

**A. Roll Call**

Present: Brendan Magnan, Daniel Bedeker, Ranjit Bhawe, Jim Connors, Matthew Connors, Dave DeFlumeri, Heather Donaldson-Gladue, Steve Munson, Lisa Tryon and Julie Valvo.

Also Present: Joe Griffith, MaryRose Palumbo and Lisa Streit.

Magnan called the meeting to order at 7:30 p.m. and deemed there was a quorum and deemed M. Connors will not be voting due to 10 commissioners being present and he is the alternate. Munson noted that M. Connors can participate but cannot vote.

Magnan reviewed: As we continue to host remote meetings, she wanted to take the opportunity to highlight a few guidelines to ensure business runs efficiently and that all statutory and administrative rules are followed:

1. In accordance with the Freedom of Information Act and Governor Lamont's executive orders, this meeting is being recorded and will be made available on the City of Milford website.
2. During this meeting, if members of the Inland Wetlands Commission would like to speak, please utilize the "raise your hand" feature via Zoom. All participants will be muted during the meeting unless recognized by the Chair.
3. After being recognized to speak, please state your name and address prior to making a statement.

**B. Pledge**

All stood for the Pledge of Allegiance.

**C. Public Comments**

None.

**D. Old Business**

Magnan reviewed the rules of a Public Hearing:

- Thank you everyone for coming and having an interest in the process.
- Please note that this Formal proceeding, I ask that everyone please be respectful of the process.
- Everyone has been muted on entry and we ask that you stay muted to avoid background noise unless you are recognized by the Chair to speak.
- The applicant and their consultants will give their presentations and then the public will be asked to speak in order of:
  - those for,
  - those against, and
  - those neither for nor against who have questions on the application.
- Reminder that comments are limited to 5 minutes.
- This is not a back and forth discussion. The applicant and their consultants will address the public's questions during rebuttal.
- Reminder that the Inland Wetland Agency is made up of citizen volunteers. Commissioners have taken CT DEEP inland Wetland Commissioner Training and attended training by the CT Association of Conservation and Inland Wetland Commission and the CT Bar Association on the CT Inland Wetlands Statutes.
- Please respect the process.

MaryRose: Reading of Public Hearing Notice:

Pursuant to Section 22a-39 of the State Statutes, and Section 9 of the Milford Inland Wetlands and Watercourses Regulations of the City of Milford, NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING WILL BE HELD ON 21 JUNE 2023 on the permit application by Robert Scinto, 325 Sub Way, Milford, Connecticut 06461. The request is for permit to construct a 160,000 square foot warehouse and office facility with associated parking, drainage, and grading in and within 150' of a wetlands and watercourse in the Beaver Brook Watershed at 0, 305, and 325 Sub Way; Map 41, Block 303, Parcels 8G, E, and F.

As a reminder to the public, the commission operates under the State Statutes and the MIWA regulations. Section 10 of the regulations calls out the criteria for decisions. In reaching its decision on any application after a public hearing, the agency shall base its decision on the record of that hearing. *Documentary evidence or other material not in the hearing record shall not be considered by the agency in its decision.*

#### Section 10 Considerations for decision

##### 10.1 Evidence

The agency may consider the following in making its decision on an application:

- A. The application and its supporting documentation, including the applicant's comments and testimony,
- B. Public comments, evidence and testimony,
- C. Reports from other agencies and commissions including but not limited to the city of Milford.
- D. The agency may also consider comments on any application from the New Haven county soil and water conservation district, the South Central Connecticut Regional Planning Agency or other regional organizations (e.g., council of elected officials); agencies in adjacent municipalities which may be affected by the proposed activity, or other technical agencies or organizations which may undertake additional studies or investigations.
- E. Nonreceipt of comments from agencies and commissions shall neither delay nor prejudice the decision of the agency.

##### 10.2 Standards and criteria for decision

In carrying out the purposes and policies of sections 22a-36 to 22a-45, inclusive, of the Connecticut general statutes, including matters relating to regulating, licensing, and enforcing of the provisions thereof, the agency shall take into consideration all relevant facts and circumstances, including but not limited to:

The environmental impact of the proposed regulated activity on wetlands or watercourses.

