



# Town of Hamden

Hamden Government Center  
2750 Dixwell Avenue

October 13, 2021

**MINUTES: INLAND WETLANDS COMMISSION**, Town of Hamden, held a Regular Meeting via Zoom teleconferencing technology on Wednesday, October 6, 2021 with the following results:

Commissioners in attendance:

Joan Lakin, Chair  
Kirk Shadle  
Tim Mack  
Lee Campo  
Michael Stone  
George Schneider  
Michael Milazzo  
Lauren Wholey

Staff in attendance:

Thomas Vocelli, IW Enforcement Officer  
Tim Lee, Assistant Town Attorney (arrived at 7:40)  
Natalie Barletta, Clerk

- a. 21-1239**      1530 Dunbar Hill Road – Lot 1  
Construction of a single-family house  
Yamile Valdez, Applicant

James Dimeo, Juliano and Associates, addressed the Commission and screen-shared the plans. He is proposing a single family house, and there is a small pocket of wetlands on the front corner of the property. There would be a single gravel driveway that will run along the wetland before entering the garage. He discussed the Town Engineer's comments, and went over the highlights with the Commission. Mr. DiMeo believes that impacts would be limited, and that notes can be added to the plan as needed..

Mr. Shadle asked about the previous approval for the lot, as the driveway was farther away on the previous plan, and he asked why. Mr. DiMeo answered that the property goes down into the wetlands and he pointed out how the water flowed into them. The driving force was changing the direction. Mr. Shadle asked if there was a silt fence. Mr. DiMeo answered yes. Mr. Shadle asked what the distance of disturbance was. Mr. DiMeo said five feet. Mr. Shadle asked if Mr. DiMeo was aware of the regulations. Mr. DiMeo answered there is ideally a 100-foot-buffer. Mr. Shadle commented that this is fairly close, and asked if this was a standalone fence. Mr. DiMeo stated that this was first proposed as a standalone, as the surface was fairly flat. Mr. Shadle asked how much of the lot is going to be grubbed over for the construction of the house. Mr. DiMeo then demonstrated it on the plans. Mr. Shadle asked for the percentage of the lot size. Mr. DiMeo answered 40. There was a brief discussion of the stabilization of the driveway and keeping water from flowing into the garage. Mr. Shadle mentioned that he has concerns about erosion and water control in the wetland. Mr. DiMeo answered that the property has a 3 percent slope. There will be an anti-tracking pad and a gravel driveway, and smaller stones will be installed on the way out. Mr. Shadle asked if the house will be slab on grade. Mr. DiMeo answered that

it will have footing drains and a basement. Mr. Shadle asked if there was a site inspection report. Ms. Lakin answered no. Mr. Shadle said that he has not been to the site. He asked Commissioners who were at the site for their observations, and added that he was concerned about the silt fence and field grade. He stated that he is concerned about the short term impact on the wetland, as well. Mr. Mack stated that the wetland indicated on the plan wasn't recently flagged by a wetlands scientist. He added that the wetland area was basically dry, and it didn't look like a wetland. Mr. Shadle asked if it was a low functioning situation. Mr. Mack answered yes. Mr. Mack noted that there were no storm drains at the road, and he believes that the area does flood at the intersection during heavy rains. Mr. Campo answered that Dunbar Hill Road and Hill Street do in fact flood. There was a brief discussion on flow during high periods of flow, and the adequacy of the silt fence.

Mr. Shadle asked if Mr. DiMeo's client would wish to reinforce the silt fence. Mr. DiMeo answered yes. Mr. Shadle asked would they also entertain the idea of marking the area where the fence is, with wetland medallions. There was a discussion about the silt fence and medallions. Mr. Vocelli then confirmed that the Suggested Motion calls for IW medallions, but he assumed that a deed restriction would not be needed. Mr. Shadle asked if medallions are something that can be moved forward with. Mr. DiMeo answered yes.

