

**Inland Wetlands & Watercourses Commission  
(Remote) Regular Meeting  
Wednesday, December 2, 2020, 7:00 p.m.  
Town Hall, 45 South Main Street  
Wallingford, CT 06492**

**MINUTES**

Chair James Vitali called this (Remote) Regular Meeting of the Wallingford Inland Wetlands & Watercourses Commission to order at 7:00 p.m. This meeting was publicly noticed and held entirely remotely. A YouTube recording was produced and posted on the Wallingford Town Website by Government Access Television.

**A. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**B. ROLL CALL**

**PRESENT:** Chair James Vitali, Secretary Nick Kern, Commissioner Deborah Phillips, Alternates Robert Simon, Aili McKeen, Jennifer Passaretti, and Environmental Planner Erin O'Hare

**ABSENT:** Commissioner Michael Caruso

There were seven persons in the remote audience plus all the speakers named below.

**C. CONSIDERATION OF MINUTES**

**1. Regular Meeting, Nov. 4, 2020**

**MS. PHILLIPS: MOTION THAT THE MINUTES OF THE WEDNESDAY, NOVEMBER 4, 2020, REGULAR MEETING BE APPROVED AS SUBMITTED.**

**MR. SIMON: SECOND**

**VOTE: MR. KERN – YES; MS. PHILLIPS – YES; MR. SIMON – YES; MS. MCKEEN – YES; MS. PASSARETTI – YES; CHAIR VITALI – YES.**

**2. Special Meeting (Remote), Nov. 10, 2020**

**MS. PHILLIPS: MOTION THAT THE MINUTES OF THE (REMOTE) SPECIAL MEETING OF TUESDAY, NOVEMBER 10, 2020, BE ACCEPTED AS SUBMITTED.**

**MR. SIMON: SECOND**

**VOTE: MS. PHILLIPS – YES; MR. KERN – YES; MR. SIMON – YES; MS. MCKEEN – YES; MS. PASSARETTI – YES; CHAIR VITALI – YES**

#### **D. CONTINUATION OF PUBLIC HEARING**

- 1. #A20-10.3 – Significant Impact / 5 Research Parkway / Muddy River – Montante Construction, LLC – (industrial redevelopment) – (No presentation) – Scheduling of continuation of public hearing as a (Remote) Special Meeting in January 2021**

Chair Vitali said, Stay in contact with the Inland Wetlands Department for a later date. So this Public Hearing will be tabled.

Ms. O'Hare told Chair Vitali that the Commission received a letter this afternoon from the Attorney for the Applicant. They gave their consent to an extension of time to complete the Public Hearing—Application on or before 1/29/2021. They wrote, "It is our understanding that the Commission intends for the Public Hearing to take place on a date on or before January 6<sup>th</sup>."

Chair Vitali said we don't know what date this Public Hearing will be, with public comments and they have to get information to staff by different departments.

Ms. O'Hare said she counted days. Without the 90-day Governor's Executive Order, we would have to ask for an extension from the Applicant by December 15. So I think their Attorney is asking for an extension just as if it were in pre-Covid times.

Chair Vitali said I understand they can't grant an extension if we haven't asked for one. So, for the record, I want to state that we haven't asked for an extension.

Ms. O'Hare said O.K., but I do see the Attorney's representative is on the Meeting.

Chair Vitali said, They submitted their letter online, but we didn't ask for it. But the Covid extension by Lamont has probably automatically extended it, anyway.

This Public Hearing was tabled, but the date was not specified.

#### **E. OLD BUSINESS**

- 1. #A18-1.2 / 801 North Colony Road & 6 Beaumont Road / Padens Brook – NERP Holding & Acquisitions Company, LLC – (commercial development) – Request for bond release**

Ms. O'Hare said the Applicant is not ready.

- 2. #A20-7.1 / 5 & 21 Toelles Road & Wharton Brook – Pfizer Inc. – (soil remediation project) – Request Applicant grant IWWC extension (No presentation)**

Ms. O'Hare said the Applicant is represented tonight by Mr. Lucas Hellerich of Woodard and Curran.

Mr. Hellerich said, Regarding an extension of date calculation: Based on the original 60 days, with the Governor's 90-day extension, I came up with a date of 12/17/20, and I would like to go into the process of requesting the extension beyond 12/17. How would that work?

