

SPECIAL MEETING

Wallingford Inland Wetlands & Watercourses Commission

Monday, March 19, 2018

Room 116, First Floor, Town Hall

45 South Main Street

Wallingford, CT

MINUTES

PRESENT: Chairman James Vitali; Commissioners Nick Kern, Secretary; Deborah Phillips; Mike Caruso; Aili McKeen, alternate; Darryl Porto, alternate; Erin O'Hare Environmental Planner

NOT PRESENT: David Parent, Vice-Chair

Chair Vitali called the Meeting to order at 7:02 p.m. and the Pledge of Allegiance was recited. He noted the purpose of the Special Meeting was to consider the business of the Regular Meeting that was scheduled to take place on Wednesday, March 7, 2018, but was canceled because of inclement weather. The Special Meeting will take place on Monday, March 19, 2018 at 7 p.m. in Room 116, First Floor, Town Hall.

Consideration of Minutes

1. Special Meeting, Feb. 8, 2018, 7:00 p.m.

MR. KERN: MOTION TO APPROVE THE FEBRUARY 8, 2018 SPECIAL MEETING

MINUTES AS PRESENTED

MS. PHILLIPS: SECOND

VOTE: CARUSO –ABSTAIN; PHILLIPS – ABSTAIN; KERN-YES; PORTO-YES;

VITALI - YES

OLD BUSINESS

1. **#A17-10.2/291 Hall Avenue – Community Lake Park** – Wallingford Parks & Recreation Department – (tree thinning & vegetative removal)

Appearing was David Gelo, Chairman, Parks & Recreation Commission, and John Gawlak, Parks & Recreation Director. Mr. Gawlak told the Commission they had granted approval approximately four years ago to do some thinning and maintenance of the northern section of the pond east of the basketball court. He noted there is an acre lot, and there was a desire to have some passive green space while getting the chance to look at a water view. He said since the first thinning, Mr. Gelo, as well as the Parks & Recreation

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Dept. received positive feedback from the Quinnipiac River Linear Trail Committee as well as from the general population. Mr. Gawlak said he is looking to do something similar for the next 300 ft. south. Mr. Gelo pointed out they were originally going to go 1,200 ft. for the second phase, but after meeting with the Trails Committee of the Conservation Commission, it was decided to reduce the work to 300 ft. He pointed out the location on the site map. Mr. Gelo said Parks & Recreation has gone in with the Conservation Commission and marked all the trees to be saved. He noted there are 45 trees in that 300 ft. area.

He said the Parks & Recreation Dept. is not going to clear, but thin the dead trees and trees that are leaning along with invasive species. Mr. Gelo showed a photo of the Community Lake from the 1950's, noting the area was mostly grass. He said now, one would not even know there is water in this area. Mr. Gelo noted that Ms. O'Hare wants the Parks & Recreation Dept. to go from the water's edge, 20 ft. up and not touch anything. He said this suggestion didn't make sense, noting there are parts of this area that are only 30 ft. to the woods edge. He said we should be able to clear all the way to the edge of the trees, saving 45 to 50 trees.

Commissioner Kern asked who would be qualified to pick what stays and what should be removed. Mary Heffernon, Chair of the Conservation Commission noted that Conservation Commission member Carl Arsenault is qualified because he works in Park Management with DEEP and has a Forestry Degree.

Mr. Gelo noted that Mr. Arsenault helped the Parks & Recreation Dept. mark the trees in that area. Commissioner Kern asked what would prevent erosion once clearing began. Mr. Gelo noted the stumps will not be taken out from the trees and only dead, dying and invasives will be removed. Commissioner Kern asked who would be responsible for maintaining the debris. Mr. Gawlak said Public Works would be in charge of this. He said the top area would remain grass and would be periodically maintained. Chair Vitali asked why the new growth was being left and asked if this defeated the purpose of having to mow or cut this area 20 years from now. Mr. Gelo said the area is just brush. Commissioner McKeen noted that if bittersweet or multiflora and autumn olive is cut, it will return with a vengeance.

Ms. Heffernon noted that when they went out there to see what should remain and what should be cut, there was a couple sitting on the bench looking at the water. She said the undergrowth will grow back and said she didn't have a particular problem with what is being proposed. Commissioner Kern said his biggest concern is who will maintain it afterwards. He said he was not opposed to this project being done, but the maintenance is the issue, along with trash. Mr. Gawlak said Public Works does major clean-ups in the fall and spring.

