Gagnon continued: Another regulated activity is the construction phase. Here is the phase of construction with demolished and disturbed areas. Erosion control design is per the regulations: We have multiple sediment traps on the discharges into the regulated area. There is a collection swale at the end of all the sediment traps and going to the discharge basins. This is a temporary activity related

to potential discharge from construction. We have temporary sediment traps with an additional collection basin, so two discharges from the sediment basin. Permanent potential activities include the stormwater discharge from the sand filter here and from the stormwater basin. We have referenced the old application for context, but this application needs to be seen for its own merits.

Mr. Gagnon described stormwater management to comply with State and Town regulations. There are diversion manholes going to treatment structures, hydrodynamic separators for the water flows, then a sand filter and then dispersing to the stormwater basin and then discharging out. All these are designed to comply with your Wetlands requirements and State regulations and the rules of the Watershed Protection Zone. Erosion control design is also to comply with your regulations.

Mr. Jeff Dewey said, There is a decrease in the peak rate of runoff from the site from the existing conditions and a decrease in the volume of runoff from the site. We've cut the rates by storing it at infiltrators.

Chair Vitali asked, How do you decrease the volume? You have a unique situation there.

Commissioner Heilman said, The decrease may have to do with their using half of the site versus the previous plan.

Mr. Dewey said, With the reduced amount of impervious area and the stormwater management we're proposing, it does result in a decrease. The main basin does not have the same soil as up on the hill.

Mr. Gagnon said, We'd also handle the roof runoff. We use perforated pipe in the underground perimeter of the building. Roof runoff is clean, and it goes to the large infiltration pipes surrounding the building. So it's a discharge that you can remove from the stormwater calculation. We did propose these discharges excluded from the final calculation. That's another way runoff is reduced.

Chair Vitali asked, The prior building went down into the two or three floors area below, and the rubble went into the hole. That's a great catch basin. So it's interesting that your calculations are coming from numbers and a map.

Mr. Gagnon said, We did not model the rubble hole. It's a historic analysis of runoff there. A portion of rainfall may go into that building.

Chair Vitali said, Are you going to eliminate the asphalt parking lot there now?

Mr. Gagnon said, We'd eliminate the parking lot on the southern side only.

Attorney Ceneviva said, This is the beginning. There's other documents to provide, such as wetland biological information. We made changes based on staff review. We asked for opening the public hearing to give you and the public the opportunity to see what we propose and to comment; and then to come back and provide more on July 27th. We already talked to your staff, and you have new plans.

Commissioner Heilman asked, Did your engineer determine where to begin the URA? Where is the slope calculated for the URA? In the ravine area, the URA is to start at the top of the slope, not where the wetland is. I'm concerned with compliance.

Mr. Gagnon said, We're using the same Upland Review Area that we have used.

Mr. Dewey said, The regulations identify what slope defines in a ravine. So it would be portions of ravine and non-ravine, a spotty analysis.

Commissioner Heilman said, It's for the engineer to look into. Also, this public hearing was brought in for the public interest. I have wetlands concerns about activities going on the east side, where is that almost a 90-foot vertical rise that you'd fortify with a wall barrier. On OM-1, what concerns me is, with that slope, it's a significant concern for the settling-out pools and wetlands concerns for the history of this area. I see that's a huge opening if you take out that back wall, and you'd fortify it with a wall barrier. If there's a major storm and it takes a long time, it could need flocculant. That's a serious wetland concern.

Mr. Gagnon said, We will investigate the construction phasing and timing of that operation.

Chair Vitali said, As Jim brought up, I think this site needs flocculant to treat sediment. This area doesn't let the sediment drain out of the runoff.

Mr. Dewey said, We discussed flocculant for the Erosion Control Plan, only as an emergency condition. . It can be called for by the erosion inspector on site, by the SWPPP, by Town staff, by the Town Engineer, by the construction monitor. It is the same material, flok logs, that we had in the last application.

Chair Vitali said, Also, what utilities are in between the two ponds?

Mr. Dewey said, It's telephone, electrical, and sanitary. We're tying to the existing water line, and we'll connect to the utilities at the end of the ponds—not changing the roadway. There may be some minor adjustments. During construction, we're not changing anything in the road. Maintenance will be resurfacing the roadway during construction and snow plowing in winter.

Ms. O'Hare said, What is the height of the wall, the height of the cut behind the building when it's done?

Mr. Dewey said, We're proposing a 2:1 slope. It's a steep slope now. The wall is approximately 10 feet high. Then there's a second terraced one as you move to the south.

Mr. Gagnon said, On the drawings, we have a 440 contour over a 458 contour under it. So this is an 18-foot cut here. So the slope goes from 420 to 450, a 30-foot tall slope, but the amount of cut ranges from plus or minus 30 feet to 20 feet, down to 5 feet to 0 feet.. And we have a 10-foot wall here and a 14-foot wall here. The drawings show those.

Ms. O'Hare said, So Commissioner Heilman was talking about slope silt during construction. On the eastern side of the property, do you anticipate weeping from this 30-foot slice? I don't just mean weeping during a cut, but groundwater weeping forever.