Mr. Shadle said that it was pointed out that the clearing was "aggressive," and wanted to know if there was any remediation as well. Mr. DiMeo demonstrated the locations on the plans, and stated that the clearing was away from the wetlands.

Mr. Shadle asked if the stockpile has silt fencing. Mr. DiMeo answered yes.

Mr. Mack asked about maintenance of the drainage & storage system. Mr. DiMeo said it's very minor, but calls for inspection reports if needed. These shouldn't be a lot of maintenance as it is only roof runoff.

Ms. Wholey said that she was wondering if there is any provision for dealing with a future owner changing to an asphalt driveway, and she wants to know if the commission can keep it as gravel. Mr. Vocelli said that Ms. Wholey raised a good question, and he said that putting a condition of approval prohibiting an asphalt driveway would be a difficult thing to get a handle on moving forward. Ms. Lakin asked if that meant no. Mr. Vocelli stated that if the commission wants to do so, then yes, but he doubts that such a condition would be enforceable as a practical matter.

Mr. Schnieder asked if the alternate course of action would be to discuss a gravel driveway. Mr. Vocelli stated that's within the purview of the commission, so that's reasonable. Mr. DiMeo then explained the differences between paved and gravel. Ms. Lakin asked if there were any effects. Mr. DiMeo stated that paved increased water surface runoff to the wetlands. He added that since it's gravel it won't increase the flow. Ms. Wholey mentioned concerns about quality of water versus quantity and she wants something in the motion. Mr. Schneider asked about a gravel design feature. Ms. Wholey would rather have soil and plantings versus gravel. Mr. Shadle agreed. Mr. Vocelli said that he is trying to think ahead about the future owner paving the driveway, and then it comes to the attention of the wetlands officer, and what would the commission want done. Should the asphalt be ripped up? Ms. Wholey stated that the Commission doesn't want to increase costs, we might just put in a guard rail to increase medallions and she doesn't want to put too much on the applicant now, but there might be ways to

address these questions. Mr. Clapp mentioned his surprise that there was not a recent soil scientist report, and he added that the wetland doesn't look productive or important or significant.

Ms. Lakin then asked for a motion.

Mr. Schneider moved to approve IWC Application # 20-1239 for the construction of a single-family residence at 1530 Dunbar Hill Road – Lot 1, subject to the following conditions:

- 1) Sediment and erosion controls shall be installed along the silt fence line depicted on the application site plan (revised to 7/7/21), prior to the onset of any other grading or construction. The silt fence shall be reinforced with a row of staked contiguous hay bales. Other S & E controls shall be phased as necessary and appropriate. Any soil stockpiles shall be located within the work area defined by the silt fence. The stockpiles shall be covered with tarpaulins prior to any rain event and at the close of each workday. Appropriate sediment and erosion controls must be put in place around all stockpiles. Roof drain outlets, including rip-rap splash pads or other erosion control measures, shall be depicted on the final revised plans;
- 2) The silt fence line will also serve as the boundary of the non-disturbance buffer area that will abut the wetland. The non-disturbance boundary-line shall be permanently demarcated at 35 foot intervals with Inland Wetland Conservation medallions mounted on either a permanent split-rail fence or on permanent pressure-treated posts. The medallions shall not be mounted on trees;
- 3) The non-disturbance buffer area shall be seeded with a New England Wetland Plant (NEWP) Semi-shade and Forb Mix (or with an alternative conservation seed mix approved by the Wetlands Officer after consultation with appropriate members of the Commission). If desired, the buffer area can instead be planted with a native ground cover and shrubs approved by the Wetlands Officer after consultation with Commission members;
- 4) The lawn shall not encroach into any part of the non-disturbance buffer area or into any part of the wetland;
- 5) Except for the aforementioned seeding or planting requirement, no grading, clearing or disturbance (either pre or post construction) shall occur in the wetland or in the abutting non-disturbance buffer area unless approved by this Commission or by the Wetlands Officer. The Wetlands Officer shall provide non-disturbance language for inclusion in the final revised plans, and this language shall govern uses and activity within the wetland and within the non-disturbance buffer area;
- 6) The wetland and the abutting non-disturbance buffer area shall be depicted on all site plans and on all as-built drawings;
- 7) No wood chips, grass clippings, or debris of any kind (including stumps and tree stumps for disposal) shall be deposited in the wetland or in the abutting non-disturbance buffer area. No tree stumps or debris of any kind shall be buried anywhere on-site;
- 8) Any change in the location of the proposed house or any change in the size or configuration of the non-disturbance buffer area, shall be subject to review and approval by this Commission or by the

