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November 30, 2020

Daniel W. Kops, Jr., Town Planner
Town of Hamden
2750 Dixwell Avenue
Hamden, Connecticut 06518

Subject: Special Permit Application 20-1511/WS - Restoration of Adjacent Properties
Response to Town Comments
82-92 Crest Way, 785 Sherman Avenue, 925 Sherman Avenue

Dear Mr. Kops,

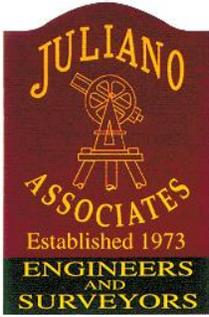
This letter is being submitted on behalf of Eighty-Two Ninety-Two Crest Way, LLC, the owner of the 82-92 Crest Way property and the applicant for the subject project. Included herein are responses to address your comments and the comments from Mark Austin, PE, Town Engineer, included in your respective memorandums to the Planning and Zoning Commission (PZC), both dated November 23, 2020, regarding the subject application. An electronic copy of the Plan Set revised to 11-30-20 that are referred to in the responses below is included as an attachment to this letter. Additionally, the Removal and Restoration Phasing Plan for 82-92 Crest Way, originally provided in letter format to the Town CZEO, Holly Masi, has been included directly on the 11-30-20 Plan Set (see Phase Notes on Sheets 5-8).

RESPONSE TO PLANNING DEPARTMENT COMMENTS (Mr. Kops' Memo pages 7-8 of 10)

A. Page 7 of 10: October 26th "Revised Removal & Restoration Plan for 82-92 Crest Way" (refers to Letter of the same subject from James DiMeo, P.E., to Ms. Masi)

1. Phase 0 neglects to mention the wood chips for the mulch currently on the property.

The woodchip pile and mulch pile are to remain as is during the removal and restoration activities associated with this application. This is noted on the plans (sheet 4 of the 11-30-20 Plan Set). Also see response B.1 below.



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2. Phase 0 states that the “Existing vehicles and equipment need to be removed or relocated...” However, at the present time there is no approval for them to be onsite.

The presence of vehicles and equipment on site is noted on the 11-30-20 Site Plan (see Sheet 4) and will be relocated only as required for removal and restoration activities.

The intent of the 11/6/20 survey is to provide the current site information to the Town and to create a base map to identify site features and characteristics that differ from the 2/17/20 site conditions mapping (included in the 11-30-20 Site Plan set as sheet 2). Differences from the original approved Site Plan from 2017, shall be addressed as part of the separate Site Plan and Special Permit Modification application to allow the operation and use of 82-92 Crest Way as a landscape business and for outdoor storage.

Further, the applicant wishes to be heard as to the issuance of a Zoning Permit which would allow the applicant to perform site work. Based on an email from the ZEO dated October 8, 2019, all sign offs required for the issuance of a Zoning Permit were obtained, however, the permit never issued.

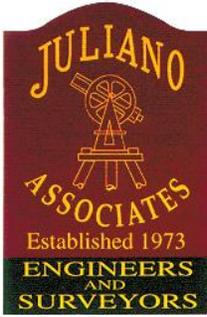
3. Phase 1 should include notification of the RWA at least three days prior to any site work going to happen to them during the remediation work.

RWA notification has been included in the Phase Notes on Sheets 5-8.

4. The storage bins should not be onsite unless and until a Zoning Permit has been obtained.

The status of the storage bins on-site is updated on the 11-30-20 Plan Set. The intent is that the storage bins remain on site and unchanged with the exceptions called out on the planset(11-30-20 Plan Set). Differences from the original approved Site Plan from 2017, including the storage bin layout, shall be addressed as part of the separate Site Plan and Special Permit Modification application to allow the operation and use of 82-92 Crest Way as a landscape business and for outdoor storage.

5. Phase 2-4 – the opening paragraph provides estimates of the soil, rock and tree debris. The applicant should explain to the Commission how the estimate of tree debris was derived.



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The calculation is included on sheet 4 note 2 of the 11-30-20 Plan Set.

6. The Commission should keep in mind that all of the highlighted contour lines on the 2/17/20 survey represent grading done without a permit and that much of it was never approved by the Planning and Zoning Commission.

The intent of the 11/6/20 survey is to provide the current site information to the Town and to create a base map to identify site features and characteristics that differ from the 2/17/20 site conditions mapping (included in the 11-30-20 Site Plan set as sheet 2). Differences from the original approved Site Plan from 2017, to include any variances in grading, shall be addressed as part of the separate Site Plan and Special Permit Modification application to allow the operation and use of 82-92 Crest Way as a landscape business and for outdoor storage.