Mr. Gagnon said, Yes, dewatering in construction and retaining walls with weep holes and with drainage behind, footing drainage, and discharge to filter bags and to sediment traps. This wetlands application doesn't necessarily include construction detail for retaining walls.

Ms. O'Hare said, So next time we need a wetlands scientist's detailed report on regulated activities—

description, square footage and temporary and permanent impacts and analysis on how that affects the Muddy River as well. The Water Division report of June 8 says that Eric Krueger is not ready. I did not get comments from the Town Engineer, who said she saw no need to get an outside peer review. On prior applications for this site, we got outside peer reviews on the engineering. Maybe some details on the blasting and a plan for during a hurricane. Last time, there was an Independent Peer Monitor that the Applicant had agreed to, to go out during construction all the time. Also, details on the building and details on the plan for this site during construction.

Chair Vitali said, This is a public hearing. If there's anyone from the public that would like to speak, please come forward.

Mr. Ed Bradley, 2 Hampton Trail: I have my letter there. (Copies of this letter had been handed out to the Commissioners.) My concern is the increase of runoff from erosion and the downstream impact. So the public hearing continues to be open?

Chair Vitali said, Absolutely.

Mr. Bradley said, This book I have is the history of Spring Lake, 1938 to 1965. And never, ever was there mention of downstream flooding. Today, you know what the issues are there. I'll reserve this until the next meeting.

Chair Vitali said, Does the Applicant want to get Mr. Bradley's address, and he'll discuss items with you? Other comments from the public?

Mrs. Jane Wronka, 54 High Hill Road: About notifications that went around, I noticed that there were no visible postings for all the parties that could be affected by blasting been notified? You mentioned 100 feet.

Chair Vitali asked, Signs aren't required for a public hearing?

Ms. O'Hare said, No. The PZC requires signage for a Special Permit.

Chair Vitali said, All abutting property owners have been notified. That's the requirement.

Ms. O'Hare said, All within 100 feet were notified.

Mrs. Wronka asked, If they blast, are there notifications to the public that could be affected? Who requires it—PZC or IWWC?

Chair Vitali said, All abutting property owners within 100 feet have been notified. I don't think they have to notify anybody if they are blasting rock. I don't know that for a fact. The Water Department is involved.

Ms. O'Hare said, That's a PZC matter.

Mrs. Wronka said, That neighborhood that sits on that ledge, High Hill Road, that will be blasted. They're not provided water from the Wallingford Water Department. It's private wells and septic systems from 30 years ago. About the well they talked about--I'm concerned about the blasting. What is in place to protect Wallingford residents from damage to foundations, well collapse, contamination?

Chair Vitali said, You're getting into some Planning and Zoning issues.

Mrs. Wronka asked, What's in place to monitor that from the construction site that nothing contaminates the aquifers and our wells, not only Mackenzie Reservoir? I understand you can't tell which aquifers serve the wells. How can we tell if our wells are protected? And the assessment of fauna and flora. We have bobcats, eagles, salamanders—do we need to conserve others? Also, the question of how much impervious area that's added or subtracted. The building is the size of eight football fields. It seems bigger than the C-shaped building that used to be there. The 105 docking bays, 97 trailer spaces and 358 parking spots plus the eight football fields size—It seems like a large concentrated increase of impervious in a watershed area. So, besides the runoff, would the heat radiating from those be considered as having a heat sink? I'm against this proposal and against a mega-warehouse on such an important watershed. I'd submit my statement.

Chair Vitali asked, Erin, will you get those questions over to the Applicant?

Mrs. Adelheid Koepfer, Whiffletree Road: I live on the other side of Town and I am a Town water customer. My main concern is the Muddy River. I'm not delving into the southern part of the project--the Environmental Planner and others will look into that. My concern is the northwestern, or left bottom part of the pictures, where there's a 40-foot retaining wall on G.D. 6, the grading of the plan on that side next to the Muddy River, with associated construction issues and the ravine. So the importance of the Muddy River, the main tributary stream to the Mackenzie Reservoir, our public water supply. It feeds about 75% of the surface supply for the Town, about 39,000 people. No offense to the box turtles and other animals there, but this my drinking water and very personal to me. The Plan of Conservation and Development asks to protect our drinking water supply. The State's MS4 program asks to reduce impervious surface in watersheds. Back in 2012, that area for the Muddy River watershed was at 70%. The CT Public Health Code, which I think the Water Division bases their regulations on, also asks: "The design of stormwater drainage facilities shall be such as to minimize soil erosion and maximize absorption of pollutants by the soil." And I do appreciate the efforts of the Applicants, don't get me wrong. But I'm, in this case, mostly a water customer. So I have a few questions to the applicant, a few questions to the Water Division and questions to the Inland Wetland Watercourse Commission. Would that be OK?

Chair Vitali said, Yes. Now I will comment that this is why the Water Department helped create new regulations, to protect that drinking water supply. For the same concerns you have. So there are a lot of people looking at every application in that area to protect the drinking water supply.