Ms. O'Hare noted her Environmental Planner's Report dated March 2, 2018. She pointed out page 2 of her report. She said she met with Mr. Gelo and Mr. Gawlak several times and went to the site recently to see the marked trees. She said she also worked with the Engineering Dept. to come up with a three phase plan (with Phase 3 being the end of phase 2 down to Hall Avenue). Ms. O'Hare said in the cleared area, which is Phase 1, mowing will continue in the wood chipped area and the shrubs will continue to be clipped, which she wasn't in favor of having done near the water's edge. Ms. O'Hare said a wooden handrail is planned to be installed on the northern side for Phase 1. She said Phase 2 is what was discussed for approval at tonight's meeting. She said the eroded area on the slope near the pavilion will be addressed. Ms. O'Hare said the saplings, dead tree and mature invasives, i.e., Trees of Heaven, will be

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removed as well as any leaning trees. She said the trees to remain were tagged by the Conservation Commission. Ms. O'Hare said the shrubs and undergrowth will also be removed. She said she believed all the invasive species would be removed not just cut. She spoke about the wood chipped mulch distributed over the cleared area. She said she wanted some of the native shrubs kept for the birds but noted many people told her they liked to see the view of the lake. Ms. O'Hare said she feels strongly the edge of the lake should be protected, so she wants to see some protection, i.e., a 20 ft. riparian buffer and some logs along the lake remain. Commissioner Kern said the Applicant needs to know what needs to be done in advance before they come and ask for permission. He said the canoe trail wasn't maintained and wanted to know how the woodchips would be maintained on a smooth area. He asked if woodchips would be able to stabilize a sloped area from erosion. Ms. O'Hare said she preferred to see plants in that area. Commissioner Kern said it doesn't appear everyone is on the same path. Ms. O'Hare said the Applicant wants to begin the project this spring. She said she recommended this project begin before the bird nesting takes place.

Chair Vitali said there is a lot of woodland in this area and wouldn't be that concerned about nesting birds. He said he didn't like the concept of things growing back and said it doesn't make sense. He said he didn't think there should be a 20 ft. buffer trying to block what is going on between the water's edge and the people. He noted that items on page 2 of Ms. O'Hare's report make sense. He said this is just one phase of what can be done. Chair Vitali said he is not against the clearing, but doesn't want to see 20 ft. saved.

Commissioner Kern said he is not opposed to this project, but the big picture needs to be seen. He said this project needs to be polished. Ms. O'Hare asked the Commission to do a site walk. Mr. Gawlak said he and Mr. Gelo are willing to table this project and come back again and do a site walk so we can all be on the same page. Chair Vitali requested Ms. O'Hare schedule an April site walk.

Mary Mushinsky, Executive Director of River Advocates of South Center CT, said the board is concerned that we will be destroying a vegetative buffer that protects the water quality of Community Lake and the Quinnipiac River. She said her group participated in the first site walk in August 26, 2013 in advance of the first decision which allowed Parks & Recreation to cut one-third of the western shoreline. She said her group recommended Parks & Recreation cut no vegetation on the slope, but just work on the terrace on the top to protect the views. Ms. Mushinsky noted the purpose of leaving the slope vegetation in place is to retain the filtering ability of the buffer, provide a wildlife habitat and prevent erosion. She noted that urban rivers have a storm water contamination problem which carries excess phosphorus and nitrogen into the waterways and 25 ft. of buffer will filter this out.

Ms. Mushinsky showed photos of the first cutting and what it presently looks like. She said this is now open to erosion and open to nitrogen and phosphorus. She said Canada Geese like to see the water but don't like it when the view is blocked. She said the geese prefer to rest on the bare landscape, noting that leaving the buffers along the edges will keep the geese from going to the edge of the water. She said the concern is when the next two-thirds of the project is done, the buffer will be removed. She urged the Commission to try to keep the buffer along the lake's edge.

Mr. Gawlak and Mr. Gelo agreed to notify Ms. O'Hare of the withdrawal of this project.

2. **#A17-10.3/530 Church Street** – Timberwood Homes, LLC – (clearing on Lots 1, 2,3 &4) – Request for administrative approval.

Ms. O'Hare said administrative approval by Chair Vitali was granted one week ago.

3. **#A14-7.2/195 Chimney Hill Road** – Sunwood Development – (16-lot subdivision) – Request for bond reduction

Ms. O'Hare said the bond is \$40,000 now and she suggested the bond be reduced in half. She said there are four lots left to be developed out of 16 lots. Ms. O'Hare said the bond is being held on the remainder of the lots and erosion.

Chairman Vitali entertained a motion on the request for bond reduction.

