## INLAND WETLANDS COMMISSION MINUTES

#### January 26, 2022 @ 7:30 p.m.

Community Center, Multi-Purpose Rm #3 8 Simpson Street, Newtown, CT

These Minutes are subject to approval by the Inland Wetland Commission

**Present:** Sharon Salling, Craig Ferris, Mike McCabe, Scott Jackson

Staff Present: Steve Maguire, Senior Land Use Enforcement Officer, Dawn Fried, Clerk

Ms. Salling opened the meeting at 7:30 p.m.

**Application IW #21-34 by David Basak-Smith**, property located at 71 Lakeview Terrace to obtain a permit for completed work which includes a switch-back stairway to floating dock, clearing of trees and spreading of woodchips.

The Commission had a brief discussion. The applicant has not contacted the Land Use Agency nor has the applicant been present at the last two IWC meetings.

Mr. Ferris moved that Application IW #21-34 be denied for lack of information as stated in Newtown Inland Wetland Regulations section 7.5. Mr. McCabe seconded. All in favor.

<u>Application IW #21-34 by David Basak-Smith, DENIED.</u>

**PUBLIC HEARING - Application IW #21-36 by Wharton Equity Partners, LLC,** property located at 10 Hawleyville Road and 1 Sedor Lane to construct a 344,880 sq. ft. warehouse building and associated site improvements including parking, stormwater management, driveway and wetland crossing.

Ms. Salling gave an overview of the Public Hearing process. Mr. McCabe read the legal notice into the record.

Thomas Cody, Attorney, Robinson & Cole LLP, Hartford CT, and Matthew Bruton, Professional Engineer, BL Companies, Meriden, CT, represented the applicant.

Atty. Cody explained a project on this site was previously approved in July 2018, but the applicant did not go forward. Atty. Cody stated the potential for wetland impacts for the current proposal is similar to the previously approved project with the current project being smaller in size. The property is approximately 105 acres and is currently an undeveloped, wooded area.

Mr. Bruton gave a PowerPoint presentation (please see attachment). Mr. Bruton compared the original proposal to the current proposal. The overall impact to the property will be less due to the removal of the medical buildings. The proposed warehouse will be 345,000 sq. ft. with 362 parking spaces, 76 truck docs, and 51 trailer spaces.

There will be two entrances on the property. The main accessway will be off of Hawleyville Road and the smaller accessway will be off of Mt. Pleasant Road. The smaller accessway will be used for emergencies and passenger vehicle exit only.

The storm water "Treatment Train" will consist of:

- Deep hooded catch basin
- Hydrodynamic separators
- Infiltration basins

#### Sediment and Erosion Control will consist of:

- Double silt fencing
- Silt fence and straw wattles
- Temporary sediment traps and diversion swales
- Construction entrances

Landscaping will buffer the adjacent wetlands.

#### Four wetland impact areas:

- Area 1. Hawleyville Road area will have 3,100 sq. ft. of wetland fill and 2,315 sq.ft. wetland mitigation area.
- Area 2. Upland Review area impact adjacent to the main accessway will be 14,700 sq. ft.
- Area 3. Upland Review area impact on the eastern side of the property will be 2,500 sq. ft.
- Area 4. Upland Review area impact on the southeast corner of the building will be 26,200 sq. ft. There will be no direct impacts on the wetlands.

#### Wetland Impact Summary:

- Wetland area to be filled: 3,175 sq.ft.
- Upland review area impacts: 92,012 sq.ft.
- Wetland Mitigation: 2,315 sq.ft.
- The Upland Review impact area in 2018 was 129,074. It will be reduced to 92,012 sq.ft.

Atty. Cody stated this project will be less intensive than the previously approved project and is the most feasible and prudent plan for this site.

Ms. Salling asked how the driveway will be erected. Mr. Bruton replied the driveway will have a 5% to 6% grade by using fill and grading. It will be lengthened to provide safe access.

Mr. Ferris asked what the shaded areas indicate on the map. Mr. Bruton replied the shading represents earthwork and proposed cut/fill contours.

Mr. McCabe and Ms. Salling asked about snow removal. Will the parking areas be treated? Will the toxins be removed? Mr. Bruton replied there will be a maintenance manual for each season. The snow management on-site will consist of spreading the snow around the perimeters and treating the discharge before entering the wetlands.