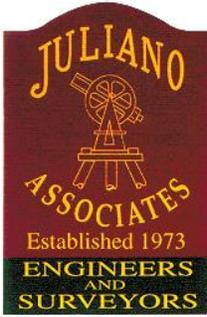
B. Survey of Existing Conditions (Page 7 of 10)

1. The 11/8 Survey contains a substantial wood chip pile towards the north end of the property and a smaller mulch pile at the southern end near the street. Neither of these existed when the prior survey was carried out last February. Both constitute violations of the Note of Violation, Citation and Cease and Desist Order.

The referenced wood chip pile and mulch pile will remain as is and not moved until either Site Plan and Special Permit Use of the 82-92 Crest Way property is granted by the PZC or authorized by the Town. Additionally, differences from the original approved Site Plan from 2017 shall be addressed as part of the separate Site Plan and Special Permit Modification application to allow the operation and use of 82-92 Crest Way as a landscape business and for outdoor storage.

2. The encroachments into the slope on the western boundary, which were shown on a survey dated 11/05/19, and are not shown on either of the two newer surveys. This calls into question the accuracy of the contours, which don't reflect the sharp drop created by the excavation.

The encroachment described along the western boundary consisted of approximately three (3) feet of fill placed approximately one (1) foot (maximum) over the property line and approximately 10 feet in width onto 100 Overlook Drive. This encroachment was addressed promptly after discovery (and prior to the 2/17/20 survey) by removing the material over the property line and thereby restoring the area on the



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adjacent property to its original condition. A note was added to the 11-30-20 Plan Set to address this encroachment (see sheet 1 note 3 and sheet 4 note 3).

Additionally, the survey was prepared by a Connecticut Licensed Land Surveyor and is sealed accordingly. The map (sheet 1 of the 11-30-20 Plan Set) was prepared in accordance with the State Minimum Standards of Accuracy, Content and Certification for Surveys and Maps.

3. The new survey contains no indication of the numerous vehicles and large equipment stored on the property. This is a significant omission, given that the phasing plans calls for use of much of that space.

The vehicles and equipment locations are depicted in the 11-30-20 Plan Set as requested. Also see response A.2 above.

4. The stairs on the southern side of the building are not indicated.

The 11-30-20 Plan Set shows the stairs on the building as noted. The linework for the stairs was inadvertently turned off on the 11-13-20 Plan Set.

5. The survey of existing conditions is combined with Site Prep Preparation Plan Phase 0. It would be preferable to separate the two purposes.

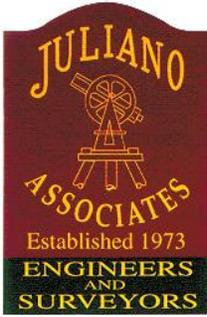
These drawings are separated as requested. See sheets 1 and 4 of the 11-30-20 Plan Set.

6. The new survey indicates some grading changes since the 2/17/20 survey was prepared. The latter survey shows substantial changes to the site after the original approval granted by the Planning and Zoning Commission. None of those changes were authorized.

See response A.6 above.

7. In the most recent survey. It's very difficult to discern the elevation contours on the large swath of land at 785 Sherman Avenue. The grading of this area is important when evaluating the remediation plan phases.

The hatch pattern to depict the area of fill was revised on the 11-30-20 to address this issue.



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C. Footer Comments (Page 7 of 10)

1. The plans failed to specify which licensed solid waste facilities will receive the different types of excavated material and are thus unable to identify the proposed truck routes to be utilized. In fact the plans don't even recognize the regulations requiring the shipment of the material to licensed facilities.

The locations and truck routes for the facilities that will receive excavated material are noted in the Phase Notes on sheets 6-8 of the 11-30-20 Plan Set. See notes d and e under "Additional information pertaining to soil removal and tree debris removal" and see summary below:

All clean fill excavated in Phases 1-4 will be trucked to 97 Pierson Lane, in Windsor, CT. The Windsor facility is operated by Elite Excavation. Trucks will travel from Sherman Avenue to Whitney Avenue to the Route 40 Connector to 91 North.