MR. KERN: MOTION THAT APPLICATION #A14-7.2/195 CHIMNEY HILL ROAD – SUNWOOD DEVELOPMENT – (16-LOT SUBDIVISION) – REQUEST FOR BOND REDUCTION BE REDUCED FROM \$40,000 TO \$20,000

MS. PHILLIPS: SECOND

VOTE: CARUSO-YES; PHILLIPS – YES; PORTO – YES; KERN – YES; VITALI –YES

Chairman Vitali took the agenda in the following order:

6. **#A18-12.1/31 Country Way** – Mark Benson, Bencar Building Systems – (re-build deck, add screened porch – *administrative approval granted 2/8/18*)

Chairman Vitali said this was granted administrative approval. Ms. O'Hare said this was included on the agenda for legal notice.

4. **#A18-1.1/155 East Street/Quinnipiac River** – Ferti Management Corp – (driveway & loading area installations & storm water management improvements discharging to wetlands)

Appearing in front of the Commission was Larry Edwards, P.E., representing Ferti Management Corp., who said he was hired to make modifications to the existing building in order to provide for their proposed manufacturing line which is primarily mixing and bagging fertilizer along with its storage and distribution. Mr. Edwards said the primary items his firm was contracted for involved obtaining access and managing the traffic flow so that the distributing trucks can access the site and unload, and to have a loading area for the finished product. He emphasized this is a wholesale, not a retail operation.

Mr. Edwards went over the site plan. He showed where the parking lot ends and the extension of the parking area which would be located in the rear of the building to provide a way for tractor trailers to access the site, turn around and leave the site. Mr. Edwards showed the new driveway section and the widening out of the existing driveway and parking areas to accommodate the turning radius. He also pointed out on the site plan, where the bagging of materials will take place in the building and the location

of the warehouse. He also pointed out where the processing and bagging area along with the palletizing of the materials will take place.

Mr. Edwards spoke about the loading docks. He showed where the wetland review line was located and noted the increase to the impervious areas and the storm water management areas will be located outside the 50 ft. upland review area. He said the storm water discharge will enter into the upland review area which is considered a regulated activity. Mr. Edwards said to control the runoff from the primary areas which is the driveway area along the front of the building and the loading area, there will be two storm water quality basins, one along the front of the building which will sheet flow off the driveway and a monitoring outlet structure which will be directed into an existing storm drainage system along the back of the property. Mr. Edwards noted that a detailed storm water management plan was completed along with a hydraulic analysis, pre and post development. He said the site will be at or below peak flows leaving the site after development. He spoke about the parking area. He said there should be approximately 20 to 30 employees so there will be parking that will not be used, but is needed to meet Town Regulations. Mr. Edwards said he is proposing to take out a strip of parking and redo this as a finished grass surface which will allow them to off-set impervious areas on the site.

Mr. Edwards noted there will be a planting plan for the water quality basins. He said the loading area will be the area with the most potential for a fertilizer spill and the basin was created to catch these spills so they can be controlled and regulated. He said they will install islands per Planning & Zoning Regulations and install plants along the buildings. Mr. Edwards addressed Ms. O'Hare's recommendations. He showed the location of two anti-tracking aprons for the two construction areas. He said test holes were dug and the results were noted on the plans. He said the water table here was between 66 inches and 72 inches.

Mr. Edwards said flood contingencies were included in the storm water maintenance plan. He said this was designed by establishing a flood elevation which mandates that if the water level was more than six inches in the area, operations would be suspended. He noted there was no chance of the water getting into the building, noting there were two-feet of freeboard above the 100-year flood level to what the floor level is in the building. He showed the edge of the Quinnipiac River on the site plan.

Chairman Vitali asked what the spill plan involved. He said the Applicant has done a great job of controlling the loading of trucks and entering the detention area to catch the high concentration of fertilized water. He asked about the unloading of trucks. Mr. Edwards said all of this will go to the basin, which has a natural pitch. Mr. Edwards said there is a water break through the pavement.

Eric Boswell, HRP Associates, retained by Ferti Management to do a spill response plan, went over the plan which he noted was more specific to bulk oil storage over 1,300 gallons. He said the nature of Ferti, most of the material is solid. He said this was taken into account with the plan. Mr. Boswell said the solids can't be exposed to storm water when being loaded or unloaded, because the material will gum up. He said the only point of exposure will be where the material falls out of the truck and into the hopper. He said there will be someone in the truck operating the truck and a person nearby monitoring the materials. He said both of these people will be trained in a spill plan and containment and clean-up. He said a retaining wall will be constructed along side to contain the spill before it flowed out of the area.

