

Minutes of the Regular Meeting of the Inland Wetlands Agency on June 19, 2019.

A. Roll Call

Present: Brendan Magnan, Daniel Bedeker, Ranjit Bhavé, Jim Connors, Matthew Connors, Ken Cowden, Dave DeFlumeri, Lilly Flannigan and Steve Munson.

Absent: Carol Dunn.

Also Present: MaryRose Palumbo and Lisa Streit

Magnan called the meeting to order at 7:30 p.m. and deemed Bhavé and M. Connors voting alternates.

B. Pledge

All stood for the Pledge of Allegiance.

C. Public Comments

None.

D. New Business

- 1. IW-A-19-040: 1125 Oronoque Road, Davis Holding Co.** – proposed redevelopment of sand and gravel pit to a manufacturing facility with construction, grading and drainage within 100' of a wetland or watercourse in the Housatonic River Watershed.

MaryRose reported that this is a proposal by Urban Mining CT, LLC to construct a manufacturing facility that processes recycled glass for use as a concrete additive. The site is currently a sand and gravel operation on Oronoque Rd. This is a proposal to use a portion of that property. The applicant did a presentation at the last meeting. The Agency had questions on:

- If a potential fire at the site could impact the wetlands, how would the wetlands be protected?
- A list of considered alternatives to the proposed construction and why they were ruled out.

In response to that meeting, the applicant made minor revisions to the plans and submitted their alternative analysis and fire plan. On Monday, these items were emailed to commissioners. The IWA walked the site earlier this evening. The weather was overcast. Bhavé, Dunn and Flannigan were unable to attend.

Magnan confirmed that Bedeker and M. Connors have familiarized themselves with the plans and application.

Ted Hart of Milone & MacBroom, 99 Realty Drive, Cheshire CT, represents the applicant. He submitted 3 revised large sets of drawings and oriented the Commissioners to sheet LA. He said that they had lowered the pipe outfall approximately 4' which resulted in a small direct wetland impact of 373 sq. ft and upland review area impact is now is 6,253 sq. ft. as they are now proposing work inside the wetland line for the stormwater pipe outfall and rip rap to dissipate the energy of the stormwater and prevent erosion into the pond. As was seen on the site walk, that area is currently disturbed.

There was a question on the pipe sizes for stormwater piping at the last meeting. Only one is flowing at 50% full and the last 2 are at 90% full. The only thing that changed is that they kept the same slope but lowered it 4' to give a milder slope on the pipe.

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They added a post construction stormwater plan for maintenance of the catch basins, hydrodynamic separator and the storm pipes. This starts with cleaning the catch basins and pipes at completion of construction and goes on to describe the cleaning plan going forward. There is a detailed maintenance plan in the stormwater narrative for the hydrodynamic separator. They recommend sweeping of driveways twice a year in the spring and fall. An annual report of stormwater maintenance must be submitted by 1/31 annually of the following year to the City.

He reviewed the fire protection plan: Hart stated that this will be a metal building that is sprinklered which should reduce the fire hazard. No hazardous or flammable chemicals are used on site. Natural gas is used in the process of cleaning the glass. All water will sheet flow away from the building into the storm drainage systems and be picked up in the biofiltration swales. They raised the catch basin inlets one foot (1') and added stone all the way around them to allow most of smaller storms to infiltrate. Several test pits were done and showed that this is very porous material. Water will enter the biofiltration area and infiltrate until it gets over a foot high and then it will enter the stormwater system.

As part of the fire protection plan each over head door will have trench drains on the inside of the building so that anything spilled (i.e. hydraulic hose break, fuel spill from machines etc) would be caught inside of the building and collected in a tank that will be properly disposed of offsite.

Hart reviewed each alternative, speaking to a larger version of the emailed handout. They were trying to keep the building next to Oronoque Road and to stay out of the Upland Review Area and flood plain. He then reviewed a map showing the Suzio easement – which is near the main entrance. That is why the Urban Mining building was moved north on the site.

The City Engineers' memo was received today (6/19/19). Hart stated that a lot of the information in the memo is for the Planning and Zoning application that will be filed soon. Hart stated that they will be doing item letter e – as part of the stormwater general permit. They understand that they are in a Coastal Area Management Zone and will be filing that application with P&Z. Hart showed the stormwater management narrative and in the last paragraph they state that they are designing for the 25 year design storm.