Ms. O'Hare said, Yes, he and I went over this. It doesn't hurt to request an extension. There's a letter—different from the last one we did that was a public hearing. This is not a public hearing, but it does no harm to request an extension of the Applicant. My understanding is we get 90 days with the Governor's extension and another 65 days with the typical extensions. Together, that is 155 days. So we do have time. So why don't we go ahead and request an extension?

Chair Vitali thought Mr. Hellerich said the 150 days was up December 17?

Mr. Hellerich said, Using a starting date of July 15, which is I believe where we started: Sixty-five days would bring us to September 18; and 90 days would bring us to December 17. If we ask for an extension, then we have 90 days.

Ms. O'Hare said, It would run to November 23, if we don't have the Governor's 90 days. It depends where you count the 90 days. Typically, we take 30-day extensions and, if needed, a 35-day extension.

Chair Vitali asked, Have you asked for any extensions so far?

Mr. Hellerich said, No. We had a meeting, possibly October, where we talked about the Governor's extension, and we at that meeting decided we would not need an extension. That would bring us into December, which with the 90 days takes us to 12/17. And I'm wondering if we should add another 65 days beyond that.

Ms. O'Hare said, Typically, we give 30-day extensions. So if we still need it, we ask for another 35-day extension.

Chair Vitali polled the Commissioners regarding their wishes to extend this Application: Ms. Passaretti, Yes; Mr. Kern, Yes; Ms. Phillips, Yes; Ms. McKeen, Yes; Mr. Simon, Yes; and Chair Vitali, Yes.

Chair Vitali, So Lucas, you already have supplied us with a request for extension letter?

Mr. Hellerich, Yes, I did that yesterday.

Chair Vitali said, Extension is in place. I note that we have an interim partial report from Milone & MacBroom but not a full report yet.

Mr. Hellerich said, Yes, we plan to respond to Milone & MacBroom's comments either this week or next week.

This Application was continued until the January 6, 2021, Regular Meeting.

**3. #A20-9.2 / 2 Northrup Industrial Park Road East & 1117 Northrup Road – 1070 North Farms Road, LLC – (industrial development)**

Ms. O'Hare said the Attorney is here. We have 155 days, per the Law Department. We did get a letter from Attorney Ceneviva today requesting that it be tabled.

Chair Vitali asked if the Attorney is on the line?

Attorney Dennis Ceneviva said he is.

Chair Vitali said, You have had 60 to 62 days so far.

Attorney Ceneviva said, And so we have another 90 days.

Chair Vitali said, So will your Applicant be ready within the next 90 days?

Attorney Ceneviva said, Absolutely.

Chair Vitali said, So we're not requesting the extension from you because you think your Applicant can satisfy it to meet the 90 days.

This Application was tabled to the January 6, 2021, Regular Meeting.

**4. #A20-10.1 / 131 Pond Hill Road – Church of the Resurrection – (building addition, fire lane, stormwater facilities, drainage restoration, & fill removal)**

Appearing was Mr. Russell Posthauer, Jr., P.E., of CCA, LLC in Brookfield, for the Applicant. Received prior to this meeting and posted on the Town website were these documents: Wetlands Map; Site Development Plan, Plan Revision Outline, and Calculations.

Mr. Posthauer said, This project is to add an approximately 5,400-square-foot addition: a hall for meetings and occasional sit-down dinners. To compensate for increase of drainage, we installed a galley system going to the existing yard drain in the northeast corner, to achieve less than existing peak flow off the site.

Chair Vitali asked, Do you have a map?

Mr. Posthauer said he does, and Ms. O'Hare asked him to show it from the Town Web link. He said he had no way of sharing that file.

Ms. O'Hare said, It's the plan for 11/24. It went out in your packets on the night before Thanksgiving. It had the latest plan and my Environmental Planner's Report in it.

Commissioner McKeen said she has the plan in her packet. Commissioner Kern had his plan, and Commissioner Phillips had her plan.

Chair Vitali said, And I have it. So we will not table it. Please look at your plans.

Mr. Posthauer indicated on Site Plan page S-1, the third page. Just south of the existing church we're proposing a 5,400-square-foot addition, basically a hall with kitchen facilities inside the

building, and an adjacent fire lane. We were asked to install the galley system to reduce the existing peak flow, going to the existing yard drain in the northeast corner. There was concern by the Town about overflow of water onto the neighbors' sidewalk, but we added a slight berm to protect the neighbors in that area. In talking with Erin, we found that the garage on the southwest part of the site was never approved by the Commission, so it's part of the Application. Debris in the wetlands area was cleaned up. We'll remove existing soil to place the riprap and not increase any fill. We also included a stormwater maintenance plan, drainage calculations, and area to store snow. We filed information that we discovered, which is in addition to the plans.