Mr. Maguire asked where the water break line is located. Mr. Bruton replied in-line with the building. Mr. Maguire asked about the hydrology of the wetlands and if the wetlands were being fed by the hillside. Mr. Maguire was concerned about the lack of discharge reentering the wetland area.

Mr. Maguire asked if the excavation will be done in phases. Mr. Maguire was concerned about the site disturbance. Mr. Bruton replied this is not a phased development. The applicant wants to build as quickly as possible.

#### **PUBLIC**

Ray Bigelis, 80 Suzie Drive – Mr. Bigelis has concerns with the credentials of the applicant's representatives. Mr. Bigelis would like to request the credentials of the wetland scientist, Eric Davison. Mr. Bigelis asked whether Newtown will hire a neutral environmental scientist to review the plan. Ms. Salling stated the IWC does not hire a 3<sup>rd</sup> party scientist unless deemed necessary.

Donald Leonard, 38 Jo-Al Court - Mr. Leonard stated this project is an "unmitigated disaster" and will rally against the project and the environmental impacts.

Leonarda Casale, 9 Susan Lane – Mr. Casale had concerns with the leakage of contaminants into the wetlands. Atty. Cody stated they are held to the highest standards of strict environmental control and will comply with the state and town environmental laws. Mr. Casale asked whether the oil from the vehicles entering or leaving the building will be protected against oil leaks or accidental oil spills. Mr. Bruton stated the site is designed to protect against spills.

Mr. McCabe was pleased to see the improvements in comparison to the last project.

Atty. Cody suggested keeping the public hearing open in order to provide the requested information. He also stated that Mr. Eric Davison, the wetland scientist, will be in attendance at the next IWC meeting.

The Commission agreed to continue the Public Hearing to the next regularly scheduled meeting on Wednesday, February 9, 2022, at 7:30 pm, in the Council Chambers at the Municipal Center, 3 Primrose Street, Newtown, CT.

**Application IW #22-01 by Tracy Chalifoux LLC**, property located at 14 John Beach Road for installation of native wetland plantings to restore and mitigate cleared wetland areas.

Mr. Ferris moved to approve Application IW #22-01 by Tracy Chalifoux LLC, property located at 14 John Beach Road, with standard conditions A, B, C, D, E, F, O & P with the following additional condition that the brush and rocks be removed from the wetland area and the rocks be placed along the perimeter of the wetland boundary. The approved plans are Wetland Restoration Plan, 14 John Beach Road, Dated, December 30, 2021.

Application IW #22-01 by Tracy Chalifoux LLC, APPROVED.

#### **APPROVAL OF MINUTES**

### Regular Meeting of January 12, 2022

Mr. Ferris moved to accept the minutes from January 12, 2022. Mr. Jackson seconded. All in favor. The minutes from January 12, 2022 were approved.