Mr. Boswell said the bags of fertilizer will be loaded onto the trucks and if they came off and broke, it was not a flowable material and will remain on the ground. He said there will be spill kits at the outside locations and inside the building, and they will boom off the entrance to the driveway going in. He explained the boom is a plastic sock which would stretch across so nothing could flow out of the area. He went over the spill plan which contains the training of employees including a flow chart which includes how spills need to be handled and who is to be contacted. Mr. Boswell said different spill kits will have different materials in them, i.e., booms, socks, dustpans and brooms for a fast clean-up.

Ms. O'Hare asked Mr. Boswell to speak about DEEP needing to be contacted for this plant if a bag of fertilizer spills because some of the fertilizer contains pesticides. Mr. Boswell pointed out the way the Regulation is written, a spill of any substance to the ground could qualify. He said DEEP has interpreted this to mean a liquid spill to the ground. He said a solid spill wouldn't need to be cleaned-up unless it is entering a waterway or a storm drain. He said we don't notify DEEP for solid spills unless they would impact a soil or water way into a catch basin or storm system. Commissioner Kern pointed out this is no different than Home Depot or Lowes which sell fertilizer bags this company provides.

Mr. Boswell noted that if the bags of salt go into the storm system, it would need to be reported to the DEEP but if it stayed on the ground; it wouldn't have to be reported. He said if it were to rain, it would not matter because there cannot be moisture getting into the material at the loading area. He said there would be no deliveries in the rain anyway which he said was in the spill plan. Commissioner Kern asked if employees could be trained to operate an industrial vacuum and to have a vault under the ground instead of having catch basins or dry basins, so a water sample could be taken. Mr. Edwards said he would have no problem installing a separator tank but noted the only problem would be that this tank would be filled with water all the time. He said this tank would act as a dilutor, but it won't be dry because it will always be filled with water. Mr. Kern asked if this entire project would be contained inside the building, and the only operation outside the building would be when the trucks come in and leave and it must be a dry day. He said as a fail-safe, there should be a vault outside i.e., a 2,000 gallon septic tank where the water could be analyzed.

Mr. Boswell noted the tank will always be filled. Commissioner Kern asked if the critical areas could be separated to the parking areas. Mr. Boswell said he would have no problem installing a tank to control this. He said this would help if there is a spill it would concentrate into the tank filled, but if there is a rainstorm, the day before, there will be water in the tank. He said the loading will take place outside. He said the spills outside would be contained with a boom and would be contained in the rain and cleaned up.

Chair Vitali noted that booms have different values and do different things, i.e., a boom that only contains oil and other materials. He asked how this boom would separate out what is being discussed. He noted if there is a clean-up team, he wasn't sure what good the boom would do in this particular instance. Chair Vitali said this doesn't make sense with a boom being thrown out there and all of a sudden there would be four inches of water, how would this be cleaned up. Chair Vitali said the boom would hinder the clean-up process and would be in the way.

Mr. Boswell said the boom would be a redundancy for containment. He said the main point of the spill plan is as soon as a spill occurs, there is the operator. Commissioner Kern noted everything is shrink wrapped and palletized. Chairman Vitali noted herbicides and pesticides would also be stored on-site. Mr. Boswell

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confirmed there would be this type of storage. Chairman Vitali said this material would be in 25 gallon totes. Mr. Boswell said there is a spill plan for this.

Commissioner Kern asked Mr. Boswell if he was worried about summer humidity. Mr. Edwards said any moisture in the fertilizer will cake up the material and will be controlled inside. Commissioner Kern said his only concern is the speed of the clean-up and how the clean-up would be done. Ms. O'Hare asked if there is a point where water levels would become an issue. Mr. Edwards noted the building is above (2 ft.) the flood plain. He said the area is out of the 100 year flood level.

PUBLIC COMMENT

David James, President of the Quinnipiac River Watershed Association, expressed concerns pointing out that it is not a question of if some fertilizer gets spilled in the yard, it is inevitable. He wondered how the spills would be dealt with. Mr. James said he has worked in shops over the years, and has been on spill committees in shops and it comes down to how professional the staff is. He said it is not unusual to have material on the ground that doesn't get picked up right away. Mr. James said it is good the company won't be operational when it rains, but noted the material could be on the ground before it starts raining and doesn't get removed. He said the material has to be dealt with promptly when spilled, especially if the material has pesticides. He wondered how water soluble these nutrients are in the fertilizers and there would be chemicals coming out of them. He said installing plants between the facility and the river is a wise move because there will be water getting down there. He said he would have to look at whether the buffer area is sufficient to absorb these nutrients.