Mrs. Koepfer said, I appreciate that. I think it's essential. To the Applicant, I appreciate you coming back a third time, but it's still a warehouse in the same area. What alternative uses for this property have you considered, and why is it still a warehouse?

Chair Vitali said, They don't have to answer it. They can skip the question.

Mrs. Koepfer asked, What alternative design have you considered to keep the warehouse, especially this northwestern corridor, farther away from the Muddy River? I'm not talking about the wetlands in the southwestern part—I'm talking about the northwest corner of this application. There's 105 loading docks, 97 trailer parking spaces, plus all the passenger vehicles. Can you estimate how many trips per day of heavy-duty trucks will go through that corner right next to the Muddy River? Forty-foot wall. Can you tell us more about the trash compactor in the same corner, what kind is it? How can you ensure that no

trash reaches the Muddy River? Does the propane storage tank have to be on that corner? Then just one other small detail on the plan Demolition #2: It seems like a silt fence ends before a ditch during the construction. Why does it end there? Anything in that ditch could go around the fence and into the river.

Mrs. Koepfer continued: Questions to the Water Division: Do they have historical data on the water quality of the effluent from the former Bristol-Myers Squibb site during the BMS occupancy, during the vacancy, during the recent demolition, and now the idle phase? Are there any differences in the water quality, relating to the different times? The Water Division submitted memos in the last two applications for warehouse projects, with concerns with construction and operation of the applications. Does the Water Division think this project currently can protect or improve the water quality of the Muddy River and our major public drinking water supply watershed? Also, does the Water Division feel the concerns have been met with the previous applications—down to the last detail? Finally, to the Commission: The last two applications had public hearings for Significant Impact. I understand this is only half the last application. However, compared to the former Bristol-Myers Squibb site, it's still almost doubling the impervious surface, with the building which is not clean—it's cleaner, but it still is not the same as infiltration. And parking lots, and they add a lot of truck traffic, which was not part of Bristol-Myers Squibb. So why did the Commission judge this application as not having a significant impact, and will you make it a Significant Impact project? I think it is significant to our public water. Last time the plans and correspondence were posted online. They are not right now. So, assuming that this public hearing is continued, could you post them online so the public has an easier time?

Mrs. Koepfer continued: I'd quote from the Inland Wetland Watercourse Regulations, on the very first paragraph, the Resolution: "The protection of the inland wetlands and watercourses is essential to the health, safety and welfare of the citizens of the Town of Wallingford." In Section I. Title and Authority: "The Inland Wetlands and Watercourses Commission's purpose is to balance the need for economic growth of the State and the use of its land with the need to protect its environment and ecology"—in this case, public drinking water. So how will the Commission weigh the criteria for decisions, mentioned in Sections 10.2.A-G., and how will the Commission ensure that the most feasible and prudent alternatives will be considered that might have less impact on our drinking water supply, which is Regulation 10.2.B. and 10.3.? Thank you for taking all those questions. I'll leave this.

Chair Vitali said, Very good. Thank you. Any other comments from the public? OK.

Chair Vitali continued the Public Hearing to the next Regular Meeting, July 27 at 7:00 p.m.

Mrs. Koepfer handed a copy of her presentation to Ms. O'Hare for the record.

E. OLD BUSINESS

2. #A16-4.3 / 103 North Turnpike Road – Joseph Richello – (apartment complex) – Request for release of bond. It was announced that no action would be taken on this item tonight.

1. #A22-3.2 / 155 East Street – Ferti Management Corp. – (building addition, relocation of stormwater basin, driveway alterations) – 'received' per statute on 3/2/22

Appearing were Mr. Tom Linden of Linden Landscape Architects, LLC, and Mr. Frank DeRosa, Special Projects Manager, Ferti Management, and Plant Manager Mr. Jeff Duval.

Mr. Linden said, Since the last meeting we had a staff meeting with the Town on May 13. We received two reports from Erin O'Hare in May that are in the packet to you, and we submitted responses to those

today. I have a set of revised plans, which Ms. O'Hare responded to on Friday.

Mr. Linden continued, At the May staff meeting we met with Planning and with Ms. O'Hare and the Town Engineer and Mr. Tim Ryan from Economic Development. Last month, we gave information to the Town Engineer based on Ms. O'Hare's last report. We incorporated those into this new set of plans: 1) On the detention basin that we created on the east side, we redesigned it and made it larger by 30% to capture all the roof water into this basin. It will handle up to a 100-year storm for roof drainage. Also, we found no groundwater there. 2) We regraded this other area and filled it. The volume on this is compensatory to the volume in Zone AE. There's a 30-foot contour in this area, which is 1½ feet deep, and the flow is calculated for the soil that we're filling in on the other side of the site.

Chair Vitali said, The new detention basin on the east side of the building—can you recharge to the groundwater getting through the heavy clay?

Mr. Linden said, We can do that. The borings go down 40 feet. It's a very large basin.

