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Minutes

**Inland Wetlands and Water Courses Commission**

Special Meeting: October 17, 2019

High Plains Community Center Cafeteria

525 Orange Center Road

Orange, CT 06477

**Start Time – 6:30 pm**

Attendees- Chairman Mangione, Commissioner Ruotolo, Commissioner Hudson, Commissioner Perfetto, Commissioner Giovanelli, Attorney Barbara Shellenburg, Assistant Wetlands Officer Jack Demirjian

Motion to accept last meeting minutes got a first from Commissioner Ruotolo and seconded by Commissioner Hudson, passed unanimously

No new business or old business to consider.

**Continuation of Public Hearing from October 3<sup>rd</sup>-**

Kevin Crusade comes to the stand, introduces his team and says since the last meeting has provided information to the hired wetland professional, as well further information about topics talked about last meeting.

Mr. Wheway passes out new information regarding the low impact features of the development. He explains several features that have been included in the proposal. The curb less roads he explains are not a new development idea, and support sheet flow on the site. He explains that reducing the width of streets reduces the amount of impervious surface on the site and less curbing helps sheet flow. He uses sections of the 2004 Connecticut Stormwater Quality Manual that emphasizes the use of swales and other open channels. He says the hydraulic connections of the roof drains helps the natural discharge on the area.

Chairman Mangione points out that many of the examples brought up were for smaller sites than the one proposed. Mr. Wheway explains that the idea behind them still works for the site in question despite the size.

The Chairman calls up the first members on the public to speak.

Dr. Lawrence Macina comes to the podium, and he questions the proposed septic systems and possible failures that may happen and how they will affect the ground water. He touches on the water usage saying it may exceed the amount the proposed septic systems are designed to handle as well as destroy the beneficial bacteria that live in Wetlands. He says the values of the abutting properties will drop if there is a problem due to the idea that renters don't care for the properties as much as someone who owns their property. He asks who will be responsible for the repairs and maintenance of these septic systems. He explains the micropollutants in the compounds found here will deteriorate the surrounding watercourses. He aims his next question at the developer, being that they should certainly consider a development that does not require residents to come fight for their homes.

Attorney Brian McIair comes to the stand, representing two residents abutting the property. He reiterates why this commission is here, for the protection and oversight of the water courses in town. He believes this development will certainly have adverse impacts on the surrounding wetlands and watercourses. He explains that the wetlands and upland review area make up around 60% of the area in question. He goes on to say there are data gaps in this application, being that there 7 of 11 buildings in the upland review area as well as septic tanks and leeching fields. He says the engineers who have looked at the wetlands in the area for the last few years have input saying that essentially every aspect of this project at some point or another will be within the upland review area. He points out that the upper portion of this proposed project will in some cases depending on storms, flood portions of the wetlands which is just as dangerous as drying them out. He also says more information about the basements on the site needs to be provided because getting down to that level will have many adverse effects on the ecosystems. He points out a retaining wall on Meisenheimer drive and how it will be affecting the wetlands around 30 ft away even though the applicant contradicts that. He says that the parking overflow, despite being on grass, is lacking many details about how that ground will be held together. More detail about the drainage needs to be provided and where it is going to discharge. He says the proposed road way is far too small for emergency vehicles and cannot support the size of fire engines in this town. He explains that "low impact" is a term to fool you because all of these numbers are preliminary and will affect the surrounding areas with water discharge. In conclusion he says, the applicant is lacking serious data to go through with a project this large and will negatively affect the ecosystems on these parcels of land.

Ron Micheals, a resident approaches the stand. He explains that the previous proposal brought up last year was declined, as well as it having less total units than the current one proposed. He wonders how this proposal can be sitting in front of us after a smaller proposal by this developer was already denied. He explains that residents have the right to expect this kind of development to never be allowed to be built in their neighborhoods.

Rachel Mclelin comes up and says that in the past there have been examples of the residents homes nearby sinking into the ground on similar sites elsewhere.

Missy Hackett Comes to the stand. She points out the discrepancies on the plan and how there are a lot of holes in the site plan. She asks the commission if the questions proposed and answered can be part of the record and immediately available to the public. She confirms that town has hired two Wetland consultants. A soil Scientist and an Engineer have been hired by the Town of Orange. She also asks if a date has been chosen for the commission to walk the site, and Chairman Mangione says that the commission probably won't walk the site. She inquires if it did happen, would the public be invited. Her final thought is that Orange is very mindful to provide housing opportunity for all, however the projects of this size does not adhere to the same regulations as others and therefore should be rejected.