The applicant's purpose for, and any feasible and prudent alternatives to, the proposed regulated activity which alternatives would cause less or no environmental impact to wetlands or watercourses.

The relationship between the short term and long-term impacts of the proposed regulated activity on wetlands or watercourses and the maintenance and enhancement of long-term productivity of such wetlands or watercourses.

Irreversible and irretrievable loss of wetland or watercourse resources which would be caused by the proposed regulated activity, including the extent to which such activity would foreclose a future ability to protect, enhance or restore such resources, and any mitigation measures which may be considered as a condition of issuing a permit for such activity including, but not limited to, measures to (1) prevent or

minimize pollution or other environmental damage, (2) maintain or enhance existing environmental quality, or (3) in the following order of priority: restore, enhance and create productive wetland or watercourse resources.

The character and degree of injury to, or interference with, safety, health or the reasonable use of property which is caused or threatened by the proposed regulated activity.

Impacts of the proposed regulated activity on wetlands or watercourses outside the area for which the activity is proposed and future activities associated with or reasonably related to, the proposed regulated activity which are made inevitable by the proposed regulated activity and which may have an impact on wetlands or watercourses.

#### 10.3 Existence of feasible and prudent alternative

In the case of an application which received a public hearing pursuant to a finding by the agency that the proposed activity may have a significant impact on wetlands or watercourses, a permit shall not be issued unless the agency finds on the basis of the record that a feasible and prudent alternative does not exist. In making this finding the agency shall consider the facts and circumstances set forth in subsection 10.2 of this section. The finding and the reasons therefore shall be stated on the record in writing.

#### 10.4 Alternatives with less impact

In the case of an application which is denied on the basis of a finding that there may be feasible and prudent alternatives to the proposed regulated activity which have less adverse impact on wetlands or watercourses, the agency shall propose on the record in writing the types of alternatives which the applicant may investigate provided this subsection shall not be construed to shift the burden from the applicant to prove that he is entitled to the permit or to present alternatives to the proposed regulated activity.

#### 10.5 Based on information in the record

In reaching its decision on any application after a public hearing, the agency shall base its decision on the record of that hearing. Documentary evidence or other material not in the hearing record shall not be considered by the agency in its decision. However, the agency is not precluded from seeking advice from its own experts on information already in the record of the public hearing. A conclusion that a feasible and prudent alternative does not exist does not create a presumption that a permit should be issued. The applicant has the burden of demonstrating that his application is consistent with the purposes and policies of these regulations and sections 22a-36 to 22a-45, inclusive, of the Connecticut general statutes.

From Section 2 Definitions:

“Feasible” means able to be constructed or implemented consistent with sound engineering principles

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“Prudent” means economically and otherwise reasonable in light of the social benefits to be derived from the proposed regulated activity provided cost may be considered in deciding what is prudent and further provided a mere showing of expense will not necessarily mean an alternative is imprudent.

A motion was made by Connors, seconded by M. Connors to hear items IW-23-028, IW-23-0029 and IW-23-0030 together. The motion carried unanimously by roll call vote.

1. **IW-23-0030: 0 Sub Way, Robert Scinto** – Proposed construction of a 160,000 square foot warehouse and office facility with associated parking, drainage, and grading in and within 150' of a wetland and watercourse in the Beaver Brook Watershed.
2. **IW-23-0029: 305 Sub Way, Robert Scinto** – Proposed construction of a 160,000 square foot warehouse and office facility with associated parking, drainage, and grading in and within 150' of a wetland and watercourse in the Beaver Brook Watershed.
3. **IW-23-0028: 325 Sub Way, Robert Scinto** – Proposed construction of a 160,000 square foot warehouse and office facility with associated parking, drainage, and grading in and within 150' of a wetland and watercourse in the Beaver Brook Watershed.

MaryRose reported that:

The File Contents Lists are on file and available.

Notice of this Public Hearing was published in the Milford Mirror on 6/8/23 and 6/15/23.

Certificates of Mailing have been received and are in the document links.

Magnan called for the Applicant's presentation.

