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UN- APPROVED  
6-11-19

### Minutes

### Inland Wetlands and Water Courses Commission

Regularly Scheduled Meeting: June 11, 2019

Town Hall, Lower Level Meeting Room

617 Orange Center Road

Orange, CT 06477

#### **Commission Members Present**

Vice Chairman Ross called the meeting to order at 7:37 p.m. In attendance were, Commissioner Perfetto, Commissioner Ruotolo, Commissioner Hudson, Commissioner Ewen, Secretary Giovanelli, Recording Secretary Lynn Collucci, absent was Chairman Mangione.

#### **Consideration of March 12, 2019 Minutes**

A motion was made by Commissioner Ruotolo to approve the March 12 Minutes with one correction. The meeting date to read March 12, 2019, not March 9, 2019. Seconded by Commissioner Hudson, the motion carried 5-0-1 all were in favor, Vice Chairman Ross abstaining.

#### **Correspondence**

Connecticut Wildlife Publication, March/April 2019 issue, Connecticut Land Use Law For Municipal Land Use Agencies, Boards, and Commissions, Registry of Soil Scientists 2018.

#### **For Receipt:**

197 Indian River Road, owner Columbia Orange CT, LLC. The proposal is for a 3-story assisted/independent living and memory care facility with associated parking, utilities and landscaping. The site contains no wetlands or regulated areas.

#### **For Discussion: 235 Edison Road**

Mr. Jeff Gordon, President of Codespoti & Associates, representing PDS Engineering & Construction who is representing TMC Orange, LLC, came before the Commission with a proposal for the expansion of an existing industrial/manufacturing facility and the relocation of the attendant parking & loading areas. The proposed work would include regarding, paving, wall construction and modification of existing storm water detention structure. The 100-foot upland review area is comprised of approximately 45,781 Sq.ft., and the on-site wetlands contain approximately 18,545 Sq.ft., comprised of two segments. The naturally formed wetlands/stream contains approximately 14,714 Sq.ft., and man- made detention pond approximately 3,631 Sq.

Ft. The proposed activities will impact 33,458 Sq. ft. review area and the entirety of the 3,631 Sq. ft. storm water detention facility.

Mr. Gordon explained to the Commission that the proposed addition would be on the eastern side of the property along with the loading dock and proposed new parking area which would hold three additional parking spaces, more than the requirement. There will be a retaining wall along the eastern edge of the parking area. The road that serves as an easement to the property (235 Edison Rd.) is owned by Alex Cozzeccreo, which is located at the south side of the property. The existing retention pond will be expanded 50% and be made deeper to meet the requirements for drainage.

Mr. Gordon also noted that all Mr. Robert H. Brinton Jr., P.E. Town Engineer comments would be addressed. Mr. Gordon explained that there would be work done in the upland review area, but there would be no wetland disturbance. They would be taking some trees down, but they would also be adding trees in the parking lot area. There will be a maintenance plan in place to control the invasive fauna.

Mr. Gordon also apprized the Commissioners that the corner of the subject property is within the 500 feet of West Haven, and that they had noticed the West Haven Inland Wetlands Commission and that the Orange Inland Wetlands Commission had noticed the West Haven City Clerk in accordance with the Orange Inland Wetlands Regulations Section 381-32.A(1).

Commissioner Ewen asked about the height of the retaining wall, Mr. Gordon replied that the highest point would be 20 ft. and the lowest point of the retaining wall would be 1 ft.

Vice Chairman Ross asked about the vegetation between the parking lot and the wetlands. Mr. Gordon said that there was no lawn, that the area was all wooded with some invasive fauna. With no further questions Commissioner Ruotolo made a motion to approve the application with the following Standard Conditions of Approval.