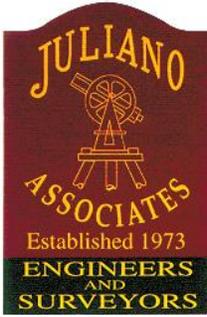
Excavated soil from Phases 1-4 that is determined to be polluted will be trucked to an approved CTDEEP permitted facility. If that occurs, the facility and truck route will be submitted to the Town

Woody debris from the Phase 1-4 excavation will be trucked to Nature's Harvest, 845 Carrington Road, Bethany, CT or the Hamden Landfill. Trucks will travel to Nature's Harvest by way of Sherman Avenue, Whitney Avenue (Route 10), Todd Street, Shepard Avenue, W Todd Street to Gaylord Mountain Road/Route 69. Trucks to the Hamden Landfill will travel by way of Sherman Avenue, Shepard Avenue, 4 Rod Road, Paradise Avenue, Lane Street, Gilbert Avenue, Pine Rock Avenue, Fitch Road, to Wintergreen Avenue.

2. The plans were not prepared with any identified or apparent guidance from a Licensed Environmental Professional.

The plans were reviewed by Robert Carr, P.E., LEP, for implementation and consistency with the "Restoration Adjacent Properties Environmental Soil Sampling and Materials Disposition Plan" (hereafter referred to as the soil sampling and materials disposition plan) prepared for the removal and restoration activities. Furthermore, the Phase Notes on sheets 6-8 state that the excavation material sorting and testing procedure shall be conducted per Mr. Carr's plan (see note 2). Mr. Carr is a currently licensed LEP (# 314).

D. Phase Plan Sheets (Page 8 of 10)



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1. One general comment is that the text narrative should be shown on the relevant plan sheets.

The text narrative is added to the relevant plan sheets as requested.

2. This is not a normal digging operation. Because of the slopes involved the Department has asked the Town Engineer to assess the safety of the excavation plan. Mr. Austin has not yet had time to review the plans and provide comments.

A detailed phasing plan is included in the application and has been added directly to the Phase 2-4 Soil Removal Plans (sheets 6-8) of the 11-30-20 Plan Set, and as noted in the Phase Notes, excavation activities shall be conducted in accordance with OSHA 1926 Subpart P. Also, the final finish grades on 785 and 925 Sherman Avenue shall be restored to their original state to match the topography prior to the dumping and burying of material.

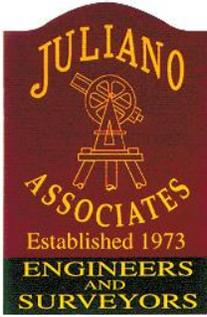
The excavator operators performing the work have over 20 years of experience operating this type of equipment and include Bob Marek from Bob Marek and Sons, LLC and Ted Stepnowski from Paradise Landscape and Tree Removal, LLC.

3. All of the plan sheets show wood chips somewhat in a bin on the northern part of the property as well as the mulch pile to the south. The Department is concerned that the applicant will continue to sell these items without approval to do so and believes they should be removed.

The applicant agrees and understands that the wood chip pile shall remain as is (with no selling taking place) until either the Site Plan Special Permit use is granted by the PZC or authorized by the Town for 82-92 Crest Way. Also see response A.6 and B.1 above.

4. The large flat pad to be created on the western edge of 785 Sherman Avenue appears to be significantly different than the original terrain.

The cuts and fills necessary to create the "proposed pad(s) for excavator" shown on sheets 6 and 7 of the 11-30-20 Site Plan are necessary to conduct the excavation operations to restore 785 and 925 Sherman Avenue to their original condition. The excavator pads are for temporary use only. The final finish grades on 785 and 925 Sherman Avenue shall be restored to their original state to match the topography prior to the dumping and burying of material.



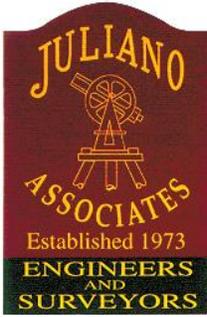
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5. The plans fail to illustrate how the sorting/testing/storing/transport off-site sequence will work spatially. Two large circles depict soils stockpile locations and an irregularly shaped area to west is reserved for stockpiled wood. The plans should indicate where the samples are places, as well as the remainder of the material. They should also indicate what will happen as more samples are created and site waiting for test results. There is no way to know whether or not the areas of circles are sufficient or not. Timing of the various activities will be quite important but the issue is not discussed. Large detail drawing of what is supposed to happen within the stockpile areas should be provided. If sampling is to occur outside the stockpile areas the location should be labeled, and again, shown in detail. All of the equipment to be used should be identified.

The material handling plan and soil sampling procedure is found in the Phase Notes on sheets 6-8 of the 11-30-20 Plan Set.