Wetlands Officer. If the Wetlands Officer does not deem any change to be *de minimis*, it would need to come before the full Commission;

9) No additional site clearing or tree cutting or tree removal shall occur prior to the issuance of a zoning permit;

10) If during the course of the project any fill is required to be brought on site, such fill shall be clean fill (i.e. free of construction debris or other contaminants);

11) The applicant's final revised plans shall address the Engineering Department's comments & recommendations to the satisfaction of the Town Engineer;

12) All conditions of approval shall be listed on the final revised plans and all conditions of approval shall be cross-referenced to their location in the plan itself. The final revised plans must be approved by the Wetlands Officer or by the Chair prior to the issuance of a zoning permit;

13) The owner shall provide any prospective buyer of this property with a copy of the final revised plan that has been approved by the Wetlands Officer or the Chair, and with a copy of the Notice-of-Decision (including these conditions-of-approval) that will be issued by the Wetlands Officer.

Mr. Mack seconded the motion.

Ms. Wholey asked if she can add condition 14 to propose that any future impervious area would need an engineer to review the storm water in consultation with the Wetlands Officer.

Mr. Schneider and Mr. Mack accepted this addition to the motion.

Discussion: Mr. Shadle said that he wants to propose a change in the medallion intervals from 35 to 20 feet. Mr. Schneider and Mr. Mack accepted this revision. There was a brief discussion on the proximity of the disturbance to the wetlands. Mr. Shadle stated that he doesn't need the buffer boundary to follow the entire length of the silt fence, since it travels north. Mr. Vocelli noted that the motion makes reference to the silt-fence line and to the area that abuts the wetland. This will identify the location of the terminus of the medallions.

The Commission then took action on the motion with the following revised conditions:

1) Sediment and erosion controls shall be installed along the silt fence line depicted on the application site plan (revised to 7/7/21), prior to the onset of any other grading or construction. The silt fence shall be reinforced with a row of staked contiguous hay bales. Other S & E controls shall be phased as necessary and appropriate. Any soil stockpiles shall be located within the work area defined by the silt fence. The stockpiles shall be covered with tarpaulins prior to any rain event and at the close of each workday. Appropriate sediment and erosion controls must be put in place around all stockpiles. Roof drain outlets, including rip-rap splash pads or other erosion control measures, shall be depicted on the final revised plans;