Mr. James said a quarry area he worked with in Meriden had a problem with sediment transfer from their processes and they installed three detention ponds, because with one detention pond, the sediment was getting into the wetland across the street. He said he would like to see a real failsafe system installed that guarantees the sediment will filter down and that there is a sufficient buffer between this operation and the river that these nutrients won't make it into the water which he said is the biggest polluter in the water bodies today.

Mary Mushinsky, River Advocates of S. Central CT., said the concern that this is a fertilizer plant and is in a sensitive area. She said excess nitrogen and phosphorus is a problem in the Quinnipiac River and is the ingredient in fertilizer. She noted that 75% of nitrogen in the Quinnipiac comes from landscape runoff and 25% of phosphorus in the river comes from landscape runoff and the levels of both must be reduced. She said there is a risk if flooding occurs and enters the site, and some of the fertilizer beads may include pesticides which would harm aquatic life without a working spill capture plan. She said she was glad the flood contingency plan which would temporarily remove the source of excess nutrients and pesticides from reaching the floodwaters was discussed. She said she has been involved in many river cleanups and noted the former ThermoSpa which was located on the site of the proposed fertilizer plant, stored hot tubs which were carried down the river by floods. She asked the Commission to insist on a strong contingency and spill capture plan.

Ms. O'Hare said he wanted Mr. Edwards to address how the plants to fend off polluted runoff, would function in the winter. Mr. Edwards noted that fertilizer isn't sold a lot in the winter and the fertilizer is stored inside. He said the fertilizer is seasonal. Ms. O'Hare asked if it would be possible to have a forebay

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in the water quality basin and closer to the loading area and not near the driveway. Mr. Edwards said anything could get done in this respect and a forebay could be installed. Chair Vitali said everyone is concerned about nitrogen and the fertilizer getting into the Quinnipiac. He said the only way to prevent this is through biofiltration. Commissioner Kern said he believed the Commission addressed everything and is comfortable with what was presented. He said if the Applicant is sincere about what was said, it is under control.

Chair Vitali said he first indicated that a swale coming into the retention pond would be a good thing to handle a spill in the off-loading area, but then thought that maybe this would bring too much water into this area. Mr. Edwards noted that one of the benefits of having this retention pond with no curbing is that the water would go into the grass area first. He said there would be extra filtration. Chairman Vitali said he didn't want an overabundance of water in the basin or else it will flush it out too quickly.

Chair Vitali entertained a motion on Significant Activity. Ms. O'Hare noted she was told by the DEEP that all fertilizer spills had to be reported to DEEP on the outside of the building. Mr. Boswell said what spills needed to be reported by Regulation is also stated in the Spill Plan. He said all the spill reporting requirements by State Regulation are in the Spill Plan. Mr. Boswell said when a spill occurs, after a few times of reporting to DEEP, they will be told not to bother reporting the spill anymore.

**MR. KERN: MOTION THAT #A18-1.1/155 EAST STREET/QUINNIPIAC RIVER –
FERTI MANAGEMENT CORP – (DRIVEWAY & LOADING AREA
INSTALLATIONS & STORMWATER MANAGEMENT IMPROVEMENTS
DISCHARGING TO WETLANDS) BE DEEMED NOT A SIGNIFICANT
ACTIVITY**

MS. PHILLIPS: SECOND

VOTE: PORTO- YES; KERN –YES; CARUSO –YES; PHILLIPS –YES; VITALI –YES

Chairman Vitali said this is predicated on IF there is a spill. He said the activity of making the fertilizer isn't a hazard, just if there is a spill.

Chairman Vitali entertained a motion to approve or deny the application.

**MR. KERN: MOTION THAT #A1801.1/155 EAST STREET/QUINNIPIAC RIVER –
FERTI MANAGEMENT CORP – (DRIVEWAY & LOADING AREA
INSTALLATIONS & STORMWATER MANAGEMENT IMPROVEMENTS
DISCHARGING TO WETLANDS) BE APPROVED WITH THE FOLLOWING
STIPULATIONS:**

1. EROSION CONTROL MEASURES ARE IN PLACE AND MEET THE

APPROVAL OF THE ENVIRONMENTAL PLANNER PRIOR TO ANY FURTHER WORK BEING COMMENCED ONSITE. ADDITIONAL E&S WILL NEED TO BE INSPECTED AS WELL PERTAINING TO DIFFERENT PHASES OF CONSTRUCTION