Ted Borlow come up to the stand. He says that regardless of if it is allowed or not, there will be residents changing and spilling oil on this property. He asks the applicant to reiterate and expand on how they plan to clean and catch all the spilled oil on the property. He also asks the commission to confirm that they don't normally walk the properties in question. He asks again what devices will be implemented to catch oil and other toxic runoff.

William Norco approaches the stand and brings up the possible problem of mosquitos. He explains that a healthy wetland will actually reduce the amount of mosquitos on the site. If this proposal goes through the wetlands will be disturbed enough to be a severe problem for mosquito breeding grounds to spike. There will be many mosquitos and a health concern would be imminent not just for the residents of the complex but also surrounding residencies.

Joanna Watts comes to the stand. She says this parcel of land has been here since before orange was formed, and the applicant bought it knowing what was on it and all they are trying to do to it will negatively affect the wetlands that have been there for years. The effects will also spread to the surrounding residencies. She reiterates that septic systems undoubtedly fail, and if something goes wrong, who will claim responsibility? Who is responsible for fixing it and how will renters treat property that isn't theirs.

Brian Goldson comes to the stand. He explains how everyone is here because they love this town and how everyone knows everyone well enough to help their neighbor. He says the reason people come to Orange is for all of the opportunity here and how welcoming the community is to new neighbors. The proposed development does not compliment the current residencies in town. He asks how the development will handle the amount of water coming down from severe storms which are more frequent than they used to be. He is also worried about the "conventional roadway system" and how it will distribute water throughout the site.

First Selectman Jim Zeoli comes to the stand. He says that this particular project is certainly not a good fit for this parcel. He says there are different locations in town for a higher density projects like this with less detrimental environmental outcome. He says the laneway especially is not acceptable for this spot. He

uses Fieldstone as an example of good development because it is attached to sewers from Derby. This particular application he says has far too much involved to put on this site. He asks where all the outflow on the property will even end up, and what kind of effect it will have on that particular area.

Soil Scientist George Logan comes to the stand, hired by the Town of Orange. He hands out a packet with his input on all the aspects of this proposal. It methodically goes through much of the questions that come up when reviewing this application. He emphasizes that his review is not done, but there are things he can bring up in front of the commission now. He brings up erodibility on the site, as well as the deep test pits. Says that the wetland delineation provided by the applicant was fairly generalized. He talks about the species that may possibly use the wetland areas and what future impacts might be depending on the habitats on this site. He says based on the density, the pollution controls need to be heavily scrutinized. He says the Low Impact Development Stormwater Quality Manual brought up by the applicant does need updating as well. He points out that the code for septic tanks also are coded accordingly for health, not wetlands. Just because they meet health standard, doesn't meant they are appropriate for the ecosystems they are near. His conclusion is that he is certainly not done and needs more information. What concerns him are the wetlands buffers depending on the type of wetland. He proposes a water budget analysis to determine the drainage.

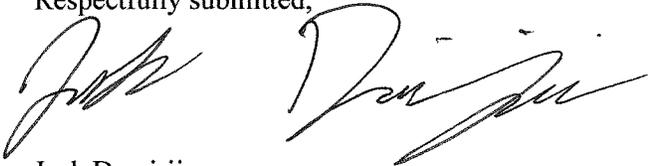
Steve Benben, Engineer hired by the town. He will be reviewing the site plan to ensure that they adhere to regulations for the town and state. Things like drainage and septic will be looked at. His job is to ensure they have done their due diligence as an applicant.

Penny Miriam comes to the stand. She asks why she's paying for consultants to be hired with her taxpaying money for something as ridiculous as this. She says Orange is town that needs space and room, and this project does not belong here.

Mr. Patel approaches the stand. He is concerned about the garbage pick up and how renters won't care enough to take proper care of the surrounding properties and keeping this clean.

A motion is made to continue the public hearing November 12. A motion to Adjourn is made by commissioner Ruotolo and seconded by Commissioner Hudson and passed unanimously. Meeting ends at 8:41.

Respectfully submitted,



Jack Demirjian

Assistant Wetlands Officer

**Next Special Meeting is scheduled for November 12, 2019**