

ORANGE TOWN  
TOWNSHIP OFFICE  
SECRET

2018 NOV 15 AM 11:51

*[Handwritten signature]*



IWWCC  
Page 1 of 4

APPROVED  
10-9-18

**Minutes**

**Inland Wetlands and Water Courses Commission**

Regularly Scheduled Meeting: October 9, 2018  
Town Hall, Lower Level Meeting Room  
617 Orange Center Road  
Orange, CT 06477

**Commission Members Present**

Chairman Mangione called the meeting to order at 7:34 p.m. In attendance were, Vice Chairman Ross, Commissioner Ruotolo, Commissioner Perfetto, Commissioner Ewen, Secretary Giovanelli, Enforcement Officer R.Scott Allen, and Recording Secretary Lynn Collucci, absent was Commissioner Hudson.

**Consideration of August 14, 2018 Minutes**

A motion was made by Commissioner Ruotolo, seconded by Secretary Giovanelli to accept the September 11, 2018 minutes as written. The motion carried with all six members' present being in agreement.

**Correspondence**

Commissioner Mangione apprized the Commissioners that information was received from the City of Milford to notify the Town of Orange that the Flax Mill Lane Bridge is being replaced. The regulated work to be done is with-in 500 feet of the boundary between the two municipalities. This project will impact the wetlands, but only on the Milford side.

**Enforcement Officer's Report-**

A motion was made by Commissioner Ruotolo to move the agenda out of order as there was time until the 8 pm Public Hearing, to hear a portion of the Enforcement Officer's Report. Commissioner Ewen seconded the motion. The motion carried unanimously.

Enforcement Officer Allen, apprized the Commissioners that a representative from the U.I. had contacted the First Selectman to let him know that the high power line that comes off Peck Lane, into the wetland and goes through to the school would need to have the trees trimmed, approximately 100', and that they hope to accomplish this when the ground is frozen or wait until the dry season of next year. Enforcement officer Allen apprized the Commissioners that he had met with a representative from U.I. out at the site, and that it is a maintenance issue and does need to be taken care of. Also tied in with that, a few years back the Commission acted on an application for power lines running from Sheppard Lane going through the wetlands. The trees there

are now also in need of trimming, which is also another maintenance issue. The Commission agreed that both projects are ongoing maintenance issues and took no action.

**Public Hearing Continuation, from September 11, 2018, 8:00 P.M.**  
Scannell Properties, LLC, 161 Marsh Hill Road

John W. Knuff, Esq., of Huwitz Sagarin Slossberg & Knuff, LLC, representative for the applicant, Scannell Properties, returned before the Wetland Commission with a memo responding to Robert H. Brinton Jr., P.E. Town of Orange Engineer memo dated 10/9/18, answering his five concerns. Concerns that calculations be provided for the sizing of the water quality units listed on the plan, and that the water quality units should be sized to meet or exceed the sizes required for those calculations. Permits from CT DEEP for both, Construction Storm water general permit registration and a dam permit that may be required for the infiltration basin. Details for a truck wash rack should be listed on the plans. The fiber roll shown on the plans should be located at the toe of slope rather than the top of the berm on Marsh Hill Road. Also that the soil testing for the infiltration systems proposed, be submitted to the Town for review and approval.

Mr. Dean Gustafson, Professional Soil Scientist of All-Points Technology Corporation PC. came before the Commission to explain that this proposal would include a Conservation Easement that would allow permanent protection for several areas of wetlands, including the highest functioning wetlands #1 and # 4. As part of the wetland mitigation plan this will allow continued utilization along the upland habitat for vernal pool species within those areas between wetland #1 and #4. Mr. Gustafson addressing a comment noted in Mr. Brinton's memo dated 9/25/18, and also mentioned by Vice Chairman Ross, regarding the maintenance at the base of the retaining wall. He apprized the Commission that it would be mowed regularly, and planted with a conservation mix. Also along the base of the retaining wall they found on the north side native scrub brush and saplings dominated the area and along the south side the area was dominated more with invasive species. With regular mowing, once a year along the base of the wall they hope to keep the invasive species in check, with other methods to be used if needed. There are maintenance access points at both the north and south sides of the wall.