2. **IWWC PLACARDS TO BE INSTALLED AT THE EDGE OF THE PARKING AREAS IN LOCATIONS TO BE SELECTED BY THE ENVIRONMENTAL PLANNER (USING WOODEN POSTS AND PLACARD SIGNS (THE LATTER PROVIDED BY THE IWWC)**
3. **SIGNAGE TO BE INSTALLED AT LOADING AREA AND AT UNLOADING AREA INDICATING THAT ANY OUTDOOR SPILLAGE OF FERTILIZER MATERIAL IS REQUIRED BY DEEP TO BE REPORTED TO THE DEEP EMERGENCY SPILL UNIT**
4. **SUBMIT A COMPLETE FLOOD CONTINGENCY PLAN BE SUBMITTED WITHIN ONE MONTH'S TIME**
5. **ADD A FOREBAY TO THE WATER QUALITY BASIN ON THE WEST SIDE**

MS. PHILLIPS: SECOND

Chair Vitali asked how another forebay could be installed at the other end if the inlet and outlet area are at the same end of the pond. He asked what this would do. Mr. Edwards said the only way this could be done would be to run additional pipe up to get to the other side which we are prepared to do. He said he didn't believe it was necessary.

VOTE: PORTO –YES; KERN – YES; PHILLIPS – YES; CARUSO – YES; VITALI - YES

5.#A18-1.2/801 N. Colony Road & 6 Beaumont Road/Padens Brook –NERP Holding & Acquisitions Company, LLC – (commercial development)

Appearing in front of the Commission was Atty. Dennis Ceneviva, of Ceneviva Law Firm, representing the Applicant, Tractor Supply Company, and George Logan, professional wetlands, and Soil Scientist, and Jim Cassidy Project Engineer. Chair Vitali noted that he owns one of the pieces of property being discussed and recused himself from the presentation and turned the meeting over to Commissioner Kern, Acting-Chair.

Atty. Ceneviva said the properties involved in this project are located at 801 N. Colony Rd. and 6 Beaumont Rd. and are 4.37 acres of combined land zoned RF-40. He said the total on-site wetlands are .1225 acres which amounts to a modest amount of Padens Brook traversing the property. Atty. Ceneviva said the proposal is to construct a 19,097 sq. ft. Tractor Supply Co. He noted the original proposal had two stores, a retail store and a tractor supply store which was revised to reduce the number of parking spaces which is 81 spaces. He said there is a fenced-in outdoor sales area behind the Tractor Supply store totaling 15,000 sq. ft. Atty. Ceneviva said the proposal will create more than 20,000 sq. ft. of impervious area. He noted there are four modest encroachments in the upland review area and no activity within the wetlands.

He said the water leaving the site post construction will be far cleaner than the existing flow. He said this is designed to get approval for the Tractor Supply Co. but to also improve the overall quality of the water entering into Padens Brook.

Mr. Cassidy went over the existing site photo. He said the site consists of two properties: North Colony Rd. and Beaumont Rd. He said there is a wetlands and watercourse on the property - a brook running along the northerly boundary line, which comes under the old bridge structure that used to come across the front portion of the property. He said off to the north is the Walmart Shopping Plaza. He noted the brook eventually goes under a box culvert on N. Colony Road. Mr. Cassidy pointed out there is also an industrial building at 10 Beaumont Rd and a single-family house at 8 Beaumont. He said past uses of the property included a vehicle storage facility and at 6 Beaumont Rd., there is a single-story building with a 3,500 sq. ft. footprint.

Mr. Cassidy went over the drainage pattern noting there is a low spot where the vehicles are stored and there is a ravine and a berm. He said the majority of the water coming from 6 Beaumont Rd., travels through the low spot, eventually discharging to the lower spot into a portion of the brook which is off-site.

He said the proposal is to construct a one-story 19,097 sq. ft. building, located towards the center rear portion of the property. He said in the north side of the property, there will be a 15,000 sq. ft. concrete pad for the fenced-in outside display area for products too big to be in the store, i.e, York rakes and brush hogs. He said the concrete pad will have an 8 ft. high chain link fence with a drive aisle through the center.

Mr. Cassidy said a parking lot will be constructed to the front of the site with approximately 73 parking spaces to the front with a new access drive from Beaumont Rd. and secondary driveway to the rear of the building containing eight parking spaces for employees. He pointed out a rear paved area for delivery vehicles. Mr. Cassidy said there will be a concrete walk along the front of the building to house seasonal display items, i.e., lawnmowers, snowblowers. He said there will be another display area to display small landscaping trailers. He said the original plan to construct a 7,200 sq. ft. building was eliminated and will remain as a grassy area.