Commissioner Simon said, It says, "The existing swale directs water to the yard drain."

Mr. Posthauer said, Exactly. On the east side of the building water flows through a swale by the trees to the yard drain. That is as in the existing conditions. So the flow of roof water will be slightly less. Water going out of the galleys will be 0.1 cfs. for a 100-year storm, slightly reduced.

Ms. O'Hare said, In my Environmental Planner's Report of 11/25, the site involves a FEMA Floodway which is on the latest plans. The Engineer said that in grading away the debris material from the years, the headwall was revealed and it needs maintenance. So that's part of the plan, to have that cleaned out and restore it with riprap. The garage did get its building and zoning permits. Perhaps there was not a Wetlands person at that time, so they did not apply. They are within 50 feet of the URA, so this Application will take care of that. Attached to my EPR are photographs where the headwall is exposed, where you couldn't see it before. That whole slope will be riprapped as per the plans. Part of that slope—it's unstable yard waste—will be taken out, and the slope will be stabilized. The Town Engineer did go out to see it, and her comments are from last time. This is per the Applicant's Engineer this time, and the Town Engineer is O.K. with what's planned. A placard should be placed by the Floodway. I asked for snow disposal areas, and they did that elsewhere on the site plan. So no snowmelt goes down by the garage by the wetlands. I think it's important that the Wetlands work gets done first, because things have a way of never getting done—then to move on with the church addition.

Chair Vitali asked Mr. Posthauer if these conditions were acceptable.

Mr. Posthauer said, I have no problem. By the garage we put a fence up to try to stop dumping into the wetlands.

Ms. O'Hare said, That's good.

Chair Vitali asked, Is a bond necessary? You make a reference to things not getting done.

Ms. O'Hare said, I think a minimal bond would make them remember.

Chair Vitali suggested a \$1,000 bond. Are you O.K. with that, Mr. Posthauer?

Mr. Posthauer said, No objection.

Chair Vitali asked for a Motion on Significant Activity.

**MS. PHILLIPS:** **MOTION THAT APPLICATION #A20-10.1, 131 POND HILL ROAD, CHURCH OF THE RESURRECTION, BE DEEMED NOT A SIGNIFICANT ACTIVITY.**

**MR. SIMON:** **SECOND**

**VOTE:** **MR. KERN – YES; MS. PHILLIPS – YES; MS. MCKEEN – YES; MR. SIMON - YES; MS. PASSARETTI – YES; CHAIR VITALI – YES.**

**MS. PHILLIPS:** **MOTION THAT APPLICATION #A20-10.1, 131 POND HILL ROAD, CHURCH OF THE RESURRECTION, BE APPROVED AS SUBMITTED WITH THE SIX CONDITIONS OF APPROVAL IN THE ENVIRONMENTAL PLANNER’S REPORT OF NOVEMBER 25<sup>th</sup>, 2020.**

**MR. SIMON:** **SECOND**

The Recording Secretary asked whether the Commission had wanted to set a bond.

Ms. Phillips withdrew her Motion and Mr. Simon withdrew his Second. Ms. Phillips made a new Motion.

**MS. PHILLIPS:** **MOTION THAT THE APPLICATION #A20-10.1, 131 POND HILL ROAD, CHURCH OF THE RESURRECTION, BE APPROVED AS SUBMITTED WITH THE SIX CONDITIONS OF APPROVAL IN THE PLANNER’S REPORT OF NOVEMBER 25<sup>th</sup>, 2020, AND ALSO A BOND OF \$1,000.00.**

**MR. SIMON:** **SECOND**

**VOTE:** **MR. KERN – YES; MS. PHILLIPS – YES; MS. MCKEEN – YES; MR. SIMON – YES; CHAIR VITALI – YES.**

**5. #A20-10.2 / 1033 North Colony Road / Meetinghouse Brook – 7-Eleven, Inc. – (convenience store/gas station)**

Appearing for the Owner and Applicant were Attorney Dennis Ceneviva of Meriden, Mr. Mark Arnold, Soil Scientist and Wetlands Engineer, Goddard Consulting, and Mr. Josh Kline, P.E., Project Engineer, Stonefield Engineering and Design. Received and posted on the Town website was the Link for Attachments for this Agenda Item E.5. – Dec. 2, 2020, being 7-Eleven 2020-11-24 IWWC Submissions Compiled, which were: 00 - Cover Letter (initial); 00 - Response Letter; 01-03 – IWWC Permit App...ing; 04 – Project Narrative; 05 – Site Plan; 06 – Survey; 07 – Engineer Report (SWM); 08 – Response Letter (W...ort); 09 – Wetlands Report; 10 – Wetlands Soils Loca...eld).