- 2) The silt fence line will also serve as the boundary of the non-disturbance buffer area that will abut the wetland. The non-disturbance boundary-line shall be permanently demarcated at 20-foot intervals with Inland Wetland Conservation medallions mounted on either a permanent split-rail fence or on permanent pressure-treated posts. The medallions shall not be mounted on trees;
- 3) The non-disturbance buffer area shall be seeded with a New England Wetland Plant (NEWP) Semi-shade and Forb Mix (or with an alternative conservation seed mix approved by the Wetlands Officer after consultation with appropriate members of the Commission). If desired, the buffer area can instead be planted with a native ground cover and shrubs approved by the Wetlands Officer after consultation with Commission members;
- 4) The lawn shall not encroach into any part of the non-disturbance buffer area or into any part of the wetland;
- 5) Except for the aforementioned seeding or planting requirement, no grading, clearing or disturbance (either pre or post construction) shall occur in the wetland or in the abutting non-disturbance buffer area unless approved by this Commission or by the Wetlands Officer. The Wetlands Officer shall provide non-disturbance language for inclusion in the final revised plans, and this language shall govern uses and activity within the wetland and within the non-disturbance buffer area;
- 6) The wetland and the abutting non-disturbance buffer area shall be depicted on all site plans and on all as-built drawings;
- 7) No wood chips, grass clippings, or debris of any kind (including stumps and tree stumps for disposal) shall be deposited in the wetland or in the abutting non-disturbance buffer area. No tree stumps or debris of any kind shall be buried anywhere on-site;
- 8) Any change in the location of the proposed house or any change in the size or configuration of the non-disturbance buffer area, shall be subject to review and approval by this Commission or by the Wetlands Officer. If the Wetlands Officer does not deem any change to be *de minimis*, it would need to come before the full Commission;
- 9) No additional site clearing or tree cutting or tree removal shall occur prior to the issuance of a zoning permit;
- 10) If during the course of the project any fill is required to be brought on site, such fill shall be clean fill (i.e. free of construction debris or other contaminants);
- 11) The applicant's final revised plans shall address the Engineering Department's comments & recommendations to the satisfaction of the Town Engineer;
- 12) All conditions of approval shall be listed on the final revised plans and all conditions of approval shall be cross-referenced to their location in the plan itself. The final revised plans must be approved by the Wetlands Officer or by the Chair prior to the issuance of a zoning permit;

13) The owner shall provide any prospective buyer of this property with a copy of the final revised plan that has been approved by the Wetlands Officer or the Chair, and with a copy of the Notice-of-Decision (including these conditions-of-approval) that will be issued by the Wetlands Officer.

14) The creation of any additional impervious surface would require an engineer to review the impacts on storm water quality and volume in consultation with the Wetlands Officer.

The application was approved 7 to 0.

- b. **21-1240**                    3311 Whitney Avenue et al  
    Mixed-use development (retail, residential, fueling)  
    Noble Energy, Applicant

James Bernardino, CMG, and Mike Frisbee represented the applicant. They gave a quick overview, and screen-shared the plans. This is at a number of properties that the applicant is under contract with Quinnipiac University and is over 4 ½ acres that is undeveloped. At the rear of the property Davison Environmental identified vegetated wetlands and the like. He demonstrated the resource areas on the plans, and there are basically two ponds that qualify as wetlands. They connect to a small stream between the two and will flow out to the Mill River. There is a 100 foot no disturbance zone, and 200 foot upland review area. The first floor will have a convenience store, and the second and third floors will have apartment style units. They are proposing a fueling station and an EV charging station. He then went through the upland area and the development. There will be an installation of a retaining wall on the overall development project. There is a comprehensive storm water plan to address storm water impacts. He then demonstrated catch-basins and water quality units, and went through the storm water management process. He then referenced the last meeting, and it was brought forth that the commission would look for an invasive species control plan. He would like to request that the Commission make an invasion species plan a condition of approval. That will be prepared by a qualified wetlands specialist and the applicant wants to make sure that they continue to work with the Commission. He referenced comments from the RWA, and received comments from the town engineer and they have reviewed both of those memos. None of those comments would result in any significant modification in the site plan, and some of these comments are more related to the Planning and Zoning Commission.

Ms. Wholey asked about a limit-of- development line, and access down to the basin. Mr. Bernardino answered that there is an access proposal in the works, and he demonstrated on the plans where the limit of work is and where the basin is. Mr. Bernardino said he will work out the basin comments with the Town Engineer, and any comments to the engineer should address the concerns. Ms. Wholey asked about how long it will take to drain. Ms. Bernardino said that it will take about a day, and briefly explained. Ms. Wholey asked about a landscape plan. Mr. Bernardino explained that the landscape plan does address the detention basin as well, and the vegetation will tolerate the frequent water. This will be maintained two times a year. Ms. Wholey asked about seed mix. Mr. Bernardino explained the seed mix. Ms. Wholey said she wanted to know if there was a gravel driveway/access way, and a seed mix for the basin. Mr. Bernardino said it will be a mix that will not require a lot of maintenance. Ms. Wholey said she'd prefer a conservation mix. Mr. Bernardino said he will make note of that. There was a brief discussion on the storm water amounts. Mr. Shadle asked for a clarification on the Town Engineer's comment about drainage. Mr. Bernardino discussed the top of the basin, and stated that the inlet is the