Mr. Linden said, Yes. The other question related to compensatory storage: We have to remove some of that, and what will we do with it? We always had this area marked with the blue line in the back corner. This is not URA, so this is where the stockpile of materials is going along the fence line. It's the same, proposed and existing. Compensatory flood area is 6,000 square feet, the same. At the area of DEEP monitoring wells, we still don't know whether it's closed or not. If closed, the Town and we should be notified. As to outside maintenance, we cleaned out the north detention area and seeded it with wetlands mix and put placards. Mugwort was removed. We handled all the issues of the 2018 approval.

Ms. O'Hare asked about the updated Stormwater Maintenance and Management Plan.

Mr. Linden said they updated it. Extra storage—all of that material has been shipped. It's only empty pallets out there. The only thing outdoors will be the materials placed at the loading dock, new product that gets loaded up and taken away.

Ms. O'Hare expressed concern about fertilizer bags stored here 10 feet from the catch basin which discharges to the storm basin.

Chair Vitali asked if the materials come in in trailers.

Mr. Jeff Duval, Plant Manager, said, Most of it comes in in bulk and some on pallets. Ferti will not be asking for a temporary permit to store materials within the regulated area. We have been talking to Allegheny and other locations for storage. It will not be stored outside or inside. We added a third line to make more product when there is more need, so product goes right out and is not stored. So the Town Engineer's report is favorable.

Mr. Linden said, We gave you a final letter today. We said we are not going to store outside.

Ms. O'Hare said, We were granted an extension of 65 days ending July 8, and we don't meet until July 27. The DEEP final report was received June 13. My EPR with Conditions of Approval was in your packet.

Chair Vitali said, This plan will increase the use of this property.

Ms. O'Hare asked about the three metal containers on site.

Mr. Frank DeRosa, Ferti Management, said those are temporary storage containers in the loading dock Area, approved for outside storage. DEEP is referring to our need to have a cover on fertilizer materials. Fertilizer was stored on the loading dock outside because we received verbal approval by P&Z. Today it is an effective loading/storage area. Trucks come in and the material gets loaded on the trucks. Any changes from Planning and Zoning would be on the final plans.

Chair Vitali called for a Motion on the Application.

MS. MCKEEN: **MOTION THAT APPLICATION #A22-3.2 / 155 EAST STREET – FERTI MANAGEMENT BE APPROVED WITH THE FOLLOWING CONDITIONS:**

- 1) SUBMITTAL OF ALL OUTSTANDING INFORMATION AND CLARIFICATIONS IN PAGES 2 AND 3 IN THE ENVIRONMENTAL PLANNER'S REPORT DATED JUNE 8, 2022;**
- 2) EROSION CONTROLS BE INSTALLED MEETING THE SATISFACTION OF THE ENVIRONMENTAL PLANNER PRIOR TO THE START OF ANY FURTHER ON-SITE WORK;**
- 3) ANY CHANGES MADE IN PLANNING AND ZONING COME BACK TO INLAND WETLANDS WITH THE REVISED PLAN;**
- 4) SUBMIT TO THE ENVIRONMENTAL PLANNER A COPY OF THE RESPONSE TO THE DEEP'S NOTICE OF VIOLATION, RECEIVED 6/13/22.**

This Motion was not voted.

Next, Chair Vitali called for a Motion on Significant Activity.

MS. MCKEEN: **MOTION THAT APPLICATION #A22-3.2 / 155 EAST STREET – FERTI MANAGEMENT BE DEEMED NOT A SIGNIFICANT ACTIVITY.**

MR. NECIO: **SECOND.**

VOTE: **MR. HEILMAN – YES; MR. NECIO – YES; MRS. RAYNIS – YES; MS. MCKEEN - YES; CHAIR VITALI – YES.**

In further discussion, Chair Vitali asked Commissioner McKeen to incorporate a \$5,000 bond from the Applicant. Commissioner McKeen made a new Motion.

MS. MCKEEN: **MOTION TO APPROVE APPLICATION #A22-3.2 / 155 EAST STREET - FERTI MANAGEMENT CORP. WITH THE FOLLOWING CONDITIONS:**

- 1) SUBMITTAL OF ALL OUTSTANDING INFORMATION, CLARIFICATIONS, AND OMISSIONS REQUESTED IN THE ENVIRONMENTAL PLANNER'S REPORT DATED JUNE 8th, ON PAGES 2 AND 3.**
- 2) EROSION CONTROLS TO BE INSTALLED MEETING THE SATISFACTION OF THE ENVIRONMENTAL PLANNER PRIOR TO COMMENCEMENT OF ANY FURTHER WORK ON THE SITE.**

- 3) ANY CHANGES MADE IN PLANNING AND ZONING COME BACK TO THE IWWC WITH A REVISED PLAN.**
- 4) A COPY OF THE RESPONSE TO THE DEEP'S NOTICE OF VIOLATION RECEIVED 6/13/22 BE SUBMITTED TO THE ENVIRONMENTAL PLANNER.**
- 5) A BOND BE HELD IN THE AMOUNT OF \$5,000.**

MR. NECIO:

SECOND.