Attorney Ceneviva, Mr. Arnold and Mr. Kline made their presentations.

Attorney Ceneviva said, This property appeared before you in 2009. It's a 3.55-acre parcel. The northern portion was developed with a Sonic Drive-In under the IWWC permit. Also proposed in 2009 were two additional buildings: 1) a small pad building of 5,700 square feet just to the south of Sonic. And south of that was a 17,734-square-foot Masonic medical office building plus additional parking spaces beyond Sonic. This Application proposes a 5,476-square-foot 7-Eleven store with 12 pumping stations underneath a front canopy and 43 parking spaces. It's significantly less than the 112 parking spaces in the 2009 proposal.

Mr. Arnold said, We had to delineate the wetlands soils here. The previous development delineated resource areas of Meetinghouse Brook, which is a perennial river. So we delineated the wetlands resource areas on the site: not only the bank of Meetinghouse Brook soils, alluvial, and floodplain or alluvial soils, delineated as wetlands floodplain soils and protected as such. So we flagged the bank of Meetinghouse Brook: The river, reported that day, was 8 to 10 feet when we saw it, versus the actual bank width and scour that's there, goes to between 18 and 20 feet in width. In response to the Environmental Report we received, we went back and mapped all the wetlands area.

Mr. Kline shared his screen to show the Existing Conditions Plan. Mr. Arnold described the existing conditions on the site. The site goes from the north, where the Masonic building was to be; Meetinghouse Brook flows from the northeast to the southwest on the site, going along the north and west side of the property. The northwest corner is in the area where we did find a natural shelf of buried floodplain soils, about 23 to 28 inches of buried topsoil. So that area is flagged, flows S-12 to S-21 in the northwest corner. That's over 100 feet away from where the proposed Lot A development is, versus where the Masonic building was to be. We did find a nice shelf, with alluvial soils, which are protected by your Commission. The rest of the site, we inspected. We reviewed the originals delineations for the Masonic project and the other two buildings there and saw that we have a consistent delineation. The other buildings were located off S-12 to S-21—being over 100 feet from any proposed work now—which is far south of the previous Masonic buildings.

Ms. O'Hare stated, I sent out a copy of the 2009 Soils Plan attached to my October EPR. I believe you got it?

Mr. Arnold said, Yes.

Ms. O'Hare said, That person was Tom Pietras, Soils Scientist. He showed alluvial floodplain soils going all the way south. Floodplain soils are constantly being deposited, like a moving thing. So could it be that, the day he was out, there had been a big storm and deposited the soils. And now when you go out, the alluvial soils had been washed away?

Mr. Arnold said, It's possible. It could have been a very large storm years ago that deposited over two feet of sediment above original topsoil. The streambed deposits we found were 23 inches to 20 inches. It could have been a flash flood more than 100 years ago that deposited sediment on top of original topsoil. So I guess we'd call it a bank rather than actual flood deposits in the river. The bow he has in the northwest corner is the same bow we found. So I don't think in the last 10 years there has been enough storms to deposit 2 feet of material. So I think this is very consistent with the plan before, and I think we've delineated the bank fairly accurately.

Ms. O'Hare said it's sort of a variable wetland?

Mr. Arnold said the way the river goes between the banks, it's more the same on our side over the last 10 years. On the other side of the river, it's basically changed more in the last 10 years than our side. The other side is lower, and the outer side is draining to the south offsite, it's undercut more.

Commissioner Kern asked, When we approved Sonic to go in there, we stipulated about that corner; and my understanding was that it was going to be stabilized and left alone. The new 7-Eleven is supposed to be going south of Sonic. I was out there today and saw some core boring going on. Are we going to get a bores report on that?

Mr. Kline said, We already did perform geotechnical testing, and that report was included in what both Erin O'Hare and Alison Kapushinsky received.

Mr. Kern asked, What was your concern? Is there to be more erosion on that sharp corner?

Mr. Arnold said, No, we knew we were working to the south of the site, and we wanted to do core borings so that the Commission knew that we were looking at flood soils there. We are not doing work there, but we wanted it included in the information requested by the Commission.