1. Permit will be issued upon completion and receipt of Contractor's Acknowledgment Form. Failure to do this will result in a cease and desist order due to lack of permit.
2. Any deviation from the approved site plan dated **5-7-19** prepared by **Codespoti & Associates P.C.** shall be brought to the attention of the Commission for further review. Failure to do this will result in a cease and desist order due to lack of permit.
3. The Commission shall be notified of any change in the engineering firm, currently **Codespoti & Associates P.C.**
4. Wetland Enforcement Officer be notified for the inspection of sediment and erosion controls prior to construction. Sediment and erosion controls including mud tracking pad(s) shall be maintained throughout construction.
5. Footing and roof drain pipes shall be protected from unwanted entry of foreign objects or fauna.
6. *Prior* to the Commission signing off on the Certificate of Occupancy an "as built" shall be submitted to and approved by the Commission or their duly authorized representative.
7. *Prior* to the wetland permit being issued a deed restriction must be placed on the land records to ensure the wetlands will not be disturbed beyond what is permitted in this subdivision application. A copy of said restriction shall be submitted to the Commission at the time it is filed with the Town Clerk.
8. Twenty-four hour contact names and phone numbers of the construction supervisor and engineering firm be supplied to the Commission.
9. Construction/Time table sequence be provided.

Seconded by Commissioner Ewen, the motioned carried, all were in favor 6-0-0.

**Homewood Suites & Yale Campus, 99 Marsh Hill Rd.** Modification of drainage infrastructure for Homewood Suites at 99 Marsh Hill Rd., this modification will also service an area of the Yale West Campus.

Mr. Jeff Gordon, President of Codespoti & Associates, apprized the Commissioners that Homewood Suite is well under construction, with water still sheeting across to the Yale Property. Mr. Gordon stated that in the past he had worked with R.Scot Allen, (Previous Inland Wetlands Enforcement Officer, for the Town of Orange) to alleviate this problem. Both Mr. Gordon and Mr. Allen thought the best way to do so would be to hard pipe the water flow to the intermittent water course, staying to the outside of the 100 ft. upland review area between Yale Campus and the Homewood Suite. Monitoring the proposed project would be facilitated by Mr. Robert H. Brinton Jr., P.E., Orange Town Engineer and Mr. Paul Dinice Z.E.O. for the Town of Orange, also proposing that the road would be repaved. Mr. Gordon stated he made many calls to Yale with no one getting back to him regarding this issue. Mr. Gordon stated that now that the warehouse facility is paved with no drainage, Yale has called him to see what they can do to solve the water problem. Mr. Gordon stated they would go with the original plan that he and Mr. Allen had discussed.

Vice Chairman Ross asked about the soils and vegetation. Mr. Gordon apprized the Commissioners that a Soil Scientist from Tighe & Bond visited the site on March 18, 2019 and found no wetlands, only a channel formed, eroded by the parking lot runoff for the warehouse, and that the land is vegetated. The only other regulated area is Oyster River, up-gradient of the uplands review area.

Commissioner Ruotolo made a motion to go ahead with the proposed drainage as stated, seconded by Commissioner Ewen, all were in favor 6-0-0.

**Fedex Distribution Center- 161 Marsh Hill Rd.,** After further on-site geotechnical investigation, and potential ground water conflicts, the proposed drainage management system has been revised. Wetlands approval was previously obtained for this project.

Mr. Nathan Kirschner Senior President of Langan Engineering and Environmental Services came before the Commission to apprise them that once all the permits were in place for the proposed project, more testing was done and found there to be high ground water in the area where the infiltration systems were originally proposed to be located. To accommodate for the high ground water the 2 infiltration systems will be resized and relocated and another one added. There will be no change with the water quality and no discharge to the wetlands, the changes are proposed for outside the upland review area. Mr. Kirschner also noted a memo dated 6/11/2019 from Robert H. Brinton Jr., P.E., Town Engineer, that he had reviewed the revised storm water report and that all of his comments had been addressed.

Commissioner Hudson asked if the system would remain the same size. Mr. Kirschner stated that they would be adding an additional system to total three, but that the total storage volume, and flow would remain the same. With no other questions from the Commissioners, Commissioner Ewen made a motion to accept the drainage modification as presented, seconded by Commissioner Ruotolo. The motion carried with all in favor, 6-0-0.

With no other business to discuss Commissioner Ruotolo made a motion to adjourn the meeting, seconded by Commissioner Ewen, all were in favor.

The meeting adjourned at 8:20 p.m.

Respectfully Submitted,

Lynn Collucci  
Recording Secretary

**Next Meeting is scheduled for July 9, 2019**