Subject to field conditions it is anticipated that the removal of the eastern disturbances will proceed in the following fashion. This task will be completed with two excavator (one will be a minimum of a 200 series excavator), a logging truck and a dump truck. The excavators will remove and sort the material (soil with rock & tree debris) into 1,000 CY piles. The piles will then be sampled and tested in accordance with the environmental soil sampling and material disposition plan prepared by East-West Engineering, PLLC, dated October 14, 2020. The piles will remain until the test results have returned. The materials will then be delivered to the appropriate site depending on the test results.

- a. The material will be removed in approximately 20' wide sections traveling from north to south. The northern most section is referred to as the "work area". The 20' section directly to the south will be referred to as the "transition area".*
- b. Two excavators will be used to perform the removal work. The larger of the two excavators will create the excavator pad shown as phase 2 in the designated work area. The machine will then travel to the excavator pad. The excavator will then start to remove material from the 20' transition area to the south. This area will have no slope steeper than a 1.5':1' as per OSHA 1926 Subpart P AppB. The excavator will then remove material in the designated work area starting from the east to west (bottom to top). The excavator pad for Phase 3 will then be created as the excavator removes material and restores the slope back to the original conditions as shown on Phase 4. Throughout this process the transition area will be maintained at a 1.5':1' slope.*
- c. When the larger excavator removes material, it will then place the material to the west. The smaller excavator will then sort the material and load it into the appropriate truck.*



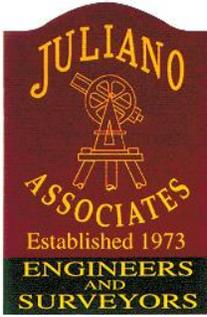
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- d. *The onsite trucks will then move the materials into their designated areas on site. A dump truck will be utilized for soil and rock and a logging truck will be used for wood material.*
- e. *Excavated Wood Material: The designated wood stockpile is located on the western end of the site. The approximate dimensions (for a conservative estimate) of the wood stockpile area as depicted in the 11-30-20 Plan Set is 120+/- feet long by 30 +/- feet wide. Based on this stockpile footprint and assuming a maximum height of 15 feet and a windrow shaped pile, up to approximately 1,340 CY of wood can be stored in this area. (Volume = .67 x width x height x length). This volume is more than the maximum anticipated wood waste volume from this project (approximately 1,100 CY). When excavation activities are completed, the wood stockpile will be inspected for pest infestation as described in the applicant's environmental soil sampling and material disposition plan and disposed of accordingly. No wood will leave the site until it is inspected.*
- f. *Excavated Soil Material: Soil material will be moved to one of the two soil stockpile locations 'A' or 'B'. Soil will first be brought to soil stockpile 'A' until approximately 1,000 cubic yards (CY) of soil is reached. The diameter of the soil stockpiles depicted in the 11-30-20 Plan Set is 72 +/- feet. Given a paraboloid shaped stockpile with a circular base of 35 feet (for a conservative estimate) and a maximum pile height of 15 feet, each designated stockpile location can hold up to approximately 1,070 CY of soil. (Volume = $.50 \times \pi (r)^2 \times h$)*
- g. *The completed (1,000 CY) soil stockpile (stockpile 'A') will be sampled and tested in accordance with the applicant's environmental soil sampling and material disposition plan. While waiting for the analytical results from the samples taken from stockpile 'A' to arrive, soil stockpile 'B' may be filled to 1,000 CY. After soil results are received and quality confirmed for stockpile 'A', the soil from this completed stockpile will be transported off-site to its final destination, and the location made available for newly excavated soil. Each stockpile location will be alternatively filled and emptied in this manner until the excavation work is completed*

E. Questions for the Applicant

1. How was the estimate of the buried wood arrived at?

See response A.5 above for the calculation to estimate of the amount of buried wood.



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2. Since the buried wood became an issue, where has wood waste been sent?

Wood waste from recent tree jobs has either been left at the customer's property or brought to the Hamden landfill (for only those jobs done in the Town of Hamden).

3. What is the steepest grade to be created during the remediation?

The intent of the removal and restoration plan is to restore the sloped areas on 785 Sherman Way and 925 Sherman Way to their original grade that existed prior to the fill activities, so that the final steepest grade post construction will also be 1/2H:1V.

4. What is the average "permanent" grade proposed? How will the "final topography of the remediated area compare with the topography prior to the dumping and burying of the material?

The average "permanent" grade proposed is 3 1/2H: 1V. The intent is that the final topography will match the original grade that existing prior to the fill activities.