Commissioner Kern said, the 7-Eleven has underground storage for fuels. Is that by DEEP?

Mr. Kline said, I could give the fuel station presentation.

Commissioner Kern said, I'm concerned about the type of soil that's there and because we're so close to the brook because of environmental issues, and special permitting would be needed from DEEP. They're going to be south of the Sonic, and the site of the 7-Eleven will be in the old parking lot off North Colony Road. Are there special permits needed because it's so close to the brook? Are they fiberglass tanks, steel? What special procedures/permits are needed?

Mr. Kline said that storage fuel tanks need to be in accordance with State of Connecticut requirements. The tanks will be double-walled underground tanks with multiple layers of safety nets. They will be installed in accordance with State requirements—double-walled underground tanks with a sensor with an automatic tank gauge located in the space between the two tanks and with monitoring of the inner wall in between the two tanks. As to monitoring, the tanks and the in-between sensors all have containment systems made of fiberglass. If any intrusion were detected, it would stop the fueling and immediately notify the tenant. They will monitor daily, and all information is provided to the State. The tanks themselves and dispensers also have containment systems made of fiberglass with a sensor. So if anything were to go into these containment sumps, that would trigger an alarm with a positive immediate shutoff to the tank to stop the fueling; and then they would immediately and notify the tenant and the 7-Eleven team and their environmental team. And the alarm can't be turned off without a designated employee reviewing the actual sump itself. Additionally, there's double-walled gasoline piping that stores the material. They have automatic gauges/sensors which are tested every 30 days. The warnings and alarm systems are certified by a third-party contractor. So if our alarms are triggered from any activity, they would notify the employee. The employees that do work there



are Class C certified, who are familiar with the location of the spill kit, where the alarm panels and warnings are. Procedures are to notify the corporate team and the 7-Eleven Environmental Consultant to take action at the property.

Chair Vitali asked, Are those tanks double-wall steel or fiberglass?

Mr. Kline said, They are double-wall fiberglass.

Commissioner Kern said, Do you have a design for a snow shelf there?

Mr. Kline said, Yes, they are not putting snow on top of that slope. On the plan, Sonic is on the righthand side of the screen. So no snow would be stored at the top of this slope. That could be a condition of approval. There will be areas carved out at the lefthand side and along the on-ramp and the frontage.

Commissioner Kern asked, Is the State going to let you to store snow in front of the 7-Eleven entranceway?

Mr. Kline said, We're working with the State encroachment person for the driveway and a signal at the intersection. No snow would be stored along the top of the bank.

Commissioner Passaretti asked, Will they be submitting a spill control plan?

Mr. Kline said, In the event there's a spill, the employees will be monitoring it and treating with spill kits, etc. Will there be a formal spill control plan in the event of a spill? There's a standard, laminated procedure of what happens that is mounted behind the register. There's a plan in place. Two items are on it: a large surface spill with procedures and for a smaller surface spill. This is included at the store. They are trained to shut things down, contain to a level they're comfortable with depending on what the actual spill is; and immediately they notify 7-Eleven or the online third party to create a case which is brought to the State and notifies a local person to be a monitor. These sites are monitored 24 hours a day, with compliance monitoring by the team.

Ms. O'Hare asked, Josh, where is this page you have up on the screen? Where is that?

Mr. Kline said, We didn't print it out to you today.

Ms. O'Hare said, O.K., you know, anything you show tonight is part of the record. So if you could furnish that page?

Mr. Kline said, Yes, no problem.

Ms. O'Hare said, Also, could you talk about the trench you put at the end of the gas island?

Mr. Kline said, From working with Erin, the Applicant is proposing a trench drain located along the righthand side or the north side of the underground storage tanks. One of the intents of the project is that the site is graded so that the sensors and the fueling pad are all graded to drain to this trench drain, and the rest is graded to push stormwater runoff away from this trench drain.

So water would drain away from the trench drain. And this trench drain is connected to an offline oil/water separator. So for a low-flow event or a spill, or a water-quality storm, the first flush would drain to this oil/water separator. Also, in a larger event, once the first flush is gone and there's no remnants, then this manhole is designed as a bypass structure to bypass the larger storm events, not to cause a surcharge.

Chair Vitali asked, What's the capacity of this oil/water separator? How is it designed?

Mr. Kline said, It's a 1,500-gallon unit. It's a three-baffle system.