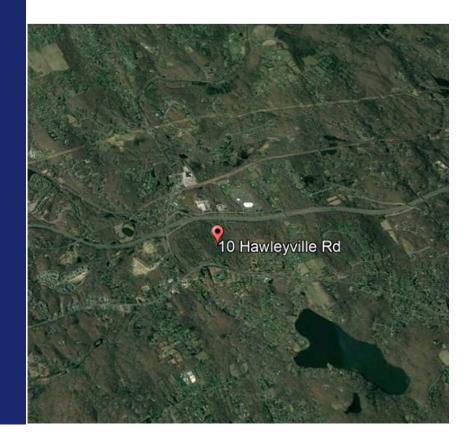
Respectfully Submitted, Dawn Fried



PROPOSED WAREHOUSE NEWTOWN, CT

INLAND WETLANDS COMMISSION

**JANUARY 26, 2022** 

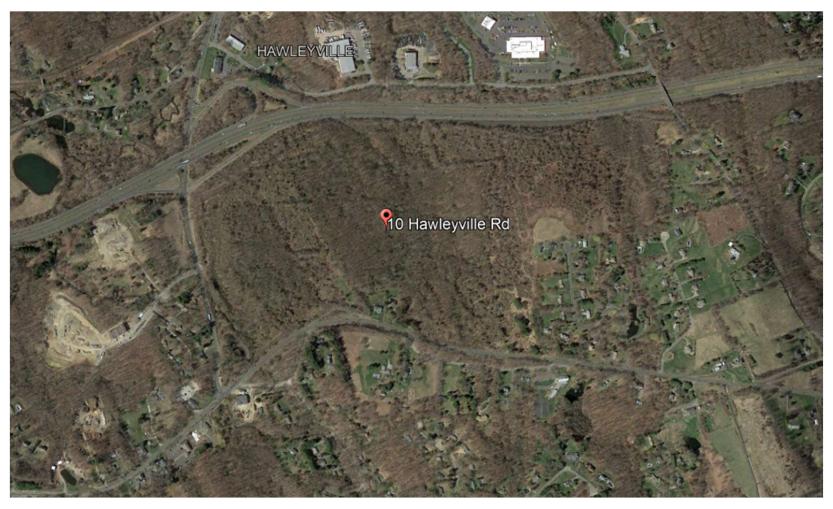




Employee owned. Client driven.

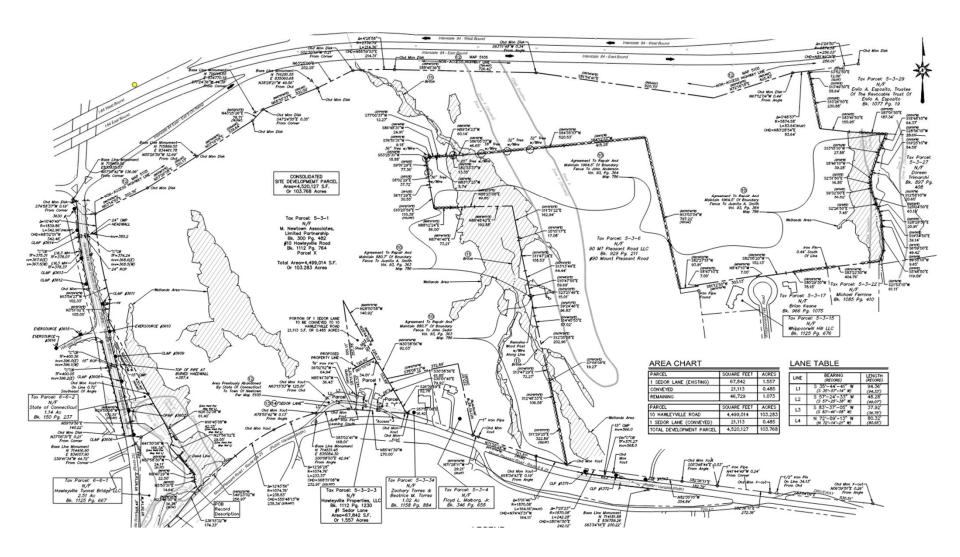
## **Current Aerial Photo**

### April 2018





## **Existing Conditions**



## June 25, 2018 Approved Inland Wetlands Permit





### July 17, 2018 Inland Wetlands Permit Approval Letter

Town Municipal Center 3 Primrose Street Newtown, CT 06470 203-270-4250 203-270-4278 Fax



#### INLAND WETLANDS COMMISSION

July 17, 2018

Matthew D'Amico Hawleyville Properties, LLC 153 South Main Street Newtown, CT 06470

Re: Application #18-14 by Hawleyville Properties, LLC, Matthew D'Amico, property located at 90 Mt. Pleasant Road, 10 Hawleyville Road and 1 Sedor Lane, for the construction of medical office buildings (275,000 sq. ft.) and warehouse (250,000 sq. ft.).

At the regular meeting of July 11, 2018 of the Inland Wetlands Commission, your application for a license to conduct regulated activities on the above-referenced property was APPROVED unanimously in accordance with Section 11.1 of the Inland Wetland Regulations of the Town of Newtown. The regulated activities, for which a license has been granted, are only those indicated on the application and plans approved with your application

The license was granted with the following standard conditions:

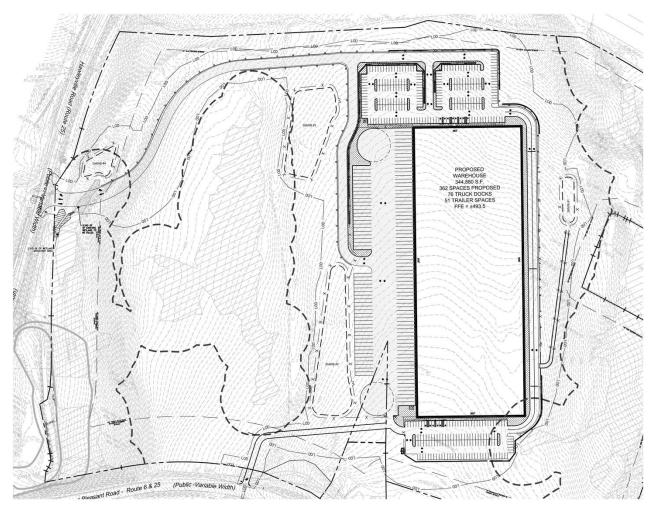
- A. Erosion and sediment controls as illustrated on the plan and where deemed necessary by the Wetland Agent will be installed prior to construction and maintained until directed by the Wetland Agent.
- The Wetland Agent must be notified in writing one week prior to commencement of the permitted activity and again upon completion of the activity.
- A copy of the approved plans will be on site at all times.
- The Wetland Agent must inspect and approve the marked limits of disturbance on the site prior to any site activity.
- E. No alterations of the site plans are allowed for this permit, unless a modification is requested and granted by the commission or its agent.
- F. No site activities shall occur beyond the proposed site location of the erosion and sedimentation controls as depicted on the approved site plans
- An environmental management consultant will be retained by the licensee to implement and maintain the certified erosion and sediment control plan for the duration of the construction until completion. The consultant's contractual arrangement with the licensee will be approved by the Wetland Agent prior to site work beginning and includes a minimum weekly monitoring of all necessary materials, equipment and labor necessary to execute and maintenance of the erosion & sediment plan. Weekly activities reports will be submitted to the Wetlands Agent.
- Please note any violations of this permit can result in required mitigation via an Inland Wetlands Permit Application (long form or short form), fines and /or penalties as the law allows.

#### The approved plans are:

Land development plans issued for Inland Wetland Commission approval for proposed medical office building and warehouse, 90 Mount Pleasant Road, 10 Hawleyville Road, 1 Sedor Lane, Newtown, Connecticut, Prepared for Hawleyville Properties, LLC, 153 South Main Street, Newtown, CT 06470, Dated Revised June 25, 2018, Dated Received June 26, 2018 and all supporting documents.



### **Overall Site Plan**



#### ZONING INFORMATION

CONE: M—2A (INDUSTRIAL ZONE)  JSE: WARDHOUSE (PERMITTED USE)*							
1	MINIMUM LOT AREA (1)	6 ACRES	4,898,718 S.F. (112.5 AC.) (2)	NO			
2	BULK REQUIREMENT (3)	8	<8	NO			
3	MINIMUM LOT WIDTH AT STREET	250 FEET	732 FEET	NO			
4	MINIMUM LOT FRONTAGE	NONE REQUIRED	780 FEET	NO			
5	MINIMUM FRONT SETBACK	150 FEET FRONTING STATE ROAD/50 FEET FRONTING TOWN ROAD (4)	872 FEET	NO			
6	MINIMUM SIDE SETBACK	50 FEET 75 FEET RESIDENTIAL	190 FEET	NO			
7	MINIMUM REAR SETBACK	50 FEET 75 FEET RESIDENTIAL	300 FEET	NO			
8	MAXIMUM BUILDING HEIGHT	40 FEET/ 3 STORIES	T.B.D.	NO			
9	MAXIMUM IMPERVIOUS COVERAGE	70 PERCENT	16 PERCENT	NO			
10	MAXIMUM BUILDING COVERAGE	35 PERCENT	7 PERCENT	NO			

<sup>.</sup> WAREHOUSE, DISTRIBUTION CENTER, OR WHOLESALE BUSINESS PERMITTED BY

ZONING REGULATION 7.02.110: LOT AREA EXCLUDES WETLANDS,
 ATERCOURSES, VERNAL POOLS, FEMA 100—YEAR FLOOD PLAINS, AND NATURAL

2) LOT AREA CALCULATION:

OT AREA: 6,011,235 S.F.
REA OF WETLANDS: 659,213 S.F.
REA OF STEEP SLOPES: 440,866 S.F.