same elevation as the bottom of the pool and he proposed a plunge pool. He demonstrated them on the plans, and stated that the water will come in and stop. The water level will get in a little higher and the velocity is not a concern. He added that he can modify to whatever the Town Engineer desires from a design standpoint, and he can provide information that this is adequate. Mr. Shadle asked about S & E controls and stated that there wasn't any phased control, and said his concern is work on that retaining wall. Mr. Bernardino stated that he does understand the concerns and a general construction sequence has been done. He added that he needs to mitigate the velocity, and he fully anticipates the retaining wall is first to be installed. He stated that he will get the property to grade early on. Mr. Shadle commented that he would like to see that detailed there.

Mr. Bernardino stated that he can take that construction sequence and add the wall and provide more detail on what the intent is for erosion and discharge.

Mr. Mack said he has questions about how litter would be contained. Mr. Bernardino explained that Mr. Frisbee will have firsthand knowledge, and stated that Mr. Frisbee's current sites are free of such litter. Mr. Mack mentioned concerns about bottles. Mr. Bernardino said that the water quality unit has an extra protection for more debris. Mr. Mack mentioned the Stormceptor model at the Nova Scotia station and asked if there was any reason why it was different from what's proposed here. Mr. Bernardino stated that he didn't find a reason why that was proposed, and suggested that maybe it's because of the stricter regulations in Canada. Mr. Mack asked about spill control & prevention, and what's going to happen if someone is going to overfill their car. Mr. Bernardino explained that this will all be outlined, and stated that personnel will be trained, such as emergency shutoffs, spill kits that are prepared and packaged, operating manual that goes through all of the emergency responses to call. He went through the process of what will happen if there is a spill. Mike Frisbee added that there is a concrete pad as another containment. Mr. Mack asked if there was rip-rap. Mr. Bernardino said there was, and showed it on the plans. He added that they can enhance it a little more. Mr. Mack mentioned that climate change is going to happen, and asked if there was a concern of a couple of major rain events. Mr. Bernardino is going to propose a concrete weir. What they will be doing is constructing the detail that goes across the basin, which will allow water to go through uniformly and will spread out. He added that they will look at different options, and thinks that the combination will lay flat and the concrete curb will be level. This will promote great spreading and discharge.

Ms. Wholey asked how often Mr. Bernardino thinks it will overfill. Mr. Bernardino answered that it's a 25-year storm. Ms. Wholey asked how often that was. Mr. Bernardino explained that it's the range of inches of rain in 24 hours.

Mr. Mack asked about the maintenance on the Stormceptor, and how often does it get cleaned. Mr. Bernardino answered twice a year, and went through the process. Mr. Mack asked about snow removal. Mr. Bernardino answered that he is aware of the potential concerns, and plans to store the snow on the landscape edges. A brief discussion ensued about where snow would be stored.

Mr. Schneider asked about the 10 year storm for sizing and asked if they want to get recharge, and minimize that. Mr. Bernardino said he looked at the soil classification and good sandy soils. Engineering wise, certain criteria are allowed to use certain information in design. That limited how much water in the ground, and he took the approach of what is practical and what is good. Here we can do it, but the impacts are more detrimental than needed. He said he took a look at it, and existing topography

respecting the 100-foot no disturb zone. Mr. Schneider asked where that is on the map. Mr. Bernardino pointed it out. He also explained the guidelines that he used for sizing.. Ms. Lakin then called for a motion.