Attorney Kevin Curseaden, Curseaden & Moore, LLC, 3 Lafayette Street, Milford, CT representing R.D. Scinto, made the introduction of the applicant and consulting team, reviewed the history of the site and the project. Currently there are 100,000 sq. ft. of buildings and 500 parking spaces. He then stated that if this were to be approved you are replacing one strong Milford business with another strong Milford business. The old office buildings were designed for 1 user in 1984 that is now moving out of the city. This proposal is designed for a specific tenant, not a potential tenant and the minimum needs are a 160,000 sq. ft. building. He proceeded to describe the challenges and opportunities of the site. They had their initial proposal and 2 alternatives and feel that they will show that the reviewing process works, and they are trying to comply with the regulations. The statute is a requirement to balance the need for economic growth and to protect the natural resources and they feel that the proposal is a balance. They understand that there is a lot of material being presented and they have no problem keeping the Public Hearing open.

Robert Scinto, One Corporate Drive, Shelton, CT, stated that this is an important meeting and project. He feels that they are making significant improvements to the wetland conditions, they will be treating the water that isn't currently being treated and feels that they will be improving the wetlands and atmosphere around the pond.

William Kenny, William Kenny Associates, PWS, Landscape architect 195 Tunxis Hill Cutoff South, Fairfield, CT has been retained for wetland identification and then involved in project design to locate the wetlands, minimize impacts and mitigate any impacts. He will review the existing conditions and then the proposed conditions, impacts and other mitigation measures to compensate for those impacts.

The survey of the existing conditions was reviewed; there is a large office building in the rear and a smaller one up front and a lot of parking. There are some undeveloped wetland areas and one isolated wetland surrounded by pavement. The wetland is primarily a surface water detention and to convey water from the property across the street, although there are wetland soil types. Its primary purpose is to detain surface water. He reviewed the flow from across the street. There are some mature trees at the bottom of the basin. The ground cover is a rough mown lawn with some shade trees. The area north is a

more traditional wetland red maple swamp with a diverse canopy shrub cover and dense ground cover and has better hydraulic conditions. This wetland provides flood storage, filtering, habitat, flora and fauna and then goes to the City of Milford property and Mondo Ponds. The wetlands are mapped on site and runs 100' off site. This was reviewed on the plans.

Stormwater management was reviewed. Stormwater management which is important to the health of nearby wetlands. Existing there is a system of catch basin which are dry wells that allows detention and some water treatment. It doesn't do a great job of removing oil and grit. The flow was reviewed to the wetlands with some water treatment. The proposed conditions were reviewed. The warehouse and parking lot will be discussed by Rose Tiso. Speaking to the Wetland mitigation plan shows a parking lot on the wetland on the west of the property. Recognizing that its primary function is stormwater treatment they proposed a galley infiltration system there. Subsurface storage chambers are proposed. This will allow for a separator to remove oil, grease and debris, which will be a substantial increase in water treatment. Most of the impervious surface today is parking and driveway, the proposal is has more roof runoff which is cleaner due to the reduction in parking and increase in roof area. The loads of pollutants will be less because much of it will be coming from roofs and not parking and driving areas. This is a protection of the wetland areas that the water eventually makes its way to.

To mitigate for the loss of the degraded wetland they are proposing to create a new wetland to the north, adjacent to the existing wetland in the area that is currently a non-wetland forest. They would remove and lower the wooded area, bring in wetland topsoil and vegetate with native wetland trees and ground cover. Immediately it will be of greater value than the one they are replacing, it would be slightly larger ( $\pm 9,700$  v over 10,000) they would be doubling the amount of water storage. In his professional opinion, this mitigation would offset the impact to the degraded wetland.

They met with staff and other departments and looked at alternatives that provided less impact to the wetlands. One alternative would improve the trail system around the western pond. Mr. Kenny referred to his Preliminary Trail Improvement Plan. The existing footbridge would be replaced and banks stabilized, making it a safer walking environment. Area B was reviewed where other crossing areas would be and C the trail location between the two ponds, that is heavily used and quite wide, would be stabilized to prevent erosion and make it safer. D would control invasive vegetation, remove trip hazards, smooth out and lay wood chips. They would improve the habitat in area E, which is invasive shrubs and vines and would plant up to 40 trees to restore the woodland habitat. Alternative two keeps the impacts on the Sub Way property with improvements on adjacent town land. Alternative 3 preserves and keeps 7,500 of the existing wetland, creates new wetland and improves the water quality and plantings.