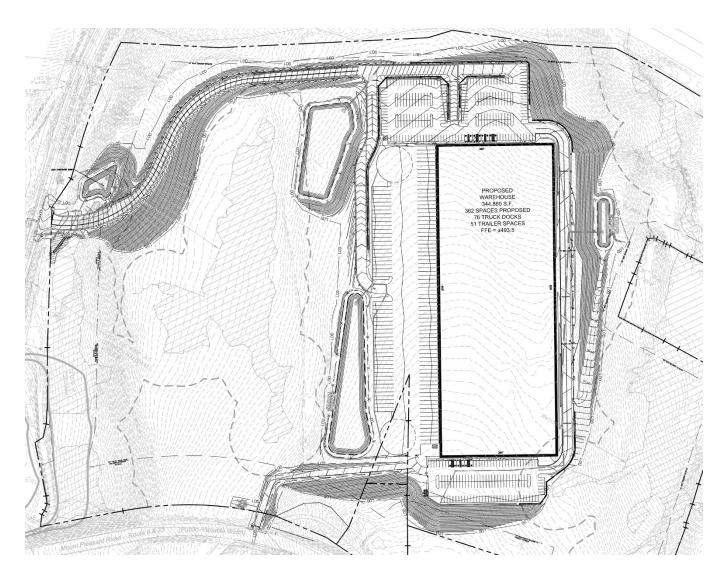
(3) BULK IN CUBIC FEET OF ALL BUILDINGS, STRUCTURES & MATERIALS STORED OUTDOORS SHALL NOT EXCEED THE SQUARE FOOTAGE OF LOT AREA TIMES 8.

#### PARKING INFORMATION

ITEM #	ITEM	REQUIREMENTS	PROPOSED	VARIANCE	
1	BUILDING SIZE	10,000 S.F. GFA	344,880 S.F.	NO	
2	PARKING REQUIRED	COMMERCIAL /INDUSTRIAL:  1 SPACE PER EMPLOYEE ON THE LARGEST SHIFT PLUS 1 SPACE PER INDUSTRY OR BUSINESS VEHICLE ON THE PREMISE TOTAL REQUIRED = 300	362 SPACES	NO	
3	MINIMUM HANDICAPPED PARKING SPACES REQUIRED	6 SPACES	14 SPACES	NO	
4	MINIMUM PARKING DIMENSIONS	9 FEET X 20 FEET	9 FEET X 20 FEET	NO	
5	MINIMUM AISLE WIDTH	20 FEET - 2-WAY 12 FEET - 1-WAY	24 FEET - 2-WAY	NO	
6	MINIMUM FRONT SETBACK	150 FEET FRONTING STATE ROAD/25 FEET FRONTING TOWN ROAD (4)	410 FEET	NO	
7	MINIMUM SIDE SETBACK	50 FEET 75 FEET RESIDENTIAL	438 FEET	NO	
8	MINIMUM REAR SETBACK	50 FEET 75 FEET RESIDENTIAL	68 FEET	NO	
9	MINIMUM INTERIOR LANDSCAPING	225 S.F. PER 10 PARKING SPACES (11,003 S.F.)	>11,003 S.F.	NO	



## **Stormwater & Grading**



#### SITE DRAINAGE LEGEND LIMIT OF DISTURBANCE LINE AND CONTRACT LIMIT LINE STORM LINE CATCH BASIN STORM MANHOLE OUTLET CONTROL STRUCTURE PROPOSED CONTOUR LINE ABBREVIATIONS CB=CATCH BASIN MH-MANHOLE IF-TOP OF FRAME INV=NVETT RCP=REINFORCED CONCRETE PIPE OCS=OUTLET CONTROL STRUCTURE WQ)=WATER QUALITY UNIT WQ|=WATER QUALITY UNIT ELECTRIC LINE GAS LINE WATER LINE SANITARY SEWER LINE SANITARY SEWER FORCE MAIN OVERHEAD LINE HYDRANT UTILITY POLE SANITARY/STORM MANHOLE SANITARY/STORM CLEANOUT

### **Treatment Train**

WATER VALVE GATE VALVE

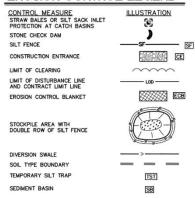
- Deep Hooded
   Catch Basin
- Hydrodynamic Separators
- Infiltration basins



BL Companies, Inc. • Employee Owned. Client Driven.