Chair Vitali asked, Does it let the gas go to the top and let the water go to the bottom?

Mr. Kline said, It allows the water to settle and allows the gas to float to the top.

Chair Vitali said, It won't work. Because the new gasoline with ethanol doesn't separate out. Water is suspended in the ethanol. You can't show me where they separate in the tank.

Mr. Kline said, It's a product we have seen in the Northeast, for a first flush to get the minor remnants that might be there. We'll ask the 7-Eleven Fueling Operations team. We proposed this system. It was a recommendation of the Town planners. After the oil/water separator, all the runoff on site goes into a stormwater unit with filtration properties and a sump that picks up remnants of fueling. In the case of an actual spill event--it won't be left unattended. So the gasoline would be contained in an oil/water separator, whether separates out or not. We'd pump it out. We're not mixing it in with runoff that comes off the site. Then this goes to an additional passive unit

Chair Vitali said, I'd like to see documentation that says this will work. The oil/water separator will be full 100% of the time. And the watery gasoline will go in and go out.

Mr. Kline said, Understood. We'll go back with the fueling team and get more information. Or we could remove it. I think we designed the site to separate the runoff from the vehicular areas, from the gas, to treat them directly; and they're not mixing in with runoff coming across the site.

Mr. Arnold said, Josh, it's confirmed that the gas separator is not required for the stormwater, but the water quality unit provides all the treatment even required for a high-potential site of spills. Without an oil/water separator, this site still complies with the State's stormwater standards, even if for a site with high pollutants like gas.

Mr. Kline said, Correct, and it complies with all requirements.

Chair Vitali said to continue. We haven't gotten to the Stormwater Management Plan.

Mr. Kline said, I'd talk about the Stormwater Management. To the regulated activity: Meeting-house Brook is along the western edge of the site. Wetlands soils were not found in this area, but there is a 100-foot Upland Review Area based on the slope behind or to the west of the site. Proposed construction improvements are considered a regulated activity within this 100-foot URA, with our construction for stormwater and utility and installations located within the slope as well. We took into account the property by the brook, what was previously approved, and how

could we the stability of the slope and Meetinghouse Brook and runoff. The site today is broken gravel and asphalt and impervious surface; on the majority of the site, a portion flows into Colony Road, but sheet flows were undetained over this slope. So stormwater goes right over the pavement and over this slope. So we're proposing to push the impervious surface further away from the URA. We moved the building further away. The majority of impervious area is located on the front along the State frontages. We're putting landscape on the top of this bank and made this grassed area. On our Stormwater Management Plan, all this runoff is collected, and you can see this single discharge that's protected and discharges into the brook. Now we're taking that water, and with less runoff from less impervious, and we're 100% treating all stormwater on site from all surfaces. In addition, we tested the site, and the soils do support infiltration. So we proposed an infiltration basin to infiltrate additional stormwater. For reference, on a peak discharge we'd reduce the proposed runoff for 2- through 25-year storm events by over 30%, and the 100-year storm event by close to 15%. Think of the volume: For all storm events, we're reducing the volume of water runoff by about 30%. So we're minimizing water over this bank, collecting it, treating it and reducing it. This is in our Phase 1 and Phase 2 Soil Erosion Control Plans.

Ms. O'Hare asked about the construction sequence.

Mr. Kline said, Under Phase 1 in the Soil Erosion Control Plan, we have two areas of disturbance within the bank: a sewer connection that we'll make to an existing sewer stub; and then a new outfall consisting of a headwall with a riprap apron and a riprap-lined slope. And we'll use Erosion Control matting to stabilize the slope above the headwall. We're proposing a sediment trap with a silt fence baffle to help trap the sediment within there. During construction we are proposing a diversion swale along the top of the bank to prevent construction runoff over this slope, going to the sediment trap to help the sediment settle. We're also proposing a temporary riser structure of a perforated pipe wrapped in filter fabric to reduce sediment going to Meetinghouse Brook. In Phase II, post-construction, we show the plan stabilized with typical silt fencing, inlet filters, staging, stockpile area when permanent controls are in place to stabilize the site.

Chair Vitali asked, What about your infiltration system? Is it all going into a tracer system, including the roof drainage from the building?

Mr. Kline said, We're sending the roof areas and then sending a portion of the vehicular areas to the infiltration system, but first through a water-quality unit before it enters. We're proposing a perforated pipe system wrapped in stone.

Chair Vitali asked, I there an outlet?

