

DRAFT

TOWN OF WATERFORD

Inland Wetlands & Watercourses Permit #C-22-14
109R & 131 Clark Lane, Waterford, CT

The Waterford Conservation Commission, in their capacity as the Town's Inland Wetland Agency, hereby authorizes the applicant to conduct regulated activities in designated areas located at 109R & 131 Clark Lane, Waterford, CT, which are subject to jurisdiction in accordance with CT General Statutes, Section 22a-36 through 22a-45, inclusive, as amended, and the Waterford Inland Wetlands and Watercourses regulations.

This permit is a grant of approval to conduct the following regulated activities:

- Clearing, excavation and grading associated with construction of a 47 unit residential development served by a private driveway, municipal water and sewer, and a stormwater treatment / detention system upgradient of inland wetlands and watercourses;
- Fill and grading within 0.13 acres of upland review area for construction of 7 houses and associated grading;
- Construction of a stormwater treatment and detention basin within 0.56 acres of upland review area;
- Discharge of treated stormwater run-off to inland wetlands and watercourses.

These regulated activities are associated with the proposed construction of a 47 unit residential development located at 109R & 131 Clark Lane, Waterford, Connecticut. The proposed activities are shown site plans entitled; "Proposed Affordable Housing Development, 131 & 109R Clark Lane, Waterford, Connecticut" sheets 1 – 21, revised through 2/21/2023, prepared by Provost & Rovero, Inc.

The Conservation Commission authorizes the regulated activity with the following conditions of approval to minimize impacts associated with the proposed regulated activity and protect the inland wetlands and watercourses on this site:

SPECIAL CONDITIONS:

1. The authorized limit of permanent clearing and disturbance shall be identified as the wetland non-encroachment boundary. No activity, including but not limited to clearing, grading, filling or removal of vegetation shall be conducted within the non-encroachment area without specific authorization from the Conservation Commission. The purpose of this vegetated

non-encroachment area is to protect inland wetland resources from direct and indirect impacts associated with adjacent land development.

2. The wetland non-encroachment boundary shall be marked in the field prior to the start of site clearing and approved by the Commission's agent. Following construction, the non-encroachment boundary shall be permanently marked at 50 ft. intervals with identification markers provided by the Conservation Commission affixed to trees or 4x4 wooden posts.
3. At all times during site construction, temporary diversion swales and temporary sediment traps shall be maintained to collect and settle site construction run-off and to prevent sediment discharge to the receiving wetlands and watercourse resources.
4. Temporary sediment controls shall be installed and maintained downgradient of the level spreader outlet until vegetative cover is established on the site.
5. Construction of the bio-filtration basin and detention basin shall be inspected by the project engineer during construction to verify the specified fill materials are consistent with the approved plans and specifications. Material certificates from a qualified testing agency shall be provided for the bioretention basin media layers per the plan specifications.
6. A pre-construction meeting shall be conducted at the site with the contractor, project engineer and Commission's agent for the bio-retention basin to verify construction inspection requirements, materials testing and reporting requirements for the basin.
7. Two groundwater monitoring standpipes shall be installed in the detention basin at the onset of construction to a minimum depth of two ft. below the completed depth of the basin. Depth to seasonal high groundwater shall be monitored during the construction duration on a monthly basis. The final basin planting plan shall be prepared by a wetland scientist based on the collected groundwater data and submitted to the Commission's agent for approval prior to planting the basin.
8. Prior to the issuance of a certificate of occupancy an as-built plan and inspection report shall be submitted to the Commission's agent with a written verification that the stormwater treatment, detention basin and level spreader were constructed in accordance with the approved plans and design exfiltration rate.
9. The maintenance and inspection schedule for the stormwater management system shall include quarterly inspection of the Conservation Easement Area downgradient of the level spreader for soil erosion and channelization due to stormwater discharge and corrective measures for repair of any eroded areas. All work within the Conservation Easement Area requires approval from the Commission prior to initiation of activity.
10. A condensed inspection and maintenance schedule identifying the frequency and type of maintenance requirements for the stormwater management system shall be prepared by the design engineer and submitted to the Commission's agent for approval prior to the issuance of a certificate of occupancy. Inspection and maintenance items shall include the roadway, catch basins, hydro-dynamic separator unit, basin forebay, bio-filtration basin, wetland

detention basin, level spreader outlet and hillslope downgradient of the level spreader. The maintenance chart shall be kept on the premises and implemented by the permittee to insure proper maintenance and operation of the stormwater control facilities.

11. Performance of the bioretention basin in pollutant removal including nitrogen, phosphorus, metals, and bacteria generated from the site development shall be monitored at intervals of 2 times per year (semi-annually) by a qualified third party following completion of the site construction to monitor pollutant removal function of the biofiltration/detention basin system. Stormwater samples are to be collected where the stormwater enters the biofiltration basin and exits the detention basin. Parameters to be tested include: total suspended solids, total phosphorus, nitrate-N, total copper, total lead, and total zinc. Samples are to be collected during storm events of 0.5 inch or greater during a 24-hour period during the early (April-May) and late (September-October) growing season.

A year-end monitoring report shall be submitted to the Commission's agent by December 15th of each monitoring year. Stormwater discharge quality monitoring and reporting shall continue for a minimum of 3 years following completion of site development.