Mr. Nathan Kirschner P. E. with Langan Engineering and Environmental Services came before the Commission to explain that he had gone through the comments of the original memo from Mr. Brinton, Town of Orange Engineer, dated, 9/7/18 and addressed them on the Thursday following the meeting on 9/11/18 with Mr. Brinton. Mr. Kirschner explained that the infiltration system would have three water separators proposed below or at grade, and catch basins would be designed to make sure that the oil is not getting into the infiltration system and also by using hoods and sumps to add more water quality. Mr. Brinton, concerned with not enough storm water flowing to wetlands #3 and #4 agreed that a 10% deduction would be acceptable, they held at 6% for the smaller storms and 10% for the larger storms.

A discussion ensued among the commissioners regarding the size of the pipe for the oil water separator, who would be responsible for cleaning and maintenance, and who would the keep dated inspection logs that would be submitted to the Town for review and how often those inspections would be made.

Mr. Kirschner replied that the facility manager would be responsible for the cleaning and 6 month inspections, and log book, the results would be forwarded to the Town. The size of the water separator pipe would probably be 8 inches. And that the oil and water separators would have manhole access.

Another concern among the Commissioners was the confusion regarding the Truck wash, it was thought not to be permanent, only there during construction, but there will be a truck wash in the facility after the construction is completed.

Mr. Kirschner also explained that they intend to do more soil testing for the infiltration system prior to construction and would provide calculations and a full analysis to Mr. Brinton. A complete detail for planting for the berm would have to be added to the plans.

Chairman Mangione asked if anyone from the public had any comments.

Mr. George L. Finley, B.E & M.S., of 126 Indian River Road, Orange came before the Commission to voice his concerns. Mr. Finley apprized the Commission of a small stream that runs through his property which is clear and clean and 4 inches deep, he shared photos of the stream both taken in September of this year and after a big rainstorm in October of this year. He stated that the stream comes from Marsh Hill Rd., goes under Indian River Road, through his property then into a larger stream to Indian Lake and then to Long Island Sound. His concern with the building of the trucking terminal at the Marsh Hill Road location is that there would be many tractor trailer trucks, a fueling station, a maintenance shop, a truck wash rack, and a lube shed. With all of that he is concerned on how the wetlands would be protected from toxins and pollutants. Other concerns were the effectiveness of the oil/water separator, and its efficiency which he felt was low, and who would be protecting the wetlands. Mr. Finley after reading the materials given to the town by the applicant asked how effectively the storm water would be treated and how much of the pollutants would pass thru. He felt with the amount of rain that we have been getting lately that a 10-year storm which equals 5.22 inches of rain is not enough anymore. Recent storms exceed that. A 50-year or 100-year storm should be used.

Mr. Knuff asked the Commission for a 10 minute break in order to answer Mr. Finley's questions in an organized manor.

When Mr. Knuff returned before the Commission, he replied to Mr. Finley's comments; the truck wash run-off goes inside to a trench drain contained on site and then let out into the sanitary sewers. The facility would be required to keep a dated log with their maintenance activities, treatment hoods used for oils, sumps used for sediment. " Nothing we are doing here on this site is any different than you would see on any other site in Connecticut". For the water quality units the applicant will submit more information at the next Wetlands meeting. A 10 inch storm pipe sized for a 10 year, 25 year, 50 year, 100 year storm using NOAA atlas storm frequency data, would still be maintained within the site going into the catch basins. The applicant stated that no change would be made to the hydrology of the wetlands. They will provide additional information regarding the

water quality units, and additional testing before construction. Chairman Mangione determined that the Public Hearing shall be continued.

With no further questions at this time Commissioner Ruotolo made a motion to adjourn at 9:03, seconded by Secretary Giovanelli, all were in favor.

The next meeting is scheduled for November 13, 2018.

Respectfully Submitted,

Lynn Collucci,  
Recording Secretary