Mr. Kline said, No. The outlet will have an outlet control structure. Then it's going towards the Sonic property where it connects to a structure where all the stormwater collects at a single point at manhole 104 and discharges to the outfall.

Chair Vitali asked, So there's no infiltration system other than right in front of the building?

Mr. Kline said, Correct. We wanted to treat as much of the site as we could, but it's a gas station and we're not going to infiltrate any runoff close to the fueling areas as a precaution. With

pushing grading away from the gasoline areas, we're not proposing to infiltrate any runoff close to the fueling areas. The project is reducing a lot of impervious, so even if we didn't have any detention systems, we're still reducing what's going to the brook.

Commissioner Kern said, It sounds like he has the whole water discharge system looped together and discharging to one point. I think the whole underground water discharge system does not sound right here. With this emergency spill galley with the ethanol, it sounds like the the whole site can be contaminated if there's a 100-year storm and everything fills up, or if there's an ice storm and everything is frozen and there's a natural spill. I think it's like one big blanket, and you need to go back and segregate some of what you're doing. Did I hear right?

Mr. Kline said, I don't believe so. The dispenser in the underground system is collected by a separate trench drain, and the infiltration is happening with different runoff.

Chair Vitali said, It sounds like both systems come together to one discharge going to the brook.

Commissioner Kern said, It sounds like everything ends up at one discharge point. That's what it sounds like to me. The infiltration, the roof runoff, and the emergency spill are tied together and go to Meetinghouse Brook.

Mr. Kline said, So, correct, there's one point of discharge into the brook, not multiple points. But it's designed to minimize spill events to the greatest extent that we can. We're having the water quality unit and having the water/oil separator helps for precautions. We're happy to provide something you've seen with gas stations, where there's grooved concrete around the dispenser islands. Maybe those remnants would be caught in there, and the 7-Eleven team would be responsible for cleaning that up.

Commissioner Kern said, I think you need to go back to the 7-Eleven team and say: Wetlands brought up an issue: Maybe it needs another way to be contained and segregated. But this is not going to work as a water-quality system. I can understand Wallingford's Water & Sewer Department saying it's not going to work. You need to amend it.

Chair Vitali said, I have seen with a drainage system with oil/water separators that actually have a valve in the system, that you could open a manhole and shut the valve off to a 12-inch pipe. It might be something to look at. Erin?

Ms. O'Hare said, Josh, you said that the overland site runoff today goes over that slope and can cause erosion. I see there's a unique concrete wall, 9 inches high, that runs along the top of the slope by the river at the edge of the gravel parking area. Doesn't that hold it back, or is it porous?

Mr. Kline said, Not really. The concrete wall is in disarray, and the water sheet-flows around the end of it. It probably creates a worse condition than water flowing out evenly. The wall, based on when I was out there, may divert some of it. But the majority of the water is flowing down over the slope.

Ms. O'Hare said, It's not a wall—it's more like a big curb. Is that going?

Mr. Kline said, We'll look to maintain it, just to minimize the disturbance within the URA.

Ms. O'Hare said, O.K., good.

Mr. Kline said, we've talked on most improvements. I'd answer any questions. We have heard some of the concerns and we're going to take them into consideration. But from a lot of items we've worked through with Ms. O'Hare, we feel that we're providing a good plan to minimize the impact to the slope and the brook.

Chair Vitali said, You did a nice plan. Now you have to find a builder that can do the work and can keep the environment safe. You have a steep slope with a run down and a pipe sticking out and the sewer line. I think your next presentation has to focus on how you're going construct it.

Ms. O'Hare asked, Josh, could you put up that cross-sectional view you e-mailed to me tonight?

Mr. Kline showed it. There's different methods for a contractor to use for this slope. So we worked on this to maintain the minimal amount of disturbance. We could use trench boxes or temporary shoring, but we put together a cross-section of improvements. We are doing a riprap toe for scour protection at the base of the bank, and riprap lining of the proposed slope; also a riprap apron to reduce velocity within the headwall; and above the headwall there will be riprap, and the proposed slope will be lined with an erosion control blanket to stabilize it.

Chair Vitali said, The brook is notorious for washing out, mainly because of stormwater that comes down from adjoining property--not property in the Town of Wallingford. As to the riprap slope at the end of the discharge area, I think the riprap needs to be spread out more upstream of Meetinghouse Brook. Crazy floods can come down there and undercut the riprap, and maybe the headwall falls out. That needs to be looked at.