VOTE:

MR. HEILMAN - YES; MR. NECIO – YES; MRS. RAYNIS – YES; MS. MCKEEN - YES; CHAIR VITALI – YES.

3. #A22-4.1 / 14 Research Parkway – GKN Aerospace Services Structures, LLC – (parking area expansion & stormwater management alterations)

Appearing were Mr. Brian Baker of Civil One for Erosion and Sedimentation Control, Mr. Ian Cole, Wetlands Scientist, and a representative from GKN Aerospace.

Mr. Baker said, We first came before you in April. We have a 70,000-square-foot R&D facility off Research Parkway, Laser Lane, and Carpenter Lane. We're going from 66 to 184 parking spaces. A wooded wetlands will remain in the northeast corner with an existing detention basin. This is for water quality in the southeast watershed protection area, with an existing oil/grit separator and sand filter and wet-bottom basin. There's no activity within the 50-foot regulated woodland/wetland area. And we want to expand the stormwater treatment detention basin. There are six treatment spots at the upper parking area with rain gardens in the swale and overflow to the new separator. A reconstructed sand filter is at the northern end. So we need additional volume to handle increased stormwater. We were reviewed by Eric Krueger of the Water Division, we'd have conditions of approval here, and then go to Planning and Zoning. We gave our Stormwater Management Plan to Ms. O'Hare. Our Erosion & Sedimentation Control Plan will have coir logs.

Commissioner Heilman stated that lowered beds in a parking lot are preferable to raised beds for infiltration.

Mr. Ian Cole, Professional Soils Scientist and Professional Wetlands Scientist, said there are wetlands and watercourses on the property. There is an unmanaged area on the east, and an outlet swale that is riprap lined. Erosion & Sedimentation controls conform. It's a closed system, everything kept on site.

Chair Vitali asked if the wetlands have signs of erosion.

Mr. Baker said the sand filter is in need of repair and remediation.

Ms. O'Hare said her EPR went out on June 8, and she had issued a report on April 29 with photos. It's an increase of 48,000 square feet of impervious surface area for the parking lot addition. She asked what percent of the existing basin will be left undisturbed.

Mr. Baker replied about 75%.

MS. MCKEEN: MOTION THAT APPLICATION #A22-4.1 / 14 RESEARCH PARKWAY – GKN AEROSPACE SERVICES STRUCTURES, LLC- (PARKING AREA EXPANSION & STORMWATER MANAGEMENT ALTERATIONS) BE DEEMED NOT A SIGNIFICANT ACTIVITY.

MR. NECIO:

SECOND.

VOTE: **MR. HEILMAN – YES; MR. NECIO – YES; MRS. RAYNIS – YES; MS. MCKEEN – YES; CHAIR VITALI – YES.**

MS. MCKEEN: **MOTION TO APPROVE APPLICATION #A22-4.1 / 14 RESEARCH PARKWAY – GKN AEROSPACE WITH THE FOLLOWING CONDITIONS:**
1) CONDITIONS #3-7 ON PAGE 5 IN THE ENVIRONMENTAL PLANNER’S REPORT DATED JUNE 8TH.
2) BOND OF \$10,000.
3) SUBMITTAL OF A NEW DIAGRAM SHOWING THE WETLANDS LINE/ INFORMATION IN THE BASIN.

MR. NECIO: **SECOND.**

VOTE: **MR. HEILMAN – YES; MR. NECIO – YES; MS. MCKEEN – YES; MRS. RAYNIS – YES; CHAIR VITALI – YES.**

4. #A22-4.2 / 25 Kondracki Lane – Carrie & Jonathan Burr – (streambank stabilization/ restoration & footbridge restoration)

Appearing were Carrie and Jonathan Burr. They showed Attachment E, Erosion Control Conceptual Plan from their Southwest Conservation District report, and a color drawing of their plan, which had been completed with the recommendations of the Southwest Conservation District. Ms. O’Hare handed out the Owners’ narrative page submitted June 13.

Mr. Burr spoke about the trees to be removed and the erosion control blanket with vegetation. We’d stabilize four portions of the stream and take out two trees, which would possibly fall on the house. Tree stumps and rootballs would be left. Then we’d do stream stabilization/erosion control in the four areas. We have to do grading, get rid of excess material, and provide erosion control blankets where shown. In lieu of riprap we’d use coir logs and vegetation. We’re cooperating with Southwest Conservation District.

Mr. Heilman said, I see the stream has very little velocity.

Mr. Burr said, But it is increasing in storms over time.

MS. MCKEEN: **MOTION THAT APPLICATION #A22-4.2 / 25 KONDRACKI LANE – CARRIE & JONATHAN BURR – BE DEEMED NOT A SIGNIFICANT ACTIVITY.**

Chair Vitali said he believes this is not a significant activity that is negative to wetlands—rather, it is an action to protect the property.