Third alternative as shown on plan Alt -1 by Rose Tiso. Reduces impacts to the western wetland by moving the parking to the north and preserving 70-75% of the wetland. The parking would be in the upland wooded area. Preserve 7,500 sq ft of wetland, create new wetland to the north and plant heavily with native ground covers and trees to significantly improve the habitat value of the wetland.

Manny Silva, Rose-Tiso & Co., LLC, 35 Brentwood Avenue, Fairfield, CT speaking to the existing conditions plan oriented the agency to the site. Small footprint of building and large parking footprint. Whereas they are proposing larger building footprint and smaller parking. Showing photos of western wetland and wooded area. Existing conditions plan described the current stormwater system.

Speaking to sheet SP-1 Mr. Silva showed the proposed building and spoke about roof runoff vs parking runoff. They are proposing a series or treatment train of stormwater structures. The system will 1) take

stormwater from across the street 2) catch basins to hydrodynamic separator with 90% efficiency. UConn, U Maine, and UNJ have studied the function and efficiency of these hydrodynamic separator units.

Trench drains from the loading docks and the majority of the roof goes to its own stormwater quality system. In the rear, they have an open retention pond that will fill up, infiltrate water that will then overland flow in a swale in a vegetated area for treatment and a water treatment facility prior to discharge into the pond. They are proposing three swirl concentrators and then the galley systems open to the ground that will feed into groundwater, the wetland, and the pond. To mitigate any existing flooding, they will store the water under the pavement before discharging slowly vs a large rush that enters the adjacent areas at once causing erosion.

The water will be cooler by holding it underground to avoid increasing the temperatures in the wetlands, which is not ideal for the wetland.

They are converting a large amount of the paved parking lot to roof, reducing the oil, dirt, sand, and salt. There is less parking area proposed with this plan. Roof water is considered clean because no oil and sand just discharge from the sky.

Showed table from the stormwater study

**Table 6: Peak Flow Comparison**

Drainage Area	Peak Flow (cfs)					
	2-yr	5-yr	10-yr	25-yr	50-yr	100-yr
Overall EDA	20.88	29.86	37.36	47.79	55.72	63.71
Overall PDA	14.38	18.64	23.79	37.10	48.79	59.98
Reduction	31.1%	37.6%	36.3%	22.4%	12.4%	5.9%

Speaking to SP-3 discussed the soil erosion and sedimentation control plan. There are two antitracking pads to prevent trucks from tracking onto the road. There will be silt sacks on all of the catch basins to prevent any turbidity or mud from entering the stormwater system so that once the site is paved and grassed the system will be clean and ready to go. There is a silt fence and haybale barrier to give a structure rigidity to protect from erosion during construction. The proposed discharge points are to the northern wetlands into haybales 'V' to ensure no debris getting into pond and wetland.

Speaking to the ornamental Landscaping plan, Mr. Kenny has a plan for the wetland planting areas. He described the shade trees and bushes and soil erosion control mixes along the edge of parking. Around the building they have boxwoods and lower growing shrubs.

SP-5 has a lighting plan with spot candle designations showing that no light is shed into the wetland areas which is important for the animals. Sheet SP-6 shows the Erosion control detail sheet and Mr. Silva described staked reinforced silt fencing, 'V' check dams for discharge points. SP-7 – zoning focus. SP-8 Detail sheet plunge pool, underground galley details. Engineering has asked for 4' sumps and we accommodated that. He said that they will also have hooded sumps and described how they function. SP-2 calls out the maintenance of the stormwater system. SP-9 detail sheet described how a hydrodynamic separator works.

Alt-1 site plan which eliminated the parking lot over the wetland filling just a portion of the wetland and put the parking across the driveway to the north.

One of the Commissioners questions was about snow storage shown on SP-1 anything exceeding this capacity would be trucked offsite.