5. Can the project engineer demonstrate how the resulting grade will have no impact on the flow of rainwater?

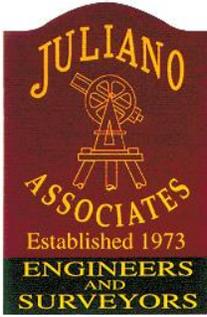
The intent of the removal and restoration plans is to restore the properties to their original state, so that flow of rainwater post construction will match original conditions to the greatest extent practicable.

6. Where is the steepest slope located?

See sheet 8 of the 11-30-20 Plan Set for the two locations.

7. How will the prospect of conducting remediation work this winter affect the project in terms of extra steps required and length of time to complete?

The steps/phasing will be the same if removal and restoration work is performed during the winter months; however, the length of time may be extended due to delays because of snow, ground frost and for vegetation and grass to be established.



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RESPONSE TO RECOMMENDATIONS (Mr. Kops' Memo pages 9-10 of 10)

F. The applicant should also address the following items listed in (Dan Kop's) prior report to the Commission:

1. A revised site plan containing – *see attached 11-30-20 Plan Set attached*
 - i. A plan for addressing the encroachments onto 100 Overlook Drive and 72 Crest Way.

See response B.2 above for explanation of encroachments onto 100 Overlook Drive. See response 1.b in the RESPONSE TO ENGINEERING DEPARTMENT COMMENTS for addressing encroachments onto 72 Crest Way.

- ii. Destination of the existing material, trucks and equipment to be removed from 82 Crest Way to make room for the remediation project.

Soil/rock stockpiled material shall be removed from the site by Little K's Landscaping, LLC located in Wallingford, CT. Wood stockpiled material will be trucked to Nature's Harvest or the Hamden Landfill, the same locations as described in response C.1 above. See response A.2 above for equipment and truck removal. See note 4 on the Sheet 4 of the 11-30-20 Plan Set.

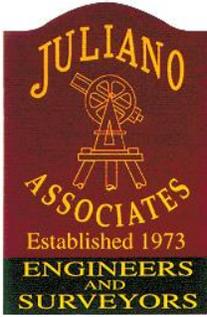
- iii. Any equipment to be employed in the sorting and/or sampling.

Two (2) excavators, a logging truck, and a dump truck will be employed in the sorting operation. See Phase Notes found on sheets 6-8 of the 11-30-20 Plan Set and see response D.5 above.

- iv. Specification of the materials used for the access drives/travel paths.

The access drives and paths are comprised of millings unless otherwise noted on plans.

- v. A refueling plan if there will be vehicles refueling or temporary fuel storage on the site. Refueling activities should be conducted on an



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impervious surface, far away from any catch basin or drainage structure as possible.

Refueling activities will be conducted on the paved impervious surface located at the northeast corner of the property as depicted on the Soil Removal Plans (sheets 4-8) of the 11-30-20 Plan Set.

vi. A phasing plan for the rapid stabilization of remediated areas.

A detailed phasing plan for the rapid stabilization of disturbed areas can be found in the Phase Notes and General Sediment & Erosion Control (S&E) Notes found on sheets 5-8.

vii. Revised truck routes, noting all destinations.

See response C.1 above and F.1.ii above.

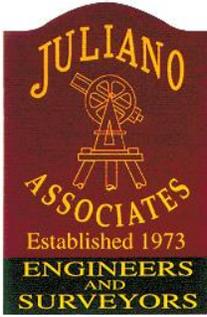
2. A detailed narrative demonstrating compliance with the Statutes cited in the letter from George Dews of DEEP-WEED is provided as follows:

George Dews letter dated October 21, 2020 included a review of the applicant's waste wood burial on the adjacent properties, provided a regulatory opinion on compliance status and recommendations on bringing the site into compliance with Connecticut's Solid Waste regulations. In his letter Mr. Dews indicated that since greater than 10 cubic yards (CY) of wood waste was buried, the applicant was operating a solid waste facility without a permit from CTDEEP in violation of Connecticut General Statutes (CGS) 22a-208a.

To rectify the violation, Mr. Dews recommended the following corrective actions which the applicant has addressed in his removal and restoration plan:

- (All) of the wood waste buried and placed on the abutting properties (785 and 925 Sherman Ave, Hamden) must be removed and disposed of at a facility permitted by DEEP to receive such wood waste.