MR. NECIO: **SECOND.**

VOTE: **MRS. RAYNIS – YES; MS. MCKEEN – YES; MR. NECIO – YES; MR. HEILMAN – YES; CHAIR VITALI – YES.**

MS. MCKEEN: **MOTION TO APPROVE APPLICATION #A22-4.2 / 25 KONDRACKI LANE – CARRIE & JONATHAN BURR.**

MR. NECIO: **SECOND.**

VOTE: **MRS. RAYNIS – YES; MS. MCKEEN – YES; MR. HEILMAN – YES; MR. NECIO – YES; CHAIR VITALI – YES.**

5. #A22-4.3 / 12 Mansion Road – Laura Cirillo – (after-the-fact fence installation & proposed yard edge filling and installation of fencing & shrubs)

Ms. O'Hare said last month this was declared to be not a significant activity, but the Commission did not take a further vote. Ms. O'Hare recommended to move this Application to the agenda for the next meeting on July 27th. Chair Vitali agreed. Ms. O'Hare will notify the Applicant.

6. #A22-5.2 / 155 John Street – Town of Wallingford Sewer Division – (filling)

Presenting the Application was Mr. Neil Amwake, General Manager, Water and Sewer Divisions.

Mr. Amwake said, The Water & Sewer Divisions are in the midst of a \$60 million upgrade at the Wastewater Treatment Plant. This Application is to ask for a fill operation there. We had removed road base and sub-base soil, and we need to place it somewhere. We propose to put it into Lagoon #6, a historical wastewater sludge lagoon. It is within the 50-foot Upland Review Area. I showed you (document handed out to Commission tonight) a 1974 photograph of that. Yellow contour lines are the proposed grading, and the blue line is the wetland. We are outside the wetland and the 100-year floodplain elevation. We'll place it, cover it with geotechnical fabric and 4" of loam as we've done before, and seed it with a meadow mix. You approved a similar application in July 2020 for our North and South stockpile areas.

Chair Vitali said, So you're within the 50 feet but you're outside the 100?

Mr. Amwake said, Outside of the 100-year flood elevation. No excavation is involved. We'll just fill it.

Mrs. Raynis asked, Is anything in the fill?

Mr. Amwake said, We did environmental testing, and it is not clean fill but it's for sludge lagoons.

Ms. O'Hare showed photos and noted her recommendations.

MS. MCKEEN: **MOTION THAT APPLICATION #A22-5.2 / 155 JOHN STREET – TOWN OF WALLINGFORD SEWER DIVISION – (FILLING) BE DEEMED NOT A SIGNIFICANT ACTIVITY.**

MR. NECIO: **SECOND.**
VOTE: **MRS. RAYNIS – YES; MS. MCKEEN – YES; MR. NECIO – YES; MR. HEILMAN - YES; CHAIR VITALI – YES.**

MS. MCKEEN: **MOTION THAT APPLICATION #A22-5.2 / JOHN STREET – TOWN OF WALLINGFORD SEWER DIVISION – (FILLING) BE APPROVED WITH THE FOLLOWING CONDITIONS:**
1) EROSION CONTROL MATTING TO BE USED MUST BE CERTIFIED BIODEGRADABLE;
2) EROSION CONTROL MEASURES ARE IN PLACE AND MEET THE APPROVAL OF THE ENVIRONMENTAL PLANNER PRIOR TO ANY WORK BEING CONDUCTED ON SITE.

MR. NECIO: **SECOND.**
VOTE: **MR. HEILMAN – YES; MR. NECIO – YES; CHAIR VITALI – YES; MS. MCKEEN - YES; MRS. RAYNIS – YES.**

7. #A22-5.3 / 1107 Northrop Road – Mark Development, LLC – (bi-municipal industrial development)

Appearing were Attorney Dennis Ceneviva of Meriden, Mr. Matthew Davison, Soils Scientist, of Davison Environmental, and Mr. Jim Cassidy, Project Engineer, Hallisey, Pierson & Cassidy.

Attorney Ceneviva said the entrance is from Meriden, 850 Murdock Avenue, Meriden, and it's at 1107 Northrop Road, Wallingford. The road work was approved in Fall 2021, but it has not been completed here. This is for a new warehouse/distribution building of 130,016 square feet in both Meriden and Wallingford. Drainage is toward Meriden.

Mr. Cassidy said, The property, 55.1 acres, has I-91 on the east, Murdock Avenue to the west, the Town line at the south. There are 6.36 acres in Wallingford and 48.76 acres in Meriden. Wetlands are on the east. The new building will have 23,679 square feet in Wallingford with 97 parking spaces at the front by the access driveway. Sanitary sewer and water are extended from a nearby industrial park. Last August, we received approval to rebuild the utilities in Northrop Road, as approved by you. Water flows to the east, with a new drain in Meriden and a portion to Wallingford going into a pipe under Flexall property. Drainage to the south is underground and with a detention/ infiltration system at the front for roof leaders plus the rear half of the building, going to Meriden. Area C, 7 acres, is in Wallingford and drains to Wallingford and under the highway. There is no increase in runoff post-development. The access drive to the back of the building is for loading docks. The water main will be extended across the frontage. Last August we received Administrative Approval here to rebuild the crested section in Northrop Road. Drainage goes toward Meriden and I-91; easterly drainage goes toward Wallingford. Sanitary service comes from the Flexall property, where we'll connect. Drainage toward Wallingford is not much, with no increase in runoff post-development.