Mr. Clapp moved to approve IWC Application # 21-1240 for a mixed-use development at 3311 Whitney Avenue et al, subject to the following conditions:

- 1) Sediment and erosion controls shall be installed along the silt fence lines depicted on Sheet C-4.0, prior to the onset of any other grading or construction. The silt fences shall be reinforced with a row of staked contiguous hay bales. Any soil stockpiles shall be located within a work area defined by a silt fence. The stockpiles shall be covered with tarpaulins prior to any rain events. Appropriate sediment and erosion controls must be put in place around all stockpiles;
- 2) The non-disturbance buffer that abuts wetland/watercourse areas shall have a minimum width of 100 feet, and the non-disturbance boundary-line shall be permanently demarcated at 35 foot intervals with Inland Wetland Conservation medallions mounted on either a permanent split-rail fence or on a permanent stockade fence or on permanent pressure-treated posts;
- 3) A rain garden and native pollinator garden shall be installed on the outflow of the proposed drainage basin in order to allow for further filtration of contaminants from the basin and in order to promote the presence of pollinators throughout the wetland/watercourse habitat. A level-spreader with a strip of native vegetation would be an acceptable alternative to the rain garden;
- 4) The applicant shall submit a plan for the control of knotweed and other on-site invasive. (Whenever feasible, the plan shall include an emphasis on the preservation of native trees in order to limit the spread of invasives). Excavation activity and construction activity associated with this mixed-use development project shall not commence until a knotweed & invasive control plan has been approved by the Commission or its agent;
- 5) The Wetlands Officer shall provide non-disturbance language for inclusion in the final revised plans, and this language shall govern uses and activity within wetland/watercourse areas and within the non-disturbance buffer area;
- 6) Wetland /watercourse areas and the abutting non-disturbance buffer area shall be depicted on all site plans and on all as-built drawings;
- 7) No wood chips, grass clippings, or debris of any kind (including stumps and tree stumps for disposal) shall be deposited in wetland/watercourse areas or in the abutting non-disturbance buffer area. No tree stumps or debris of any kind shall be buried anywhere on-site;
- 8) Any change in the size or configuration of the non-disturbance buffer area shall be subject to review and approval by this Commission or by the Wetlands Officer. If the Wetlands Officer does not deem any such change to be *de minimis*, it would need to come before the full Commission;
- 9) No site clearing or tree removal shall occur prior to the issuance of a zoning permit;

- 10) Any fill brought on-site shall be clean fill (i.e. free of construction debris or other contaminants).
- 11) The selection of an appropriate Stormceptor model shall be subject to review and approval by the Town Engineer;
- 12) The applicant shall file upon the land records of the Town of Hamden a synopsis of its Storm Water Management System Long-Term Operation & Maintenance Plan (dated August 13, 2021), included but not limited to the Responsible Party signature sheet on Page viii;
- 13) The applicant shall comply with Comments 1 thru 5 of the Regional Water Authority comment letter dated July 26, 2021, and the applicant shall list these comments on the final revised plans as requirements imposed by the IWC in its conditions-of-approval;
- 14) The applicant's final revised plans shall address the Engineering Department's comments & recommendations (ref the memo of 10-04-2021) to the satisfaction of the Town Engineer;
- 15) All conditions of approval shall be listed on the final revised plans and all conditions of approval shall be cross-referenced to their location in the plan itself. The final revised plans must be approved by the Wetlands Officer or by the Chair prior to the issuance of a zoning permit;
- 16) Any prospective buyer of these properties must receive a copy of the final revised plans that have been approved by the Wetlands Officer or by the Chair, as well as a copy of the Notice-of-Decision (including these conditions-of-approval) that will be issued by the Wetlands Officer.

Mr. Campo seconded.

Discussion: Mr. Shadle said he would like to add a condition that the construction sequence should show the construction of the retaining wall and it shall be a priority in the construction sequence. The medallions should not be mounted on trees. Mr. Clapp and Mr. Campo agreed.

