

MINUTES  
INLAND WETLANDS AGENCY  
NOVEMBER 12, 2008 - 7:30 P.M.  
TOWN HALL ANNEX - COMMUNITY ROOM 2

I. ROLL CALL

Agency: Ashworth, Furlong, Scott, Sutphen, Williams  
Staff: Jones, Silsby

The meeting was called to order by Chairperson Scott at 7:30 p.m.

II. PUBLIC COMMUNICATIONS - None

III. APPROVAL OF THE MINUTES of October 22, 2008

MOTION: To approve the minutes of October 22, 2008

Motion by Sutphen, seconded by Ashworth, so with 4 in favor, 1 abstention (Williams)

IV. NEW APPLICATIONS - None

V. PENDING APPLICATIONS

1. Konover Acquisitions, LLC, 481, 489, 491, 495, 592, 553, 571 Gold Star Hwy,  
0 Antonino Road

For the record, Jones stated that Williams did listen to the tapes of the October 22, 2008 IWA meeting, in its entirety.

Discussion began with wetland 7 and it was noted that no changes will be made to activity which impacts that wetland.

Discussion followed about drainage changes which impact wetland areas 1, 3, and 5, as noted on the current application. Concerns were raised about changes to drainage discharge that flows to wetland area 6 and it was noted that this activity was not specifically included in the current application.

Staff reviewed the function of the fire pond at the back of the property. If a catastrophic fire were to occur, the water from the fire trucks discharge into that pond. That water would be tested for contaminants and would then be either discharged into wetlands or transported off site for disposal.

Ashworth referred to the 2006 approved application and inquired about the two infiltrator structures located at the back of the building which discharge into wetlands at the rear of the building. The Agency reviewed the plans for clarification.

Ashworth reviewed the proposed discharges to wetlands 1, 3, and 5. He gave his concerns that roof runoff draining into wetland 6 was not included in the 2<sup>nd</sup> application. Staff presented the 2008 application that was denied, noting that the plans showed a discharge to wetland 6. Staff stated that wetland 6 is not a vernal pool and added that stormwater discharge in this area had been discussed during the hearing. Discussion ensued about wetland 6 not being specifically included on the current application form. Staff quoted from the public hearing notice that was published on August 29, 2008 and September 5, 2008 and explained that the application has evolved throughout the hearing process.

Discussion followed about the fire pond and flow of runoff into the office park.

Staff reviewed the discharge to wetland 7.

Scott referred to the roof runoff samples that have been entered into the record. Sutphen stated that there was no scientific evidence presented to support the contention that roof runoff is not clean.

Furlong spoke about the roof material, referred to the Material Safety Data Sheets (MSDS). She reviewed her concerns about the roof possibly being toxic under extreme heat conditions, and gave concerns about the reservoir. She believes that the MSDS sheets are incomplete.

Staff quoted from the MSDS sheets. It was noted that if roof material doesn't break down, it doesn't release toxins. It was also noted that it will not harm the fish. Some members stated that any roof runoff would flow into the treatment train. Staff re-read portions of the MSDS sheets. Discussion ensued about what would happen if a fire broke out on site. The benefits of the proposed fire pond were given. It was noted that a drainage system exists inside the building if a fire were to break out.

Staff believes that wetland 6 was discussed during preliminary discussions with Konover and had also been mentioned during the hearing.

Sutphen addressed some of Zell Steever's comments received at the public hearing. Staff clarified by stating that the existing 2006 permit allows discharge from the pavement to wetland 6. Details were given about the location of the discharge point. Discussion followed about wetland 7 and it was noted that peak rate will not increase.

The Agency discussed wetland 6 and noted evidence that it is not a vernal pool. Sutphen expressed her concerns with comments previously submitted by Ms. Van Zandt. Discussion followed about the Planning Commission decision which was part of the material submitted by Ms. Van Zandt. Furlong referred to Michael Brown's letter dated 9/10/08 in regards to the many violations of stormwater laws by various Wal-Mart stores as a result of inadequate routine maintenance. Scott explained that that issue is not under the Agency's jurisdiction.

Williams referred to the 2006 approved application noting that the project is bonded and this same situation would be applicable to this application, if approved. Discussion followed about maintenance.