Referencing the City Engineers comments and showed Rose Tiso response letter, Silva stated that a lot of it referenced an updated survey requirement. They did submit the updated survey and their comments and he will meet with the City Engineer prior to the next meeting. The design will convert a lot of the pavement area to a roof area and they are implementing a treatment train snout, sumps, separators, galleys, and detention ponds in his professional opinion this is an improvement to the exiting plan.

Magnan: Call for those to speak in favor / proponents

- This is not a back and forth discussion. The Applicant and their consultants will address the public's questions during rebuttal.
- All discussion is through the Chair
- Please keep questions and concerns focused on matters within the Inland Wetland Agency's Jurisdiction: wetlands, brook, river, flooding, and wetland soils. Zoning Issues such as density, and traffic are not under IWA review.
- Reminder that comments are limited to 5 minutes.

MaryRose noted that two people submitted letters:

1.

Diane M. Prior  
5 Audubon Close  
Milford, CT

June 20.2023

To the members of the Milford Inland Wetlands Agency,

I respectfully request that the public hearing scheduled for June 21<sup>st</sup> be postponed. To the best of my ability, I have studied the plans submitted to the Inland Wetlands Agency by Mr. Scinto for the Subway HQ property at 0, 305, and 325 Sub Way; Map 41, Block 303, Parcels 8G, E, and F.

According to the documents that I have seen, plans for development of the site were prepared and submitted to RD Scinto on 3/16/23. However, the plans for this development have been ongoing since before 2021 as noted on page 7 of 13 in the documents prepared for the buyer:

CONSTRUCTION SCHEDULE THE ANTICIPATED STARTING DATE FOR CONSTRUCTION IS SUMMER 2021 WITH COMPLETION ANTICIPATED BY SUMMER 2022. APPROPRIATE EROSION CONTROL MEASURES AS DESCRIBED HEREIN, SHALL BE INSTALLED BY THE CONTRACTOR PRIOR TO THE COMMENCEMENT OF ALL SITE CLEARING OR CONSTRUCTION ACTIVITY. SCHEDULE WORK TO MINIMIZE THE LENGTH OF TIME THAT BARE SOIL WILL BE EXP

This demonstrates that the potential buyer and tenant have had well over 2 years to plan with their contractors, attorneys, and environmental consultants. We, the public, having been notified of this

project in May, 2023, have only had about 3 weeks to study these documents and plans. We require a significant amount of time to familiarize ourselves with these very detailed plans and obtain professional environmental and legal consultation regarding the impact to the wetlands at Mondo Ponds. Therefore, I am requesting a public hearing postponement of no less than 6 months in order to review and observe impact through at minimum 3 seasons of temperature changes.

Thank you for your consideration.

2.

Thomas DeMatteo  
5 Audubon Close, Milford, CT.  
June 21, 2023

#### Inland Wetlands Questions

RE: Subway HQ property at 0, 305, and 325 Sub Way; Map 41, Block 303, Parcels 8G, E, and F.

1. There is currently water flowing from the Subway site into Mondo Ponds. Has the source of that water been determined? Is it surface runoff or from another source?
2. Has the water coming off the site ever been tested for contaminants that may harm Mondo Ponds? If so, when were the tests taken and what were the results? If not, will the water coming off the Subway site be tested prior to the conclusion of the public hearing and the results made public?
3. Is the impact on the wetlands based on the current use of the Subway property for offices or the proposed use for a large warehouse with ongoing truck traffic? Would the use of the property change the level of the impact on the wetlands? The IL district which would permit the proposed warehouse use would also permit manufacturing of goods or products and other uses. Has the impact on the wetlands been assessed for other types of businesses that could be built on the Subway property?
4. The proposed warehouse is very likely to have large trucks coming onto and off the property. Many of these will emit diesel fumes which may contain particulates that can enter the wetlands. Has this possibility been addressed by the applicant? If not, will it be required to do so?