Mr. Cassidy showed photos of two different Tractor Supply stores, including the one in Guilford. Mr. Cassidy spoke about storm water management, noting the majority of the water is flowing through a low point where the vehicles are stored up and out to the brook up to the north. He said the proposal is to grade the parking lot in a way where all the water is captured within a drainage system in the parking lot through a series of catch basins which interconnect and convey the water to a storm water quality basin constructed between the building and Beaumont Rd.

Mr. Cassidy said in the back, the drainage system will be constructed in the back edge of the turnout area which will discharge the water into the storm water management basin and then discharge into an outlet structure, to a pipe, then a manhole and then a level spreader which is located at the toe of an existing fill slope from the old roadway up from the watercourse. He said the proposed level spreader will consist of a series of 4 ft. high, 4 ft. wide concrete galleries and will bury the gallery into the slope so the backside will be buried into the slope. He said on the downhill side, the outlet side, two feet will be suppressed into the ground and the upper two feet exposed which allows the bottom two feet of water to recharge to the ground below. He said once the water builds up to the two-foot depth; there is a rip-rap pad out the front

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side so the excess water can discharge out through the weep holes to the concrete gallery. He showed a photo example of a concrete gallery in a sub-division in Rocky Hill. He said there is also a concrete gallery in the Guilford and Old Saybrook Tractor Supply sites.

Mr. Cassidy spoke about grading, noting the grade will be slightly cut down in the back and the parking area will be filled in the front to make the lot level. He said all the roof leaders will infiltrate back into the ground. He noted the soil is fine and sandy and makes for excellent infiltration rate. Mr. Cassidy spoke about the wetlands impact. He noted that along the watercourse, Mr. Logan, Soil Scientist, had delineated the wetland area on the property which consists of 1.22 acres.

Mr. Cassidy said there is the 50 ft. upland review area from the wetlands. He said there will be a 653 sq. ft. excavated for construction of the level spreader. He said there will be a rip-rap pad installed on the outside of the level spreader. He said there will be the regrading and cleaning up of knotweed and establishment of a meadow-mix in the soil. Mr. Cassidy said there was an original variance for an outside display area and when eliminated, there was a concern of an open view of the Tractor Supply building. He said the plan now is to plant a row of dense row of evergreens. He said he met with Ms. O'Hare at the site today, (Monday), and agreed there are a bunch of deciduous trees that can remain. He said this activity will consist of 5,744 sq. ft. within the upland review area. Mr. Cassidy said the northwest corner of the parking lot drops off to a swale which needs to be made level. He said a small section of a retaining wall will be constructed to hold the corner which will have a 1,500 sq. ft. impact for the construction of the parking lot. He said on 6 Beaumont Rd, the grade climbs up to a berm near the AT&T site. He said the berm needs to be cut down slightly to make the grades for the parking lot work. He said this work is within 50 ft. of the wetlands and the watercourse, making an additional impact of approximately 540 sq. ft.

Mr. Cassidy said all roof leaders will discharge into the infiltration system which is designed for a 25-year storm event. He said the water will eventually discharge into the ground. He said an extensive drainage study was done and it was found that the on-site watercourse has an overall watershed of approximately 688 acres. He said with the measures in place, a slight decrease in flow will be seen. Mr. Cassidy spoke about the two access drives which will each have their own anti-tracking ramp and a staked haybale along the edge of this activity. He said Ms. O'Hare recommended that a silt fence be constructed and backed up with hay bales which was agreed to and put onto the site plan. He said on the original plan, the storm water quality basin was to be used as a temporary sediment basin and direct the water to it during construction. Mr. Cassidy noted the temporary sediment basin will be installed slightly lower with diversion berms in the majority of the construction area to divert water.

Mr. Cassidy pointed out that plants which can take temporary inundation will be installed. He said the center section will be planted with a series of shrubs, consisting of grey dogwoods and a series of wildflower mixes along the perimeter and the top edges will have a meadow mix. He said only the very top edges would be mowed and the rest would be left vegetative.

Mr. Logan, Soil Scientist and Wetlands Scientist and Ecologist, highlighted his report. He noted the wetlands were delineated by him on December 5. He noted there were some riparian deposits and disturbed soils were formed by the river and stream environment but not much wetland soils. He noted the typical vegetation in an urbanized stream, i.e., red maples and a large cottonwood, which he said will remain. Mr. Logan said there a lot of trees that are not in good shape and have leaned over. He said there

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Wallingford Inland Wetlands & Watercourses Commission
Monday, March 19, 2018

is a lot of spicebush and Japanese knotweed. Mr. Logan said the watershed is approximately 700 acres and said he disagreed with the USGS report which stated there is more watershed.