Staff reviewed the stormwater monitoring component of the 2006 permit. She recommends that this condition be expanded to incorporate new discharge points if this application is approved. In response to concerns regarding the memorandum of understanding (MOU) between the applicant and Groton Utilities, Staff explained that the MOU is a way for Groton Utilities to monitor and have control over activity on the property. It would not be advisable to require that these two parties enter into an agreement as a condition of a wetland permit.

Discussion followed about monitoring and maintenance. Staff noted that total suspended solid levels are specified in the zoning regulations.

Scott explained the Agency's jurisdiction with regards to the current application. He noted that it is the Town's responsibility to enforce the conditions of the permit.

Staff reviewed the design of the water quality basin that discharges to wetland 5. Staff reviewed the discharge to wetland areas 1 and 3.

Discussion followed about the underground detention structures. Concerns continued to be raised as to why wetland 6 was not included in the current application and about the impact of extreme heat exposure to the roof. Scott reiterated that the MSDS sheets state that the roof material will be stable at normal temperatures. Furlong is still concerned about the safety of the reservoir due to the fact that the roof contains carcinogenic material. It was noted that the applicant has proposed daily sweeping of the parking lot. Discussion ensued about adding conditions to the permit to monitor pollutants that may come from the roof. Scott re-read the MSDS sheets and stated that the roof material is insoluble in water. Treatment train usage was discussed.

MOTION: To approve the Konover Acquisitions, LLC application for the following reasons:

1. The Agency finds that the modification to the stormwater management plan will result in better stormwater water quality at the discharge points than as previously permitted under IWA 06-05.
2. The Agency finds that the installation of a new drainage pipe, landscaping, and retaining wall is within a developed office park and will have no adverse impact on the wetlands and watercourses.
3. The Agency finds that there will be no downstream impact to wetland and watercourses from stormwater discharge from the modified stormwater management plan in that the peak flows of the stormwater runoff will be controlled and maintained at levels equal to or less than existing conditions.
4. There will be no loss of wetland or watercourse as a result of activity allowed by this permit.

This permit is subject to the four standard conditions and the following additional conditions:

1. All conditions of wetland permit IWA06-05 shall apply to this permit.
2. The stormwater quality monitoring program and bond required by permit IWA06-05 shall be expanded to include the new discharge point within the Gold Star Office Park (Parcel Identification Number 169909166737) and the discharge point directed toward wetland area 5.
3. The plantings in the water quality basins that discharge to wetland area 5 shall be monitored for three years, and those plants that are not viable shall be replaced.

4. The erosion control sequence of operations shall be modified to require the installation of erosion controls after the clearing limit lines have been flagged and inspected by town staff and after the trees have been cut.

In response to a question about the plantings in the large detention basin from Williams, Sutphen re-worded condition #3 to read, "The plantings in the water quality basins that discharge to wetland areas 4 and 5 shall be monitored for three years, and those plants that are not viable shall be replaced".

Motion by Sutphen, seconded by Ashworth, so voted 4 in favor, 1 opposed (Furlong)

2. Hannah Enterprises, 530 New London Road, Mystic

Staff stated that staff review was held today and revised plans are expected later this month. Discussion followed about the history of the site. The installation of new tanks was discussed. Agency members will visit the property on their own.

VI. OLD BUSINESS - None

VII. NEW BUSINESS

1. Report of Chair

Furlong inquired about stockpiling at the Community Baptist Church construction site on Route 184. Staff will look into this. Furlong asked Staff to inspect erosion controls at the Mill Pond Subdivision.

Staff referred to GOSA purchasing the Merritt Property and presented a photo of the proposed sign that GOSA would like to install at the site. GOSA is asking whether or not they need a permit from the Agency to install the sign because it is in a regulated area. The Agency reviewed the construction details and determined that no permit is necessary.

Staff explained that the Planning Commission received a letter from Wendy McFarland about erosion controls at the Mystic Weigh site. Staff explained what erosion controls are in place including the use of a berm and a temporary sediment basin at the bottom of the property.

2. Report of Staff - None

3. Meeting Schedule for 2009

MOTION: To approve the Inland Wetlands Agency 2009 Meeting Schedule

Motion made by Williams, seconded by Sutphen, so voted unanimously

VIII. ADJOURNMENT

The meeting adjourned at 9:42 p.m.

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David Scott, Chairperson  
Inland Wetland Agency

Prepared by Robin Silsby  
Office Assistant II