Magnan: Call for those to speak against:

Diane Prior 5 Audubon Close— she is requesting a postponement of the Public Hearing stating that the applicant has been planning for 2-3 years and the Public just received this information in May. It is a lot of material to review and she wants to observe season changes to the site. She will write further into the record as there was information from today that she has not had time to fully review. How will the weight for the tractor trailers impact the soils underneath the pavement and prevent water from flowing freely into the wetlands? What would contain any leaks from the tractor trailers on the site and forklifts concern about pallets on the ground and no markings on the trash bins.

Thomas DeMatteo, 5 Audubon Close, directly abuts mondo ponds. He is a regular walker on the pond with about 100 others who appreciate this resource. He appreciates the improvements to the path by the applicant but however those improvements do not offset the impacts of such a huge project, it is nearly twice the size of the current building on the project with many concerns of the impacts of the plans and take the expert testimony on faith but they have not been reviewed and feels that in a case like this there should be additional review. He, as a taxpayer, sees that there is an economic side to this proposal, but he sees no economic benefit. He feels that because of the unique nature of the property and the value of the resource that it needs to be looked into further; water flows from the site to Mondo Ponds from where, has this ever been tested? There has been no independent assessment of the plans.



Magnan: Call for those to speak unclassified (neither for nor against)

Kathleen Pontin 1313 Naugatuck Ave, abuts Mondo Ponds, questioned if an impact study has been done on the outcome of animals. There is a plethora of animals and fish on site and questions what the impact to them will be.

Magnan: Call for the Applicant's Rebuttal

Kevin Curseaden, there are statutory timelines as we have entered the hearing process so we cannot accommodate that request for a postponement of the hearing.

Manny Silva – dates on the E&S narrative – he did not update the years and timeline – it was copied over from another drawing. He did change those dates in the latest revision; it has not been years. They have only been looking at the project for the last couple of months. Regarding the weight of trucks on the soils and impact to the wetland areas. There is no real impact because the area of the soil now is paved and has building on it, they are taking a building away and maybe a portion of the new building is where the existing building is. The load on the soils under the pavement will not change. If anything, the impact to the wetland on the load on the soil would in a way be reduced.

Impact of existing use. Sub Way will no longer be in this building so you would have an empty building. The intensity of the use with over 500 cars and parking and potential leaking from over 500 cars and increased temperature because of asphalt is a heat sink that then transfers to the water. The trucks are a less intense use. There is a potential of 175 cars, which you may not see that volume in the cars. So this is a reduction in intensity and the US DOT covers that with the clean air act. Animals – there is no direct impact to the animals. This plan is converting from a World Headquarters to 20 trucks on site and 175 employee parking spaces. He feels that the impacts in general will be reduced overall.

Bob Scinto stated that Subway had 1200 people working there and this project will have 100 people working here which is a phenomenal decrease. There will be 12 trucks a day that will be filled with product. The office building market is a disaster. This project will have a tremendous economic increase.

Bill Kenny reiterated what he said earlier, speaking of activities outside of the wetlands comes to management before and after construction because this site is substantially developed and the added features to clean the water as it makes its way to the wetlands, reducing the size of the parking and more treatment, you have a net benefit to the wetland where the water drains into the measures being added to the stormwater are specifically for hydrocarbons, anything that floats. Sumps on catch basins which were not done 30-40 years ago. These measures are geared specifically for leaks. Multiple features were added to remove pollutants, oils, debris and will function at a higher level. He believes that the project will be a benefit to the wetlands and watercourses.

Magnan to Manny Silva – please elaborate on the discharge points and the trench drain. Silva reviewed the truck parking area and trench drain to manhole to separator to the 4' x 4' concrete galley and then a maintenance schedule of vacuum and removal. There is no possibility for hydrocarbons to pass. Best management practices were used and this plan is much better than the existing conditions. Magnan asked about the City Engineer's input. Silva stated that they have accommodated the location that was requested and the responses are still being reviewed.

Magnan: Call for those to speak in favor / proponents

Magnan: Call for those to speak against/opponents

Erin Cox 31 Regent Terrace to Mr. Kenny - when you spoke about filling a wetland and creating a new wetland what does that entail? Does it take time to coexist or be productive with the other wetlands. Magnan commented that there is a Citizen's Guide to navigate wetlands that is a resource.