The applicant's plan includes the excavation and proper segregation of the approximately 6,000 CY of soil and wood waste on 785 and 925 Sherman Ave. Once separated and inspected, the wood waste will be transported to Nature's Harvest located at 845 Carrington Road in Bethany, CT. Nature's Harvest,



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through the property owner Acorn Traders, LLC, is a CTDEEP permitted clean wood facility. A copy of Acorn Trader's permit is attached.

- The buried wood waste (along with any other solid waste that may exist) must be characterized (i.e. by waste type) prior to removal. The characterization should be conducted and overseen by an environmental consultant (such as a CT Licensed Environmental Professional) with relevant expertise.

The applicant has retained the services of Robert Carr, who is a CT licensed environmental professional (CTLEP #314) with over 30 years of experience to provide oversight and sampling services during the work.

- Should other solid waste (such as tires, asbestos or PCB containing materials, chemical containers, etc.) be discovered during excavation or characterization, the environmental consultant should appropriately analyze such waste, identify appropriate removal and remedial actions, and oversee the implementation of such actions.

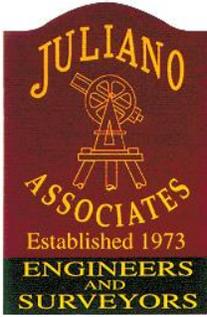
Mr. Carr will be on-site to observe excavation activities and if other types of solid waste are encountered, will direct that that material be separated for proper disposal. Additionally, the applicant's environmental soil sampling and material disposition plan (dated October 14, 2020) calls for the proper characterization (sampling and analysis) and disposition of all soil excavated as part this work. This plan exceeds the actions recommended by Mr. Dews.

- The town (applicant) should continue to engage with the CT Agriculture Experimental Station (CAES) on how to best assess the wood waste for potential invasive pests. Mr. Dews then included DEEP guidelines on mitigating the spread of potential pests.

The applicant's environmental soil sampling and material disposition plan includes the same guidelines cited by Mr. Dews.

The removal and restoration plan for this application meets or exceeds Mr. Dews recommendations and protects the public health, property, and the environment.

G. Response to any "future approval by the Planning and Zoning Commission should include the following conditions:"



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1. The Applicant shall supply in advance of the issuance of a Zoning Permit sufficient funds for the Planning and Zoning Department to engage the services of an independent Licensed Environmental Professional...

The applicant is willing to pay a reasonable fee for the services of an independent third party to oversee the phased soil removal plan if such a condition is requested by the Commission. However, the applicant requires a scope of work and proposed fee schedule in advance from the third party reviewer, and further requires the opportunity to have Mr. Carr review the scope and quote.

The removal and restoration plan including the Environmental Soil Sampling and Material Disposition Plan, was prepared in accordance with CTDEEP (by Mr. Dews letter) recommendations (see response F.2). "Approval" of a solid waste management plan by LEP's is not authorized by CTDEEP. In issues related to solid waste, only CTDEEP has the regulatory authority to 'approve' plans related to solid waste such as this project entails. LEPs are granted delegated authority, by CTDEEP, related only to remediation issues (i.e. soil or groundwater clean-up) which is not the primary issue covered by this project.

2. Prior to issuance of a Zoning Permit and the commencement of any remediation work...

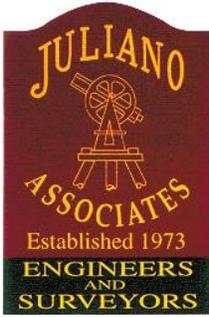
No work will be performed prior to the issuance of a Zoning Permit. The applicant will provide the Commission with updated written confirmation from the owners of 785 and 925 Sherman Ave attesting to their consent to the revised plan. The encroachment on 100 Overlook drive has been addressed (see response B.2 above). See also response F.2 and G.1 above.

3. No work shall be carried out on Saturdays and Sundays.

Work shall take place only from 8AM to 5PM Monday to Friday as noted in the Phase Notes on sheets 5-8 of the 11-30-20 Plan Set.

4. The property at 82 Crest Way shall not be used for any commercial purposes whatsoever until...the remediation work at the affected sites has been completed and the Zoning Enforcement Office issues a favorable report to the Commission and the ZEO issues a Zoning Permit.

The property at 82 Crest Way shall not be used for any commercial purposes whatsoever until the soil removal activities are completed and approved by the ZEO



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and the applicant obtains approval from the Commission for the site plan amendment or until the site is returned to the conditions of the originally approved site plan.

5. The remediation work shall be completed within four months from its commencement.

Removal and restoration work shall be completed within four months once all approvals and permits are obtained. This is noted in the Phase Notes on sheets 6-8 of the 11-30-20 Plan Set.