Munson stated that looking at Engineers memo he doesn't see anything else wetland related and asked if there was any public inquiries. MaryRose stated that there has been none.

Bhave asked what the post construction maintenance plans are for the trench drains; there are no notes for the cleaning of the trench drains. Hart stated that they are not stormwater as they are inside the building. They are part of the maintenance of the building.

DeFlumeri stated that he had questions in regards to cleaning of the pond. There appeared to be tires and debris in the pond. He asked if there had been testing of the pond to see if there are any chemicals in it. He is concerned with a 100 year storm if it would overflow. Hart stated that the O&G spokesman from the site walk said that they will go and pick out any visible debris and would agree with a condition for that. The current condition of the water has not been tested. A discussion followed that there is record that there is no connection from this pond to the Housatonic River.

M. Connors questioned if there is anything done in the process that makes very fine material that could impact the wetlands and if the oil separator is concentrating on the area with most traffic. Hart stated that the state will be issuing an air quality permit. There will be a stack (for the natural gas

that will be used to clean the paper off the glass. There will be scrubbers on the stack. There are no other chemicals used in the process. It is an inert process. The hydrodynamic separator will filter all of the stormwater going off the site. Due to the design there will be settling out of any sediments before they enter the hydrodynamic separator.

Cowden stated that he would like confirmation that there is no stockpiling of material outside of the building. He further asked if there would be washing of the trucks on site and if there would be snow piling. Hart stated that snow would be plowed to the sides in designated spots.

Bhave asked about mitigation for the 373 sq ft of impact. MaryRose stated that the result of the impact is based on the IWA's recommendations at the last meeting. Bhave stated that curbs and side walks are being requested per the City Engineer. Hart stated that this is along Oronoque Road, not on the site itself.

Connors and Cowden stated that the site has been in flux for the last 30-50 years and this will stabilize an area of the site.

DeFlumeri questioned water quality issues as pertains to this application. MaryRose stated that the pond already exists and is not part of this application and the project is not creating any disturbance to the pond. Munson stated that there is quite a bit of standing water on the site and questioned if that would be the Health Departments' responsibility. Cowden stated that the pond is a settling pond with no outlet in an industrial area and is not on the leased property that the IWA is reviewing.

Magnan stated that he feels that the modifications have addressed issues the agency brought up and that the project enhances the area with proper maintenance. He noted that the Agency must evaluate applications using section 10 of the Inland Wetland Regulations when reviewing proposals for permitting under the Wetland Statutes.

The following motion was made by Connors and seconded by Flannigan:

I move to approve application IW-A-19-040: 1125 Oronoque Rd based on the plans entitled "*Davis Holding Company, 1125 Oronoque Road, Milford, Connecticut 06460*" by Milone & MacBroom, Inc., cover & 9 sheets dated 4/30/19 revised 6/17/19, the information in the file and presented this evening, for the following reasons:

This action will not have an impact or effect on the physical characteristics of the adjacent wetlands and watercourses.

A feasible and prudent alternative does not exist because:

- The applicant has shown that the best alternative for the stormwater outfall is to discharge to the existing sedimentation pond.
- The design will stabilize the current conditions on this portion of the property which should have a net benefit to the area wetlands and watercourses.

With conditions including:

- The Permittee must submit a construction plan *prior* to taking out the permit.
- Soil Erosion and Sedimentation controls as outlined on the plans and in the CT DEP "2002 *Erosion and Sedimentation Control Guidelines*" must be installed and maintained on the site until the property is stabilized.
- A bond to be calculated must be posted with the MIWA for S&E controls, and an asbuilt showing finished 2' contours and locating all site structures.
- The Permittee must submit a certification by the Project Engineer that the completed project meets the design intent of the approval prior to bonds being released.

- Snow shelf areas with 'no snow push' signage to be shown on the construction plan
- There will be no sorting or storage of plant operation raw or processed materials outside of the building.
- The debris in the settling pond is to be cleaned up.
- The permit is issued 6/19/19 expires 6/19/24 unless otherwise provided by Statute.

That is my motion.

The motion carried unanimously.