Mr. Davison said, It's prior agricultural land. There's a stormwater outfall in the middle of this wetland. My wetland analysis showed water quality functions. My letter identified short-term and long-term wetland impacts. Underground infiltration is there, and I don't believe this development will adversely affect it. I recommended the underground filtration system will have regular maintenance. Post-development, there's no impact to wetland hydrology.

Chair Vitali asked, In Wallingford, where is the stormwater drainage coming off the street?

Mr. Cassidy said, It's coming to here, the high point, which goes to catch basins and into Meriden. Roof drainage also goes to the underground system and to Meriden.

Chair Vitali said, So you'll really have zero impact going to Wallingford.

Mr. Heilman said, There are no trees to affect this buffer area, so I see no issue.

Ms. O'Hare said her Environmental Planner's report went out last week. I received responses to my May 19th letter to the engineer. Most of this is in Meriden.

Ms. O'Hare asked about a bond, and Chair Vitali said it is not needed here because most of the work is being done in Meriden. Ms. O'Hare recommend placards and the standard E&S measures.

MS. MCKEEN: MOTION THAT APPLICATION #A22-5.3 / 1107 NORTHROP ROAD – MARK

DEVELOPMENT, LLC, BE DEEMED NOT A SIGNIFICANT ACTIVITY.

MR. NECIO:

SECOND.

VOTE:

**MRS. RAYNIS – YES; MS. MCKEEN – YES; MR. NECIO – YES; MR. HEILMAN
- YES; CHAIR VITALI – YES.**

MS. MCKEEN:

**MOTION TO APPROVE APPLICATION #A22-5.3 / 1107 NORTHROP ROAD –
MARK DEVELOPMENT, LLC, WITH THE FOLLOWING CONDITIONS:**

**1) EROSION CONTROL MEASURES ARE IN PLACE AND MEET THE
APPROVAL OF THE ENVIRONMENTAL PLANNER PRIOR TO THE
WORK BEING PERFORMED ON SITE;**

**2) INLAND WETLANDS PLACARDS ARE INSTALLED IN PLACE IN
APPROPRIATE LOCATIONS.**

MR. NECIO:

SECOND.

VOTE:

**MR, HEILMAN – YES; MR. NECIO – YES; MS. MCKEEN – YES; MRS. RAYNIS
- YES; CHAIR VITALI – YES.**

8. #A22-5.4 / 4 Laser Lane – Brett Demmers – (stormwater management improvements, loading dock installation & re-paving)

Appearing was Mr. Chas Evans of Fuller Engineering, West Hartford.

Note: Alternate Mrs. Raynis left the meeting at 10:38 p.m. during this presentation.

Mr. Evans said, This a current building under renovation. We have renovation permits. They're adding a loading dock, garage door, some parking improvements. There is a retaining wall. The parking lot and retaining wall are within the 50-foot URA. And the existing 50-foot stormwater management basin was not maintained over the last 20 years; so Erin, the contractor, and I met out there and developed a long-term stormwater plan. It's behind Research Parkway on the Laser Lane cul-de-sac. The stormwater basin abuts an existing swamp. We propose 3,300 square feet additional of parking coverage. We will comply with all comments from Erin, the Town Engineer, and the Water Division. The bottom of the weir is at the bottom of the existing stormwater basin, and the stormwater system functions as originally designed. Per the Water Division, we propose a new oil/water/grit separator and sand filter basin to handle the loading dock. The Water Division and Erin will both oversee. The existing sand filter basin in the field may be used, per Eric Krueger at Water Division.

Ms. O'Hare said, The basin and sand filters and outlets hadn't been maintained for years. They cleaned out the trees, and I saw the weir. The Engineering Department shows two drainage easements coming into the property, held by the Town. Those conduct drainage from the swamp nearby, under Research Parkway, and it goes across. So water from the swamp flows slowly into the detention basin, which I've never seen before.

Mr. Evans said, The old weir is two feet in the ground, and the entry is on the ground. I think, from all of your and Eric Krueger's comments, that we can comply.

Ms. O'Hare said that she believes there is no detention in this basin. No one has shown that the detention can retain the peak flow.

Mr. Evans said, The basin slows the flow for the weir.

Ms. O'Hare said, Oh, you mean because it's a depression.

Mr. Evans said, Yes.

Chair Vitali said, This was an approved plan from 1999. Are they going to redesign what was approved?

Ms. O'Hare said, We need calculations that show the flow now. When I saw it, the basin was dry, but swamp water was running into it.

Commission Heilman said, Is that the conveyance of water that's between the separated swamps? There's a road there. It's functioning.

MS. MCKEEN: MOTION THAT APPLICATION #A22-5.4 / 4 LASER LANE – BRETT DEMMERS IS NOT A SIGNIFICANT ACTIVITY.

MR. NECIO: SECOND.

VOTE: MS. MCKEEN – YES; MR. NECIO – YES; MR. HEILMAN – YES; CHAIR VITALI - YES.