6. All work, including stabilization and landscaping shall be completed by June 30, 2020.

Assuming work commences by March 1, 2020, all work, including stabilization and landscaping shall be completed by June 30, 2020. This note has been added to the Phase Notes on sheets 6-8 of the 11-30-20 Plan Set.

RESPONSE TO ENGINEERING DEPARTMENT COMMENTS (Mr. Austin's Memo)

The following are like numbered responses to address the Engineering Department comments in Mr. Austin's Memo to the PZC dated November 23, 2020. Responses are in italics.

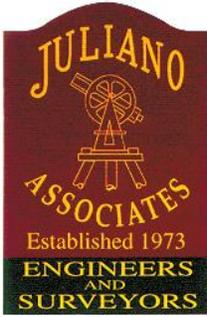
1. Missing from the Plan set
 - a. Show the approved site plan as one of the pages

Approved site plan from 2017 is included in the 11-30-20 Plan Set attached (see Sheet 3).

- b. This plan set does not address the encroachments on #100 Overlook or #72 Crest Way as previously submitted during the enforcement actions.

See response B.2 above for the encroachment on 100 Overlook Drive.

The encroachment on 72 Crest Way (a property that is also owned by the applicant) depicted on sheets 1 and 4 of the 11-30-20 Plan Set will be addressed as part of the separate Site Plan and Special Permit Modification application to allow for the operation and use of 82-92 Crest Way as a landscape business and for outdoor storage.



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- c. Provide an explanation for the Phase Notes on the multiple plan pages. The purpose of the plans is to show removal of fill, so the numbers do not make sense. This appears to be just copied and not updated.

The Phase Notes on sheets 5-8 is to provide a step by step description of the means and methods to be employed for the removal and restoration operations. The approximate volume of fill to be removed by phase has been updated.

- d. Provide material handling plan.

See Phase Notes found on sheets 6-8 of the 11-30-20 Plan Set and response D.5 above.

- i. Give the anticipated soil and woody debris, how will these two materials be handled and separated? Mechanically (screener) or by hand (excavator)?

The soil and woody debris will be handled and separated using an excavator.

- ii. How will potentially hazardous materials be handled if encountered?

See Phase Notes on sheets 6-8 of the 11-30-20 Plan Set (note 2) and response D.5 above.

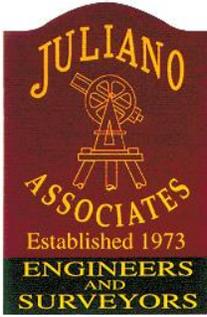
- iii. What equipment will be used?

Two (2) excavators, a logging truck, and a dump truck.

- iv. What are the hours of operation?

As noted on Phase Notes (on sheets 5-8) on the 11-30-20 Plan Set, the hours of operation for construction activities will be Monday through Friday from 8AM to 5PM.

2. Proposed remediation area:



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- a. Provide a copy of the existing approval to verify grades and be transparent to workers creating the new slope.

The site plan approved from 2017 is provided in the 11-30-20 Plan Set (see sheet 3).

- b. Provide method to prevent site runoff from 82/92 Crestway from flowing towards 785 Sherman (restoration area). Currently runoff will flow down the access and can destabilize the work area. This should be addressed in each phase and especially phase 4 for final conditions.

A swale shall be constructed on 82-92 Crest Way along the property line to prevent surface runoff from leaving the property to the east. The swale, called out on sheet 5 in the 11-30-20 Plan Set, shall be maintained throughout each phase of work. The swale detail is shown on sheets 5-8 of the 11-30-20 plan.

- c. In phase 3, the Site Dump Truck Loading, Unloading, & Travel Path appears to have a very steep section between the proposed pad for the excavator and the main site for 82/92. This is likely not traversable for dump trucks and potentially unsafe for the excavator.

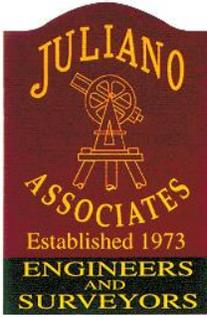
The proposed pad and access route are for use by tracked excavators only. The dump truck and logging truck will remain upslope on the level grade. See responses to comment D.5 above.

- d. On Phase 2, the northern portion of the proposed pad for the excavator may be too narrow depending on the size of the excavator. Is 15ft wide sufficient for a truck to traverse and be loaded by the excavator. (Excavator tracks aligned up and down slope which is safest for excavation.