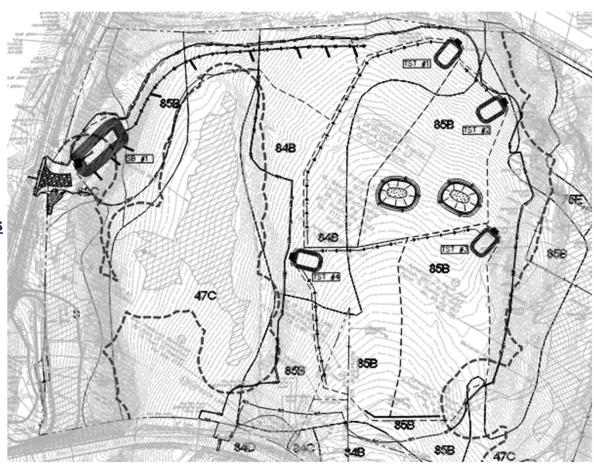
### Soil Erosion and Sediment Control

#### **EROSION CONTROL LEGEND:**



### **Sediment & Erosion Control BMPs**

- Double silt fence where work abuts wetlands
- Silt fence & straw wattles
- Temporary sediment trap & diversion swales
- Construction entrances





# Landscaping

TREES						
KEY	OTY	BOTANICAL NAME	COMMON NAME	ROOT	SIZE	COMMENTS
AS	20	Acer saccharum	SUGAR MAPLE	848	2" CAL MIN.	6' BRANCH HT MIN.
ОС	13	Crataegus crus-galli 'Inermis'	THORNLESS COCKSPUR HAWTHORN	846	2" CAL. MIN.	5' BRANCH HT MIN.
co	14	Cettis occidentalis "Prairie Pride"	PRAIRIE PRIDE HACKBERRY	848	2" CAL. MIN.	6' BRANCH HT MIN.
GT	20	Gleditsia triacanthos var, inermis 'Shademaster'	SHADEMASTER HONEYLOCUST	848	2" CAL MIN.	6' BRANCH HT MIN.
LS	18	Liquidambar styraciflua	AMERICAN SWEETGUM	888	2" CAL. MIN.	6' BRANCH HT MIN.
NS	18	Nyssa sylvatica 'Haymanred'	RED RAGE SMEET GUM	88.6	2" CAL. MIN.	6' BRANCH HT MIN.
PS	30	Pinus strobus	EASTERN WHITE PINE	888	8' HT. MIN.	PLANT 20' 0.0
08	14	Querous bicolor	SWAMP WHITE OAK	848	2" CAL MIN.	6' BRANCH HT MIN.
OR	18	Quercus rubra	RED OAK	888	2" CAL MIN.	6" BRANCH HT MIN.
SHRUB	s					
IG	84	llex glabra "Compacta"	COMPACT INKBERRY	CONT.	30" HT. MIN.	PLANT 4' 0.C.
IVR	0	Rex venticulata 'Red Sprite'	RED SPRITE WINTERBERRY	CONT.	30" HT. MIN.	PLANT 0' 0.C.
IVJ	0	llex venticulata 'Sm Dandy'	JM DANDY WINTERBERRY	CONT.	30" HT. MIN.	PLANT 0' 0.C.
ORNAM	ENTAL	GRASSES				_
PV	42	Panicum virgatum 'Shenandoah'	SHENANDOAH SWITCHGRASS	CONT.	24" HT.	PLANT 3.5" 0.0
PERENI	NIALS A	AND GROUNDCOVERS				
АМ	130	Aronia melanocarpa "UCONNAM012"	GROUND HUG CHOKEBERRY	CONT.	12" SPREAD MIN.	PLANT 3' 0.0
JC	65	Juniperus communis var depressa 'AmiDak' BLUEBERRY DELIGHT	BLUEBERRY DELIGHT JUNIPER	CONT.	18" SPREAD MIN.	PLANT 4' 0.0

NOTES:

1) ALL SUBSTITUTIONS MUST RECEIVE APPROVAL FROM THE LANDSCAPE ARCHITECT PRIOR TO DELIVERY TO SITE.