Mr. Arnold said, We considered the flooding when we decided where to place the riprap. I'm certified in sanitation and erosion control and have had construction near rivers and resource areas. The cross-section is an example of stabilization. The riprap stands out to each side beyond and above and below the headwall. At the floodplain, the riprap is definitely large and placed with regard to the scour of the river and for any discharge that does occur.

Chair Vitali said, Along that brook we have had people request and install Gabion baskets in that area. That might be extra protection on this riprap slope.

Mr. Arnold said, Riprap slope was installed next to the Amtrak bank in the last three years, near the sewer manhole that we're connecting to, to minimize disturbance.

Ms. O'Hare asked, How big is the riprap against the river?

Mr. Kline said, I believe it's 6- to 12-inch riprap.

Ms. O'Hare said, Thank you. And how is that pipe to be installed? Is it 14 feet below the ground? How do you do that?

Mr. Kline said, There's a few ways it could be installed, with shoring methods or trench boxes.

Ms. O'Hare said, So it's all done from the top.

Mr. Kline said, They would excavate it out to install the improvements.

Chair Vitali asked Ms. O'Hare if they are ready to get approved tonight.

Ms. O'Hare said, No. I wrote my Environmental Planner's Report tonight, and I'll get this out to the Commission with other new materials that have come in, shortly.

Chair Vitali asked, Attorney Ceneviva, we have a massive meeting coming up in January. So it would behoove you, to be on that agenda, to spend as time getting all these issues resolved so it won't take much time to process your application.

Attorney Ceneviva said, Josh Kline did a good job explaining the plan. But we need to get items addressed. Ms. O'Hare has comments and we'll get back on that, and we appreciate the comments from the Commission.

Chair Vitali said, We'll continue this next month.

#### **F. NEW BUSINESS – None.**

#### **G. RECEIPT OF NEW APPLICATIONS**

##### **Receipt of applications filed by close of day, Dec. 1, 2020**

Ms. O'Hare read the list of three New Applications, formally received by the Commission tonight. Chair Vitali said these are accepted as received for the January 6 agenda.

##### **1. #A20-11.1 / Northford Road Bridge / Muddy River – Town of Wallingford, Town Engineer – (bridge reconstruction)**

Chair Vitali said he has been working with the Town Engineer on this application.

##### **2. #A20-11.2 / South Turnpike Road Bridge / Mansion Road Brook – Town of Wallingford, Town Engineer – (bridge rehabilitation)**

##### **3. #A20-12.1 / 932 Northrup Road / Proton International, Inc. – (medical center)**

#### **H. REPORTS & COMMUNICATIONS**

##### **1. Discussion of proposal to adopt fines for violations**

Ms. O'Hare said there has been no action.

##### **2. Farm Hill Road Detention Basin - report**

Ms. O'Hare said last week there was a Mayoral meeting with different departments. It involves three easements. The Law Department is taking the lead on it. Chair Vitali asked Ms. O'Hare to look at the watercourse north of the basin, north of Farm Hill Road.

**3. Proposed zoning regulation amendments – Watershed Protection District – report**

Ms. O'Hare said, This is in front of Planning and Zoning right now. The projected changes are on the Planning and Zoning website. Those are for the IX, I-5, and the Watershed Protection District. Ms. O'Hare has the proposals, and she offered to send copies to the Commissioners next week. Chair Vitali authorized that.

**4. CACIWC Environmental Conference (Virtual – online), Sat., Dec. 5, 2020.** This conference was noted. Information is in the Commissioners' packets.

**I. VIOLATIONS**

Ms. O'Hare stated that nothing has changed on any of these outstanding violations:

1. Notice of Violation – 1245 Old Colony Road & Quinnipiac River – Jerzy Pytel – (unpermitted clearing & filling near river)
2. Notice of Violation – 950 South Colony Road – 1NRSJ, LLC – carwash facility – (filling)
3. #A20-2.1 / 12 & 16 Northfield Road - (over-clearing in floodplain wetlands & URA issue)

**J. ADJOURNMENT**

**MS. PHILLIPS: MOTION TO ADJOURN THE MEETING.**

**MR. SIMON: SECOND**

**VOTE: THE MOTION WAS APPROVED UNANIMOUSLY IN A VOICE VOTE.**

The meeting was adjourned at 8:45 p.m.

**K. NEXT MEETING: Jan. 6, 2021**

Respectfully submitted,

Kathleen L. Burns  
Recording Secretary