The approximate width of the excavator ranges from 8-10'; therefore, 15' is anticipated to be sufficient for maneuvering and operating the vehicle. Dump trucks will not be traversing on the "proposed pad for excavator" called out in Phases 2 and 3 (on sheets 6-7 of the 11-30-20 Plan Set).

- e. What is the material of the proposed pad for the excavator?

The proposed pad(s) for the excavator will be comprised of the fill material presently on the site.



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- f. Consider benching to provide a runoff break to prevent erosion.

The swale described in 2.b. above is intended to prevent runoff from leaving the 82-92 Crest Way property thereby minimizing the potential for erosion due to runoff from 82-92 Crest Way. The “proposed pad(s) for excavator” depicted on the Soil Removal Plan for Phases 2 and 3 (see sheets 6 and 7 of the 11-30-20 Plan Set) will also provide a runoff break as a preventative measure.

3. Access and Driveways:

- a. Specify the material of the access drives/travel paths.

The access drives/travel paths is comprised of millings.

- b. Provide the location of the new wall west of the building. (as shown in the enforcement actions plans).

The location of the west wall is updated on all pertinent sheets in the 11-30-20 Plan Set. Location is noted as “Face of Steep Slope”.

- c. Any existing broken or damaged sidewalk, reconfigured or sections of sidewalk and/or driveway aprons damaged through the course of construction will need to be replaced to Town of Hamden standards.

No town sidewalk or paved driveway aprons are located within the project limits and along the Crest Way cul-de-sac.

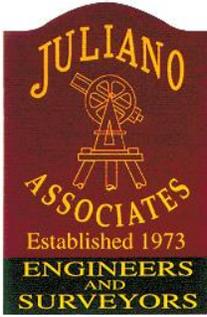
4. Drainage

- a. Do not conduct work until the detention pond discharge is properly installed and inspected by the Engineering Department.

The detention pond discharge was inspected and approved by the Town in May 2020. A site visit was conducted with Town Inspector Nicholas Burns.

- b. Provide contours for the detention basin on the plans. Provide the existing approved plan and the drainage structures on the proposed plan.

The existing detention basin contours are depicted on all pertinent sheets on the 11-30-20 Plan Set. See Sheet 3 for the 2017 approved plan.



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c. Provide contouring for the work areas draining to the detention basin. The current plan drains runoff to the slope being established. A simple swale along the eastern side of the site may be enough to prevent site water from destabilizing the work area.

Swale has been added to plan. See response 2.b above.

d. Consider adding a multi-bay temporary design to catch the sediment before the outfall structure. This can be accomplished with crushed stone or hay bales.

Haybale barriers have been added to the plan. See sheet 5 of the 11-30-20 Plan Set.

5. Parking

a. What has or has not been installed from the existing approved site plan?

The parking spaces have not been installed on site per the 2017 existing approved site plan. This will be addressed as part of the separate Site Plan and Special Permit Modification application to allow the operation and use of 82-92 Crest Way as a landscape business and for outdoor storage.

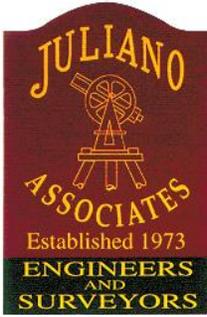
6. Building

a. Will the building be active and where will those operations occur during this process?

Use of the building is not required to conduct the removal and restoration activities (Phases 1-4) associated with this application. Building will not have active operations until either Site Plan and Special Permit Use of the 82-92 Crest Way property is granted by the PZC or it is authorized by the Town.

7. Utilities

a. Provide existing, existing as proposed from the site plan, and proposed to be installed utilities for site and new building.



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Pertinent sheets in the 11-30-20 Plan Set have been updated to include utilities as requested.

We look forward to discussing the above items further with you, Mr. Austin, and other Town Staff at our meeting scheduled on December 1, 2020, so that any open items may be adequately addressed. I can also be reached at 203-265-1489 x302 or email at jdimeo@julianoassociates.com for any questions or for additional information.

Sincerely,

James DiMeo

James DiMeo, PE
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Attachments:

1. Paradise Landscaping Proposed Soil Removal Plan Set dated November 13, 2020 and revised to November 30, 2020 in Electronic PDF Format
2. Nature's Harvest (aka Acorn Traders, LLC) General Permit to Construct and Operate a Commercial Facility for the Management of Recyclable Materials and Certain Solid Wastes with Expiration February 2, 2021

CC: Mark Austin, PE, Town Engineer
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