Mr. Bernardino asked about the restrictions in number five. Mr. Vocelli said they are drawn from our regulations, and they will govern activities in the buffer and in the wetland.. Mr. Schneider added that the applicant should add a snow removal plan that shall not disturb the wetlands. Mr. Clapp and Mr. Campo agreed.

Ms. Wholey asked about item number 12, and asked if the requirement could include updates in the manual. Mr. Clapp and Mr. Campo agreed.

Mr. Schneider asked for a discussion regarding medallions on a tree versus a post, and stated that there is a way around this, and thinks that this should be discussed at a later date.

Mr. Mack asked if the design of the retaining wall will be approved by the engineer. Mr. Bernardino stated the structural retaining wall will be designed, and thinks that this will be reviewed by the Building Department when they get to the building permit application.

Ms. Wholey asked for a clarification on number 3, and asked where the rain garden would be. Mr. Vocelli explained that he took this recommendation from the reports of the two-person review panel, and he deferred to Mr. Mack. Mr. Mack said that it would be at the outflow of the proposed detention pond. Ms. Wholey stated that it just seems like any rain garden can require a good deal of disturbance. A consensus was reached that a level spreader with a strip of vegetation would be preferable to a rain garden.

The motion was then approved 7 to 0 with the following revised conditions:

- 1) Sediment and erosion controls shall be installed along the silt fence lines depicted on Sheet C-4.0, prior to the onset of any other grading or construction. The silt fences shall be reinforced with a row of staked contiguous hay bales. Any soil stockpiles shall be located within a work area defined by a silt fence. The stockpiles shall be covered with tarpaulins prior to any rain events. Appropriate sediment and erosion controls must be put in place around all stockpiles;
- 2) The non-disturbance buffer that abuts wetland/watercourse areas shall have a minimum width of 100 feet, and the non-disturbance boundary-line shall be permanently demarcated at 35 foot intervals with Inland Wetland Conservation medallions mounted on either a permanent split-rail fence or on a permanent stockade fence or on permanent pressure-treated posts. The medallions shall not be mounted on trees;
- 3) A level spreader with a strip of vegetation shall be installed at the outflow from the proposed drainage basin in order to allow for further filtration of contaminants from the basin;
- 4) The applicant shall submit a plan for the control of knotweed and other on-site invasives. (Whenever feasible, the plan shall include an emphasis on the preservation of native trees in order to limit the spread of invasives). Excavation activity and construction activity associated with this mixed-use development project shall not commence until a knotweed & invasives control plan has been approved by the Commission or its agent;
- 5) The Wetlands Officer shall provide non-disturbance language for inclusion in the final revised plans, and this language shall govern uses and activity within wetland/watercourse areas and within the non-disturbance buffer area;
- 6) Wetland /watercourse areas and the abutting non-disturbance buffer area shall be depicted on all site plans and on all as-built drawings;
- 7) No wood chips, grass clippings, or debris of any kind (including stumps and tree stumps for disposal) shall be deposited in wetland/watercourse areas or in the abutting non-disturbance buffer area. No tree stumps or debris of any kind shall be buried anywhere on-site;
- 8) Any change in the size or configuration of the non-disturbance buffer area shall be subject to review and approval by this Commission or by the Wetlands Officer. If the Wetlands Officer does not deem any such change to be *de minimis*, it would need to come before the full Commission;
- 9) No site clearing or tree removal shall occur prior to the issuance of a zoning permit;