<sup>2)</sup> PROVIDE AND INSTALL ALL PLANTS SHOWN ON THE PLANTING PLAN DRAWINGS; THE QUANTITIES IN THE PLANT LIST ARE PROVIDED

TO US THERE IS A DISCREPANCY RETWEEN ROTANICAL AND COMMON NAME ROTANICAL NAME PREVAIL

## **Wetland Impact Exhibit**

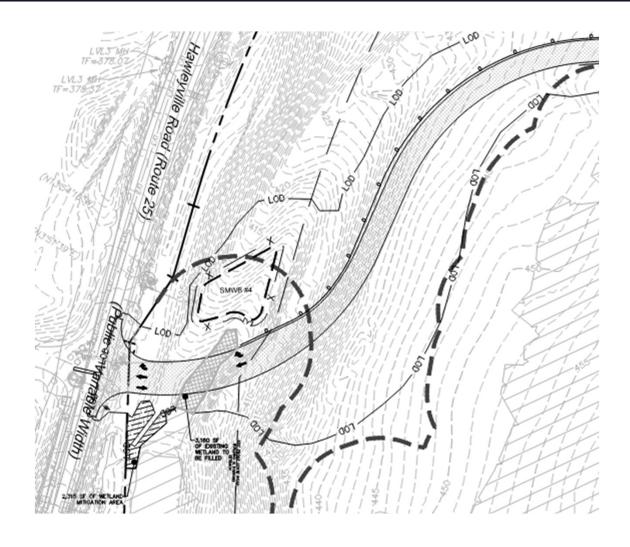




- New driveway aligned with Hillcrest Drive, associated infrastructure and site improvements results in filling wetland approximately ±3,100 sf of wetlands
  - Approximate Upland Review Area impact = ±48,600 sf
  - New driveway creates a 4-way intersection with Route 25
  - New driveway alignment improves sight lines
- Approximately ± 2,300 sf of wetlands will be created and stormwater BMPs are being installed to improve the water quality of the existing wetland
  - Site limitations prevented a more typical 2:1 ratio between wetland creation and filling
- Consulted with a Wetland Scientist to evaluate alternatives that would limit the wetland impacts, optimize the wetland creation area, and improve the overall site design
  - Incorporated a forebay to treat runoff from Interstate 84
  - Revised location and size of proposed wetland creation
  - Change the basin outlet location and incorporated a level spreader



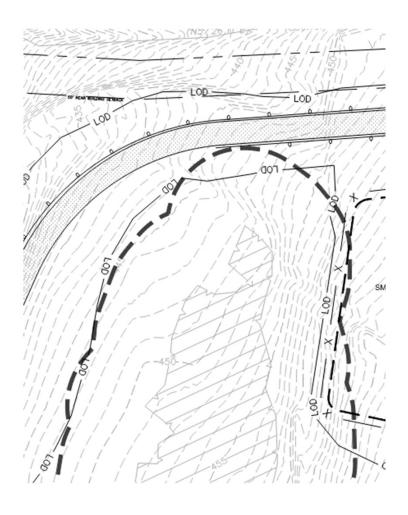
# **Wetland Mitigation Area**





- Approximate Upland Review Area impact = ±14,700 sf
- Geotechnical investigation to determine underlying soil conditions, groundwater elevation and infiltration
- Consulted with a Wetland Scientist to evaluate alternatives that would limit impacts to the upland review area, and improve the overall site design
  - Reduced stormwater basin size based on the results of the geotechnical investigation
  - Eliminated point source outfall
  - Reduced limit of disturbance and proposed grading in the upland review area
  - Updated basin outfall
- Proposed outfall is a more natural method; runoff will infiltrate into the ground and an emergency overflow will be constructed for storms greater than the 100-year storm event.

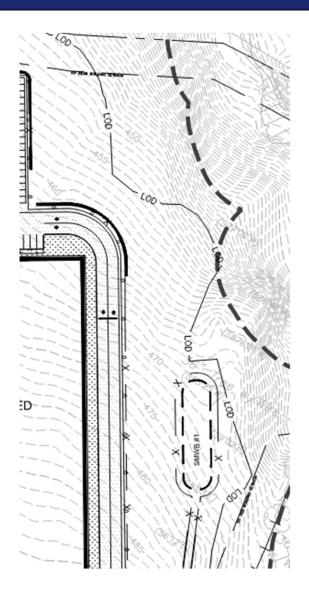






- Approximate Upland Review Area impact = ±2,500 sf
- Geotechnical investigation to determine underlying soil conditions, groundwater elevation and infiltration
- Consulted with a Wetland Scientist to evaluate alternatives that would limit impacts to the upland review area, and improve the overall site design
  - Reduced stormwater basin size based on the results of the geotechnical investigation
  - Eliminated point source outfall
  - Significantly Reduced limit of disturbance and proposed grading in the upland review area
  - Updated basin outfall
  - Revised runoff area to more closely match the existing runoff area to the adjacent wetland (less than 5% difference)
- Proposed outfall is a more natural method; runoff will infiltrate into the ground and be discharged through a large overflow.