Kenny stated that first would be to eliminate the existing wetland which would be to fill with soil and infiltration galleys to allow the function of that wetland to continue. When we look at replacing the wetland, we look at replacing the function of the wetland so that function gets replaced immediately to the north. So, what makes a good wetland is it has to be wet, so the best way to make a wetland would be to lower the water table. They know where the water table is by the surrounding wetlands, they will slightly over excavate to bring in topsoil, so it is similar to the adjacent soil. Then they will establish a meadow wetland with herbaceous grasses and wildflower and small trees, good habitat for pollinators, and it will then grow into a forested wetland. It will provide flood storage and water quality treatment and good habitat for wetland plants and animals and an opportunity for ground water discharge. It will not have the mature trees of the area we are impacting but it will have a different function and enhance and expand the existing wetland.

Magnan: Call for those to speak unclassified (neither for nor against)

Magnan: Call for Agency members questions

- All Questions must be through Chair to applicant & consultants,
- Must pertain to MIWA jurisdiction.

Lisa Tryon feels a lot of people are bothered that currently the campus like environment is being replaced with a more industrial property, when 1.6 acres more of impervious soil is proposed. She asked if the vortex drains, and water galleys were gravity driven or electric. She also asked about the lighting and its effects on nocturnal species – are lights on 24/7.

Silva stated that all the structures proposed are gravity driven, no pumps or lift station. He explained how a hydrodynamic separator works and that it is designed so that as water enters it is forced to swirl catching hydrocarbons; oil and grease are contained in the system. Maintenance is noted on SP-2 and a manual will be given to the town and onsite and they will need to keep a log of the maintenance. Regarding the lights, he does not have the operation schedule they are dark sky compliant with house shields. Depending on the operation they may be able to program on and off but they will be dark sky compliant and deflectors. Magnan asked that they get back to the IWA on the schedule for lighting.

M. Connors to Silva – what is the lifespan on the separators and the maintenance and what is the response plan for a major spill and how much oil can they hold. To Kenny - in regard to plan 1 the NW part of the site is there any maintenance plan in terms of the wetland plantings

Silva- if there is a major spill, the Fire Department and DEEP, who have on call spill response contractors who immediately bring equipment to clean up the spill. The hydrodynamic separators do not have a filter so if maintained they should not wear out. The capacity is 4,000 total of oil storage inside of the building, outside there are 3 hydrodynamic separators, they are about 500 gallons each. Anything that happens, there is a 24 hour number for spills.

Kenny referencing the first alternative with page one being the wetland plan and the second sheet with the planting plan and maintenance for 3 years and monitored twice a year for the agency determined length of time. Specifications call that a Professional Wetland Scientist be required for monitoring and reporting. Magnan stated that our history is that creating wetland is difficult and that is why we require monitoring and bonding.

Valvo questioned in proposal 3, the impact of the parking lot proposed next to the upland forest and the impacts to that. Kenny referenced the google street view of the forested area and the wetland. The first 30-50' is not forested, so a portion of the parking lot will be in that area but the remaining trees would be removed. The stormwater system is designed to recreate that in accordance with the City and state standards. Valvo questioned how many trees would be removed. Kenny stated that he would have to look into that.

Bhave questioned the light pollution and what is the differential of the existing and the proposed light levels. He also questioned how the number of 175 parking spots was determined and if it is not needed, what is its purpose. Silva – currently the site has round sodium reflective lights. He shared photos of existing lights and feels that the existing tall lights replaced by the 20' dark sky light with shields to reduce the light will reduce the impacts; they have more poles that are lower to the ground.

Curseaden stated that parking is driven by the zoning regulations and if the Agency were to approve this, they can recommend Zoning to reduce the parking. The number of spaces is based on square footage and use. Sometimes PZ can make a finding of parking adequacy.

Munson referring to parking used the term 'mandatory requirements for parking and space' You have 20 bays and 12 trucks waiting to be delivered, are you going this large because they anticipate growth. Will trucks be parked overnight for going first thing in the am? Concern with vehicles in place overnight is light pollution and with potential for oil leaking overnight.