12. Post construction monitoring of the stormwater basin vegetation and soil stabilization shall be conducted by a wetland scientist or other qualified professional for a period of three (3) years following completion of the stormwater basins to document vegetation establishment/success and functioning of the stormwater basins. Monitoring shall be conducted 2 times per year during the early and latter part of the growing season and include, vegetation establishment, depth of ponding and draw-down interval, sideslope and substrate stabilization, basin plantings survival, and inspection of soil stabilization downgradient of the level spreader outlet. Invasive plant species shall be removed from the basins. Total herbaceous coverage of the basin areas shall equal or exceed 75% at the end of the second monitoring year. Areas of erosion shall be repaired and re-planted under supervision of the Commission's agent.

A monitoring report is required to be submitted to the Conservation Commission by the December 15th of each monitoring year. The Commission may require corrective actions to maintain or repair the stormwater basins.

13. A cash bond or letter of credit shall be required for the construction of the stormwater biofiltration and detention basin in accordance with the approved plans, including the required construction inspections and post-construction monitoring and reporting requirements. A cost estimate for said bond shall be prepared by the project engineer and submitted to the Waterford Planning Department for review and acceptance. The bond is required prior to the start of construction and shall be released upon request, in whole or in part, only by approval of the Waterford Conservation Commission or its designated agent following receipt of as-built verification of construction and monitoring reports of basin stabilization and function.
14. At the time of site construction, invasive bittersweet vines in canopy trees and saplings in the wetland and wetland non-encroachment area are to be cut and treated with an approved herbicide by a licensed applicator. Invasive non-native species shall be treated and removed

from the wetland non-encroachment area bordering the proposed biofiltration and detention basin to prevent encroachment of invasive vegetation into the stormwater treatment basins and to maintain and protect canopy coverage in the adjacent wetland. A report shall be submitted to the Commission's agent documenting the location and types of invasive species control implemented in the wetland and wetland non-encroachment area.

15. The language of the conservation easement restriction shall be submitted to the Commission's agent for review and approval by the Town attorney, prior to recording on the land records. The conservation easement boundary shall be marked on the property by a licensed surveyor and reviewed by the Commission's agent for consistency with the approved plan. Boundary identification markers provided by the Commission shall be installed at intervals along the easement boundary.

STANDARD CONDITIONS:

1. The Conservation Commission's agent shall be notified at least 48 hours prior to commencement of any regulated activity.
2. Final stabilization of disturbed soil areas, including all temporary and permanent soil disturbances, shall be stabilized with the application of loam, seed and appropriate erosion control measures.
3. At all times during site work and until soil areas are stabilized, the applicant shall install and maintain erosion and sediment control measures such as fabric filter fence, staked hay bales or other measures deemed necessary by the Commission's agent to prevent erosion and sedimentation impacts to wetlands and watercourses.
4. Erosion control and soil stabilization measures shall comply with the approved plans and the guidelines as established in the Connecticut Guidelines for Soil Erosion and Sediment Control, 2002, CTDEEP Bulletin 34.
5. Upon direction of the Commission's agent, erosion and sediment control measures shall be removed by the applicant following stabilization of the site.

All work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this permit. Any structures, excavation, deposition of fill, obstructions of flow, encroachments or other regulated activities not specifically identified and authorized herein shall constitute a violation of this permit and may result in permit modification, suspension or revocation.

In the event that any additional wetland or watercourse regulated activities are required as a result of other agency permitting to support the proposed activity, the Waterford Conservation Commission reserves the right to reconsider the proposed regulated activity and may require modifications to minimize the impact to wetland resources.

In evaluating this application, the Commission has relied on information provided by the applicant. If such information subsequently proves to be false, incomplete and/or inaccurate, this permit may be modified, suspended or revoked.

This permit shall be valid for a period of 5 years. Permit extensions may be authorized in accordance with CT General Statutes § 22a-36 through 22a-45 inclusive. If the regulated activity is not completed within this time frame, the permit may be held to be invalid by the Conservation Commission or the applicant may be required to petition the Commission for an extension or re-issuance of the permit. The Commission may require the applicant to furnish additional information at that time.

The Conservation Commission renders this Summary Ruling in accordance with the Waterford Inland Wetlands and Watercourses Regulations based on the following considerations:

- A. The activity does not involve direct impacts to inland wetlands or watercourses. The activity will not diminish the capacity of the on-site wetlands and watercourses to support fish and wildlife, supply and protect ground and surface waters, control erosion and assimilate pollutants or to facilitate drainage.
- B. Alternative plans have been submitted that incorporate the off-site stormwater run-off entering the property into the proposed on-site stormwater treatment system and minimize alteration to surface and shallow groundwater flows.
- C. The proposed activity does not adversely affect off-site wetlands or watercourse resources.
- D. Short-term construction impacts are minimized with a phased construction sequence and erosion and sediment control plan. Potential long-term impacts to wetland resources are minimized by maintenance of wetland hydrology, implementation of stormwater treatment / detention basins, control of discharge velocities and maintenance of a vegetated wetland buffer designated as a wetland non-encroachment area.

This permit will be strictly enforced. If the Conservation Commission finds that the applicant has not complied with the permit conditions or has exceeded the scope of this permit as set forth herein, or, if the intended use of the general site is not as represented by the application or the plan of record, the Commission may suspend or revoke this permit, direct the Environmental Officer to issue a cease and desist order, require the applicant to modify, extend or revise the site work, or require the applicant to restore the area to its original condition.

Date Issued: March 23, 2023

Issued By: _____
Chairman, Richard F. Muckle
Waterford Conservation Commission

Effective Date: _____