MS. MCKEEN: MOTION TO APPROVE APPLICATION #A22-5.4 / 4 LASER LANE – BRETT DEMMERS.

MR. NECIO: SECOND.

VOTE: MS. MCKEEN – YES; MR. NECIO – YES; MR. HEILMAN – YES; CHAIR VITALI - YES.

F. NEW BUSINESS – None.

G. RECEIPT OF NEW APPLICATIONS

- 1. 100 Barnes Road – Town of Wallingford Police Department – (police station development) - Received June 1, 2022 per statute – Received.**

- 2. 53 Dibble Edge Road – Sean Cody – (tree removal, utility installation & paving relative to driveway improvements in existing crossing and URA) – Received June 1, 2022 per statute - Request for consideration of Administrative Approval**
Appearing for the Applicant was Mr. George Cotter, P.E.

Chair Vitali said, We approved the subdivision many years ago. Then there was this lot at the front with a crossing with wetlands to get to that area. Now this lot is to be developed and you're looking for Administrative Approval.

Commissioners Heilman and Necio agreed that this lot was approved prior.

Mr. Cotter said, The driveway crossing for the wetlands was constructed in 2009. The outside slopes were riprapped, and we're going to work with what's there. There's no activity in the wetland itself, but there is activity in the URA.

Chair Vitali said, OK. This will be granted Administrative Approval.

H. ELECTIONS – Not held.

I. REPORTS & COMMUNICATIONS

1. Discussion of proposal to adopt fines for violations – Not discussed.
2. Farm Hill Road Detention Basin - status – No report.
3. City of Meriden Notice – IWWC application of Mark Development, LLC at 850 Murdock Ave./ Northrup Road, Meriden, for new 130,016 s.f. executive office and warehouse distribution building impacting 45,000 s.f. in URA – heard June 1; dated May received 5/8/22 [relates to IWWC #A22-5.3 / 1107 Northrup Road – Mark Development, LLC, above – (Meriden IWWC tabled to July 6)]
4. City of Meriden Notice – IWWC application 1051 aka 1201 Research Parkway, Meriden, Applicant: DFC of Research 1201, LLC – (warehouse facility) – 600 s.f. disturbance in wetlands & 116,305 s.f. in URA – to be heard June 1, 2022; dated 5/17/22; received 5/18/22
5. DEEP Notice: Pesticide Application for the Use of Pesticides in State Waters – Allen Brook, 21 Toelles Road – Ametek – Applicator: Innovative Mosquito Management, Inc. [relative to soil remediation project approved under IWWC #A20-7.1] – Not discussed

J. VIOLATIONS

3. 33 Summerwood Drive – Michael & Catherine Salzillo – (introduction of sediment to Town stormwater system hence to stream)
Ms. O’Hare said this Violation is satisfied. It’s been fixed. She asked for a Motion to Release.

MS. MCKEEN: **MOTION TO RELEASE THE VIOLATION AT 33 SUMMERWOOD DRIVE – MICHAEL & CATHERINE SALZILLO – (INTRODUCTION OF SEDIMENT TO TOWN STORMWATER SYSTEM HENCE TO STREAM).**

MR. NECIO: **SECOND.**

VOTE: **MS. MCKEEN, MR. NECIO, MR. HEILMAN, CHAIR VITALI CAST A UNANIMOUS VOICE VOTE IN FAVOR.**

Items 1, 2, 4 were affirmed to remain Violations by Chair Vitali, and a Motion was made to recognize that.

1. Notice of Violation Remains – 1245 Old Colony Road & Quinnipiac River – Jerzy Pytel – (unpermitted clearing & filling near river)
2. Notice of Violation Remains – 950 South Colony Road – 1NRSJ, LLC – (filling)
4. 12 Mansion Road – Laura Cirillo – (unpermitted filling)

MS. MCKEEN: **MOTION TO CONTINUE THE NOTICES OF VIOLATION TO REMAIN AT 1245 OLD COLONY ROAD & QUINNIPIAC RIVER – JERZY PYTEL; AT 950 SOUTH COLONY ROAD – 1 NRSJ, LLC; AND AT 12 MANSION ROAD, LAURA CIRILLO.**

MR. NECIO: **SECOND.**

VOTE: **UNANIMOUS VOICE VOTE IN FAVOR.**

5. 340 & 346 Quinnipiac Street – Southern CT Pallets – (possible violation)

Chair Vitali said the old piled pallet waste material is now being taken off site, in an effort to comply and get it out of the floodplain. No Violation will be brought at this time.

K. ADJOURNMENT

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

MR. NECIO: **SECOND.**

VOTE: **UNANIMOUS VOICE VOTE BY MS. MCKEEN, MR. NECIO, MR. HEILMAN, AND CHAIR VITALI TO ADJOURN.**

The Meeting was adjourned at 10:50 p.m.

L. NEXT SCHEDULED REGULAR MEETING: July 27, 2022

Respectfully submitted,

Kathleen L. Burns
Recording Secretary