- 10) Any fill brought on-site shall be clean fill (i.e. free of construction debris or other contaminants).
- 11) The selection of an appropriate Stormceptor model shall be subject to review and approval by the Town Engineer;
- 12) The applicant shall file upon the land records of the Town of Hamden a synopsis of its Storm Water Management System Long-Term Operation & Maintenance Plan (dated August 13, 2021), included but not limited to the Responsible Party signature sheet on Page viii. Subsequent revisions to the Plan shall also be filed on the land records;
- 13) The applicant shall comply with Comments 1 thru 5 of the Regional Water Authority comment letter dated July 26, 2021, and the applicant shall list these comments on the final revised plans as requirements imposed by the IWC in its conditions-of-approval;
- 14) The applicant's final revised plans shall address the Engineering Department's comments & recommendations (ref the memo of 10-04-2021) to the satisfaction of the Town Engineer;
- 15) All conditions of approval shall be listed on the final revised plans and all conditions of approval shall be cross-referenced to their location in the plan itself. The final revised plans must be approved by the Wetlands Officer or by the Chair prior to the issuance of a zoning permit;
- 16) Any prospective buyer of these properties must receive a copy of the final revised plans that have been approved by the Wetlands Officer or by the Chair, as well as a copy of the Notice-of-Decision (including these conditions-of-approval) that will be issued by the Wetlands Officer.
- 17) Completion of the retaining wall shall be a priority in the initial phase of the construction sequence;
- 18) The applicant shall add a snow removal plan that will protect wetland/watercourse resources from disturbance and that will preserve the integrity of wetlands and watercourses.

## **II. Other Business:**

- a. Review September 1, 2021 Meeting Minutes

Mr. Schneider noted that Ms. Wholey was present, despite not being listed.

Ms. Lakin stated that she had the Clerk re-listen to the recording prior to the meeting. She requested that the following lines be added to the minutes on page three: "Ms. Lakin asked Attorney Lee to preside over the election of President. Attorney Lee explained that as the current Chair, she can accept nominations, but recuse herself for the final vote."

Mr. Schneider moved, Mr. Mack seconded, and all were in favor of accepting the minutes as amended.

## b. Storm water catch-basins

Mr. Walters reported that the 3-19 Save the Sound grant was partially approved. The Alice Peck Rain Garden was approved. There was a discussion that they would expand the project into the medallion project, and it was stated that there are 100 medallions outstanding. Kirk Shadle said he has them. Mr. Walters asked if there were any plans to install them. Mr. Shadle answered no. Mr. Walters said should we apply for another grant from the Watershed Fund, and he said the answer was no, as they wish recipient groups to get additional funding sources. Ms. Lakin asked if there was an Eagle Scout on deck to install the remaining medallions. Mr. Shadle explained that due to time conflicts the original Eagle Scout couldn't complete the project, and at this time, there is no other Scout that is going towards Eagle, and those medallions are now available. Mr. Shadle asked if the Hamden Land Conversation Trust wanted to use them. Mr. Mack said that there really hasn't been any volunteers to do so. There was a brief discussion on the various civic associations and the cost of the medallions. There is \$800 remaining from the grant, and Mr. Walters wanted to know if there were any other expenses, such as educational materials, that needed to be paid for. Commissioners had a brief discussion. Mr. Shadle suggested reaching out the Hamden High School Environmental Clubs, and he will reach out to his contacts. Ms. Wholey asked if there needs to be a decision if they want to have that money. Mr. Walters answered not right now. Commissioners held a brief discussion about the next steps regarding where the medallions are going to be placed, as well as whether or not educational materials were needed. Mr. Mack asked if the Town Center Park rain garden has been started. Mr. Walters stated that has been delayed, and he doesn't know for sure if the project will begin in the spring.

## c. Charter revision update

Attorney Lee updated the Commission on the Charter Revision proposal, as it did not pass the Legislative Council. It did not get enough votes, and a new Council is taking office in December. We will have to wait and see if that issue is brought up again. Ms. Lakin asked if this counts as the charter review required every ten years. Attorney Lee answered yes, but the incoming Council can bring up charter revision again. Ms. Lakin asked if this means they will start from scratch or use the existing draft. Mr. Lee is inclined to think they would begin with the existing draft

## d. Review site inspection schedule

There were none.

## e. Adjournment

***Mr. Schneider moved to adjourn, Ms. Wholey seconded, and all were in favor. The meeting was adjourned at 9:20 p.m.***

Submitted by: \_\_\_\_\_  
Natalie Barletta, Clerk of the Commission