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Minutes

Inland Wetlands and Water Courses Commission

Regularly Scheduled Meeting: November 13, 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 7:33 p.m. In attendance were, Vice Chairman Ross, Commissioner Ruotolo, Commissioner Hudson, Commissioner Ewen, Secretary Giovanelli, R.Scott Allen, Wetland Enforcement Officer, and Recording Secretary Lynn Collucci, absent was Commissioner Perfetto.

Consideration of October 9, 2018 Minutes

A motion was made by Commissioner Ruotolo, seconded by Secretary Giovanelli to accept the October 9, 2018 minutes as written. The motion carried with all six members' present being in agreement.

Correspondence

Connecticut Wildlife Publication, July/August, and The Habitat Fall 2018 Publication. R.Scott Allen, Wetland Enforcement Officer apprized the Commissioners that the Annual CACIWC meeting would take place on Saturday, November 17, 2018, should any members wish to attend. Copies of both publications could be viewed at the Wetland Office.

With business concluded at 7:40 p.m. Commissioner Ruotolo moved to adjourn the meeting until the Public Hearing scheduled for 8:00 p.m. Secretary Giovanelli seconded, all were in favor.

Public Hearing Continuation, from October 9, 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, noting that at the last Wetland Meeting of October 9, 2018 that they had addressed all of the comments that were in a letter from the Town Engineer, Mr. Robert H. Brinton, dated September 7, 2018. Mr. Brinton had reviewed the Storm water Report Summary Memo dated October 17, 2018 and was satisfied that all of his comments had been addressed. Mr. Knuff noted that Nathan Kirschner P. E. with Langan Engineering and Environmental Services would address Mr. Finley's concern with how efficient the Storm Water Treatment Plan would be. And Mr. Dean Gustafson, Professional Soil Scientist

Of All-Points Technology Corporation PC., would summarize his letter dated November 13, 2018 which Mr. Knuff had handed out before the start of the meeting.

Mr. Nathan Kirschner P.E. with Langan Engineering and Environmental Services came before the Commission to address some outstanding questions from the previous Wetland meeting on October 9, 2018. Mr. Kirschner in answer to Mr. Finley's question regarding how the Storm Water Treatment would be handled said that because Mr. Finley had been pleased with the efficiency of the U.I. Facility System we coordinated with Mr. R. Scott Allen, Wetland Enforcement Officer to obtain data from the U.I. Facility to compare the Storm Water Quality Systems for both. Mr. Kirschner apprized the Commission that the Summary of Storm Water Quality Measure is in compliance with State Standards that they had increased the sumps for the Marsh Hill site to 4 foot, compared to the U.I.'s sumps which are 2 foot. Both facilities have hooded catch basins, sediment forebays, infiltration/detention pond, underground infiltration systems, pre-form scour pads, rip rap splash pads. Water Quality Units; U.I.'s at 110 mu removal with the Marsh Hill Rd. facility at 105 mu removal, slightly less. Mr. Kirshner explained that Connecticut does not have a way to calculate TSS (total suspended solids) so based on the Massachusetts Storm water Handbook TSS removal calculation worksheet the total TSS removal would be 98% for the Marsh Hill site.

Mr. Dean Gustafson, Professional Soil Scientist of All -Points Technology Corporation PC came before the Commission to summarize the letter he wrote on November 13, 2018. He explained to the Commissioners that with the Langan analysis there would be less than a 10% change in the runoff volume which is considered to be minimal and not anticipated to have a significant effect on the wetland soil saturation. He opinioned that there would be no adverse impact to the wetland hydrology, functions or values now supported on the Marsh Hill Rd. site area wetlands.

Mr. Knuff returned before the Commission to apprise the Commissioners that was all that they had. Chairman Mangione asked the Commissioners if they had any other questions. With no other questions from the Commissioners Chairman Mangione then asked if there were any questions from the public.

Mr. George Finley of Indian River Rd. greeted the Commission and then sited a comment made by Attorney Knuff at a recent Zoning Meeting held on November 7, 2018, that the Marsh Hill Rd. proposed project would be incorporating the BP design which is used at the U.I site. Mr. Finley said he was confused as to what the difference between a retention pond and a detention pond were.

Mr. Allen explained that a retention pond does not let any water out, and that a detention pond detains the water for a period of time and lets it out slowly. Mr. Allen also apprized Mr. Finley that with the proposed project there would be 8 or 9 retention ponds located on the proposed property and one detention pond that would be located in the Eastern portion of the property.

Mr. Finley was concerned because the name of the Trucking Company for the proposed site was still not public information. He was also concerned with the size of the proposed project, showing a comparison with other facilities using the number of revenue doors for a varying number of buildable acres. Mr. Finley opined that with that number of revenue doors for this project it would mean a large number of trucks coming into the facility, and that it would cause a significant amount of air pollution. Chairman Mangione opined that the number of revenue doors, and the name of the Trucking Firm would not be a concern to the Commissioners, a wetland disturbance is what we would be concerned with. Chairman Mangione suggested he might want to bring that up at a future Zoning Meeting, as Mr. Finley's concern was with air pollution. Chairman Mangione then asked if there were any other questions from the public. There were no other questions.

Attorney Knuff came back before the Commission to thank the Commission for their time and diligence for being at all of the meetings, and also thanked Scott for being at the meeting and also for his many years of service to the Wetland Commission.

With no other questions Commissioner Ruotolo motioned to adjourn the meeting, Commissioner Hudson seconded, all were in favor.

The Public Hearing closed at 8:21 p.m.

Back to the regular meeting Chairman Mangione asked if the Commissioners had any further questions. With no other questions Commissioner Ruotolo made a motion to approve the application with the following conditions.

1. An anti seat collar on the HDPE out of the basin to be added.
2. Permit will be issued upon completion and receipt of Contractor's Acknowledgement Form. Failure to do this will result in a cease and desist order due to lack of permit.
3. Any deviation from the approved site plan dated 08/08/2018; revised 10/09/2018 prepared by Langan 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.
4. The Commission shall be notified of any change in the engineering firm, currently Langan.
5. 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.
6. *Prior* to a building permit being issued for a deed restriction must be placed on the land records to ensure that the wetlands will not be disturbed. A copy of said restriction shall be submitted to the Commission at the time it is filed with the Town Clerk.
7. In the event that the site is not maintained by the owner, the Town has the right to maintain the property and bill the owner.
8. Footing and roof drain pipes shall be protected from unwanted entry of foreign objects or fauna.

9. *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.
10. Twenty-four hour contact names and phone numbers of the construction supervisor and engineering firm be supplied to the Commission
12. Construction/ Time table sequence be provided.
13. Developer should retain an independent site monitor who will provide weekly status reports to the Commission during construction.

Commissioner Hudson seconded the motion. The motion carried with all in favor.

With nothing further to discuss Commissioner Ruotolo made a motion to adjourn the meeting at 8:37 p.m. Commissioner Hudson seconded, the motion carried with all in favor.

The next meeting is scheduled for December 11, 2018.

Respectfully Submitted,



Lynn Collucci,
Recording Secretary