Mr. Logan said there were only six specimens of aquatic life found in the stream, which he noted were all pollution tolerant. He said stream water PH was high at 7.88. He said nitrate was 3.2 milligrams per liter which he said was excessively high. He said two potential sources for this nitrate would be a leaking sewer main and fertilizers. Mr. Logan said the area has little wildlife habitat. Mr. Logan noted there are no direct impacts. He spoke about indirect impacts, noting there are several categories. He said there is a fairly robust S&E control plan which became more robust with the relocation of the temporary sediment basin. He said this is a better location than what was originally proposed, noting the basin should be on line and stabilized as soon as possible.

He said the hydrology will not be changed noting there will probably be very little exfiltration from the banks when the ground water is high. He said there were several test pits done and noted the water is further down than the stream channel itself, but this was to be expected. He said the test pits revealed well-drained soils, because there was mottling below 30 inches. Mr. Logan spoke about water quality. He said if half the amount of water quality renovation was done, it wouldn't impact the system. Mr. Logan said the water will be brought into an oversized forebay which will be 125% of water volume. He said there will also be 12 inches of organically rich topsoil in order to clean the water out. He noted there is also a specific planting plan. He said only a larger storm will push the water to the level spreader.

Mr. Logan said there are no direct or indirect impacts short or long-term. He distributed two copies of his riparian buffer restoration enhancement management plan to the Commission. He spoke about the two major infestations, noting one of them occurred off-site. He spoke about garlic mustard, multi-flora rose and bittersweet, which he said can take a tree down. He said his plan includes six areas, with area #1 being the removal of Japanese Knotweed and the planting of dense shrub cover, i.e, grey dogwood and sweet pepper bush. Mr. Logan said area #2 involves the removal of Japanese Knotweed and other invasives on a steep slope which he said will be an issue. He said a temporary barrier will be installed next to the brook when the herbicide is used.

Mr. Logan said on area #4, will involve establishment of a dense shrub border. He noted in area #5 there is Japanese Knotweed infestation in the front southern part of the property. He said the idea is to get rid of the Japanese Knotweed and establish a meadow and put in a native pollinator mix which includes warm season grasses and flowers. He said a dense meadow will be created which takes between one and two years to establish. Mr. Logan said maintenance is recommended during the first year, meaning that anytime the vegetation reaches 18 to 24 inches, it should be cut back to 8 inches which will promote the meadow that we want established. He handed out a planting guide that instructs how this should be done.

Atty. Ceneviva summarized noting that the plan is designed post-water quality which is better than what exists. He said the plan has gone above and beyond. Acting-Chair Kern, said he knows the site well and his concern is the type of soils there and the different asphalt qualities, including buried cars, will be removed. Mr. Cassidy noted that when the test borings were done, all the fill material was in the front portion of the site. He said in the back portion of the site where the existing building is located, all the native materials were found, so all of the infiltration systems are located in the back portion of the site.

Acting-Chair Kern said he would like to go back out with the new print and said he didn't believe there was a need for a site walk. Ms. O'Hare said she would love to have the Commission take a site walk which is relative to the corridor proposal. She noted the wetland corridor proposal is very intricate.

Acting-Chair Kern suggested waiting until the April IWWC meeting to make a decision on this project. He suggested getting a photo of what has been discussed. Ms. O'Hare said she will make up a list of concerns.

The Commission agreed to do a site visit.

A decision on this project was tabled to the April 4, 2018 Commission meeting.

Chair Vitali took over the Meeting at 10:27 p.m.

New Business – None

Receipt of New Applications

1. **#A18.3.1/1329 Durham Road** –Patrick Armstron – (shed) – received by Chairman Vitali.

Chairman Vitali suggested this application be Administratively Approved. Ms. O'Hare will go to the site and will deem it fit for Administrative Approval if applicable. The Commission agreed.

Election of Officers – Tabled

Reports & Communications

1. North American Wetlands Conservation Act Small Grants Program – matching grant program for projects involving restoration/enhancement and/or establishment of wetlands and associated upland habitats for the benefit of all wetlands-associated migratory birds; deadline 10/19/18 – Not Discussed

Violations

Ms. O'Hare noted that Tilcon had a violation and worked with them. She said Tilcon had to make the berm higher on the south side of the road.

Next Meeting – April 4, 2018

Adjournment

Commissioner Kern made a motion to adjourn the Meeting at 10:28 p.m. Commissioner Phillips seconded the motion which passed unanimously.

Respectfully submitted,

Cynthia A. Kleist

Recording Secretary