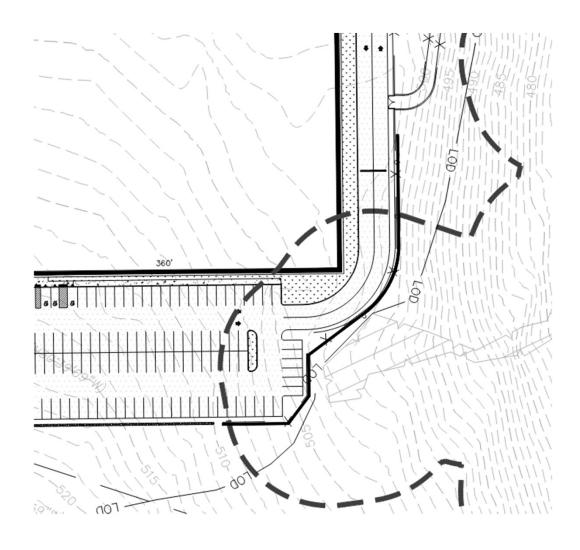






- Proposed construction of an access road, parking lot, building, retaining wall and associated improvements in the upland review area
  - Existing site conditions make impacts to the upland review area unavoidable.
  - Care will be taken during construction to prevent impacts to the wetlands and reduce work in the upland review area as much as possible.
- Approximate Upland Review Area impact = ±26,200 sf
- Consulted with a Wetland Scientist to evaluate alternatives that would limit impacts to the upland review area, and improve the overall site design





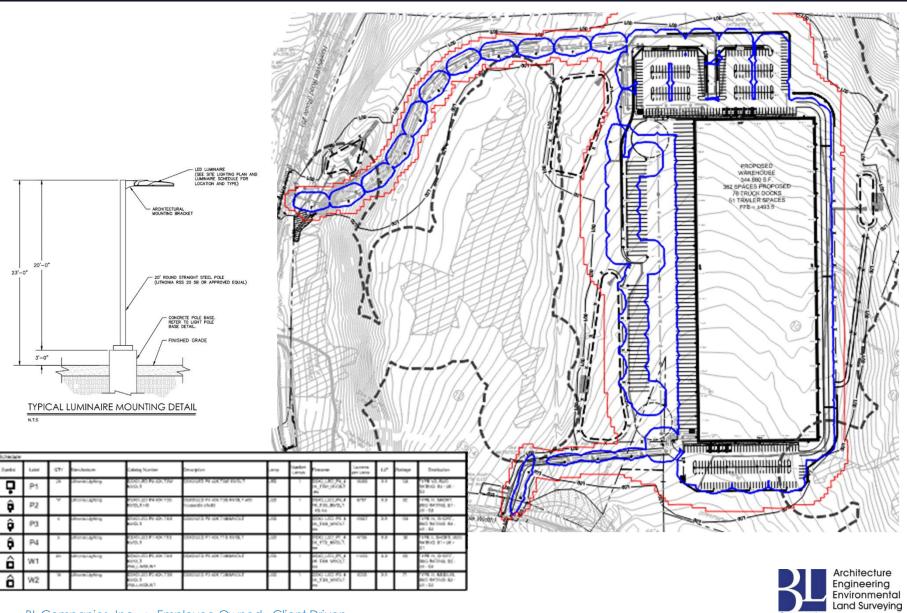


## **Wetlands Impact Summary**

- Wetland Area to be filled = 3,175 SF
  - Roadway cannot be moved to the north of wetland due to insufficient sight lines
  - Wetland currently degraded due to runoff from I-84
  - Stormwater basin #4 and upstream forebay will capture and remove sediment prior to discharge to wetland
- Southwest corner of building extends into Upland Review Area
- Upland Review Area impacts = 92,012 SF
- Wetland mitigation area = 2,315 SF
- Impacts to the Upland Review Area reduced from 129,074 sf to 92,012 sf based on the 2018 approved wetlands plan set.



## Lighting



Companies