2. Violation IW-V-19-037: 40 Little Pond Road, Michael & Samantha Parillo – clearing, filling, grading and placement of material and debris in and within 100' of a wetland in the South Central Shoreline Watershed without a permit.

MaryRose reported that this is a violation issued 5/29/19 to the property owners of 40 Little Pond Road, Michael & Samantha Parillo. Based on several complaints, she visited the site on 5/20/19. Her field report and photos were sent with the 6/5/19 agenda. It appears that work in the rear yard including clearing of vegetation and filling / grading of the rear yard was done within the upland review area without a permit.

MaryRose signed off on an in-ground pool permit for the Parillo's on 11/6/18 but was assured that no filling or grading were proposed in the upland review area. She reminded the permittee that there was an inland wetland upland review area and a flood zone on the property and that they would need additional permits if they proposed to do work in those areas. As always, she required that proper sedimentation and erosion controls be used until the site was stabilized.

At the 6/5/19 meeting Mr. Parillo stated that one tree was removed by Public Works and that he took the other two down after one fell onto the other. MaryRose spoke with the DPW, the Tree Crew did remove a tree on Terrace Rd. He had no reason as to why the grading was apparently done on to City property in the upland review area without permits. Mr. Parillo also stated that the pile of recent debris on the adjacent City property was placed there by neighbors. He had said that he was willing to move the drain back if necessary and install plantings. Mr. Parillo was unable to be here tonight as he had previous commitments. She is meeting him on the property next week.

At the 6/5/19 meeting the Agency upheld the violation. At this time, the IWA can:

Ask questions

Modify the violation

Release the violation

Take no Action

Cowden questioned if all of the soil from digging the pool was dispersed in the yard and disrupted the soils/wetlands. He would like to know how much material was removed and where it was put, the dimensions of the pool and information of the approximate topography of the property.

MaryRose is to get the following information from Mr. Parillo:

How much material was placed in the rear yard?

How deep is the pool?

Were wetlands filled in during the grading?

No action taken.

E. Old Business

1. **IW-V-19-028: 5 -21 Pond Point Avenue, MJ Properties** – Material and debris in and within 100' of a wetland in the Indian River Watershed without a permit.

MaryRose reported that this is a violation issued on 4/26/19 to the property owner at 5-21 Pond Point Avenue for miscellaneous debris and materials dumped in the rear of the building that are in and adjacent to the wetlands and the Indian River marsh. At the last meeting, the Agency modified the violation order to require the debris to be removed by 7/17/19 and the map and soil and mitigation report to be submitted by 9/4/19. She recommended no action at this time.

This evening the Agency can:

- Ask questions
- Modify the violation
- Release the violation
- Take no action

No action taken.

E. Minutes

A motion was made by Munson, seconded by Connors to accept the minutes of the regular meeting on 06/05/19 as presented. The motion carried with Bedeker and M. Connors abstaining.

F. Staff Report

The Office has been quite busy with inquiries and complaints. MaryRose is working with DPW on flooding issues in wetland / marsh areas that require drainage maintenance.

Eagle Scout Project – A Jurisdictional Ruling will be issued under section 4 for the Storywalk Eagle Scout project at Eisenhower Park. They will be installing 33 posts with pages of children's books, as you walk the trail you can read a story. They will also be installing a page on the posts about the native species near each post. Library Personnel has committed to changing the book periodically.

MaryRose issued a JR to DPW for a temporary fueling location. The fuel tanks at Public Works are being replaced by Convaults. The temporary tanks were located away from the current fueling area so that work could proceed.

Thank you to those notifying the office that they wouldn't be able to attend the site walk this evening. In the future please respond only to MaryRose instead of reply all. She wants to avoid ever having a group conversation by email.

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

G. Chair's Report

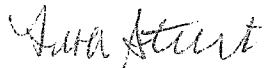
There will be NO meeting on July 3rd. The next meeting will be a Regular meeting in Conference Room B on July 17, 2019.

Magnan asked that commissioners focus on wetlands impacts, direct question based on what impact the proposal will have on the inland wetlands and watercourses.

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 to adjourn at 8:50 p.m. was made by Connors and seconded by DeFlumeri. The motion carried unanimously.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lisa Streit".

Lisa Streit

These minutes have not been accepted or approved.