Curseaden - Can get an answer at the next meeting but the number of bays is for 12 trucks going in certain directions and 8 more going in other directions.

Scinto trucks will be there until justify the movement to Maine, Mass, New Hampshire, that's why they have a lot of docks but not a lot of traffic, not a 24-7 operation 1 shift. The company is doing well and needs the docks to load as there will be no cabs, just trailers until a truck comes to take it away. Connors stated that there is virtually no oil on a trailer.

Magnan to Kenny – in your opinion, which alternative do you recommend. He recommends the third option. The process worked very well, they had a design and took input from the city. With option three the majority of the wetland remains and gets enhanced and expanded.

MaryRose asked for impact of the loss of the forest canopy on the existing wetland. Kenny stated that he will have that for the next meeting. Magan asked that Mr. Kenny list reasons impacts for each alternative.

This evening the Agency can:

Ask questions.

Request additional review.

Motion to request additional information.

Motion to Continue the hearing to a specific time and date. (7/05/23, 7/19/23, 8/8/23, 8/16/23)

Hearing can be continued for specific information only (i.e., a grading plan or report) **OR**

**OR** Hearing can be continued if waiting for overall plan revisions.

Motion to Close the hearing (*If the Agency has sufficient information to make a decision, only information in the record can be used for the decision*)

Agency can deliberate.

Agency can wait to deliberate at next meeting.

A motion was made by Connors and seconded by DeFlumeri to continue the Public Hearing to 7/5/2023. The motion carried unanimously by roll call vote.

#### E. Minutes

A motion was made by Connors, seconded by DeFlumeri to accept the minutes of the regular meeting of 06/07/23 as presented. The motion carried by roll call vote with Bhave, M. Connors and Valvo abstaining.

#### H. Staff Report

MIWA Clerk Taft Clark has created a reference page for you all to access. The link is [HERE](#) . The page contains:

- MIWA meeting dates (first and third Wednesday at 7:30 pm)
- MIWA Regulations
- MIWA Bylaws
- Milford Ethics Commission Guide
- Past memos from the City Attorney's office on Inland Wetland legal questions and cases
- Training opportunities with CT DEEP and UConn for land use commissioners.
- MIWA webpage
- Milford YouTube page (MIWA meeting videos are available here)
- MIWA meeting Zoom link

The office has been working on a number of inquiries, complaints, minor reviews, and other reports.  
Site Status:

Project Site	Status	Monitoring Reports	
		Last Received	Final Due By
1553 Boston Post Road	Ongoing		
30 Bridgeport Ave	Ongoing		
0 Cherry St/Jefferson Park	Ongoing		
67-69 Cooper Ave	Ongoing		
94 Edgewater Place	Ongoing		

201 Kings Highway	Ongoing		
104 Lavery Lane	Plantings in, seeded, not yet established. Will need reseeded.		
32 Alexander Drive	Permit taken out		
16 Marsh Street	Ongoing		
114,122,124,128 Merwin Ave	Ongoing		
40 Morehouse Rd	Permit taken out		
690 New Haven Ave	Ongoing		
33 Pearl Street	Revised asbuilt required		
8 Pepe's Farm Road	Ongoing monitoring.	Nov. 2022	Nov 2023
0 Quarry Road	Ongoing		
0 Terrace Road	Waiting on final review.	Spring 2022	Complete
161 W Rutland Rd	Ongoing-several lots have been sold off and individual owners are coming in with minor modifications to the proposed sites. In all cases no work has been proposed in the conservation wetland areas. Issue with stormwater association to be worked out with developer/lot owners before bond release.	Waiting on reports	
Wheeler's Farms Rd	Waiting on final review		
523 Wheeler's Farms Rd	Ongoing.		

Please remember to call or email if you are unable to attend a meeting.

## H. Chair Report

The next meeting will be the continuation of the Public Hearing and Regular Meeting on July 05, 2023 via Zoom.

Please let the office know if you cannot attend and get any questions you have on the applications to MaryRose so that she can forward them to the applicants.

There being no further business to discuss, a motion was made by Connors seconded by Valvo to adjourn at 10:10 p.m. The motion carried unanimously by roll call vote.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.