

11/15/21

Conservation Commission,

Please release the remaining
portion of the bond for Wetlands
permit # C12-15 in the amount of
\$16,400. —. Mail check to:

ROBERT RENEHAN
20 CHURCH LANE
#6

EAST LYME, CT 06333

Thanks Maureen

Ron Renehan

RECEIVED

NOV 22 2021

Planning & Development
Town of Waterford, CT

FIFTEEN ROPE FERRY ROAD
WATERFORD, CT 06385-2886



PHONE: 860-442-0553
www.waterfordct.org

**TOWN OF WATERFORD, CT
PLANNING & DEVELOPMENT**

Date: January 30, 2019

To: Kevin McNabola, Finance Director
Mark Wujtewicz, Planner

Re: Letter of Credit Bond Reduction Authorization
Kathryn Court Subdivision – 20 Doyle Road
Letter of Credit No. 2017356, established by Dime Bank
Stormwater Basin Construction Bond per Inland Wetland Permit #C-15-12

Mr. McNabola,

The Waterford Conservation Commission has authorized a partial release of \$28,600 dollars from the \$45,000 dollar Letter of Credit No. 2017356, established by Dime Bank for Hard Eight, LLC for the construction and monitoring of the stormwater detention water quality basin serving the Kathryn Court subdivision at 20 Doyle Road, Waterford CT.

The Conservation Commission has determined that the basin has been constructed in accordance with the approved plans and Inland Wetland Permit #C-15-12.

The remainder of the bonded amount is for the required inspections, monitoring, reporting and corrective actions required for a 3-yr period following basin completion as required in accordance with Inland Wetland Permit #C-15-12.

Attached is a copy of the meeting minutes wherein the bond reduction was authorized and a copy of the Dime Bank Irrevocable Standby Letter of Credit dated May 3, 2017.

Please contact me if you require additional information regarding this matter.

Sincerely,

Maureen FitzGerald
Environmental Planner
Town of Waterford, CT

attachment – 2pp

cc: A. Piersall, Planning Director, Planner



IRREVOCABLE STANDBY LETTER OF CREDIT

May 3, 2017

Town of Waterford
15 Rope Ferry Road
Waterford, CT 06385-2886

Letter of Credit No.: 2017356
Expiration Date: May 3, 2018

Gentlemen:

We hereby establish our Irrevocable Standby Letter of Credit Number 2017356 in your favor by order and for account of Hard Eight, LLC, Dime Bank for a sum or sums not exceeding in all FORTY FIVE THOUSAND U.S. Dollars (\$45,000.00) available by your sight draft(s) drawn on us purportedly signed by the Director of Finance of the Town of Waterford, accompanied by:

Your statement, purportedly signed by the Director of Finance of the Town of Waterford reading as follows:

"I certify that the draft is presented in accordance with the terms of a Bond Agreement between (applicant) and the Town of Waterford, dated May 3, 2017."

Drafts drawn under this letter of credit must be accompanied by a statement signed by the Director of Finance of the Town of Waterford under oath stating that either (i) the amount of the draft represents funds due to Waterford as a result of the nonperformance or unsatisfactory performance of work required on certain real property located at 20 Doyle Road in Waterford to construct certain on-site and off-site improvements as more particularly shown on a plan or map entitled "Kathryn Court Estates; Applicant - Hard Eight, LLC, Owner - Lorraine C. Renchan; November 12, 2015 revised to July 26, 2016, which plan was signed in accordance with the conditions and stipulations contained in the subdivision approval for application #C-15-12 approved by the Waterford Conservation Commission on June 13, 2016 or (ii) Waterford has received written notice of Dime Bank's election not to renew its Letter of Credit 2017356 and the Principal has failed to provide Waterford with a substitute letter of credit satisfactory to the Town of Waterford.

It is a condition of the Letter of Credit that it shall be deemed automatically extended without amendment for one (1) year from the present or future expiration date thereof, unless at least sixty (60) days prior to the then prevailing expiration date we notify you in writing via Certified Mail that we elect not to renew the subject Letter of Credit for such additional period.

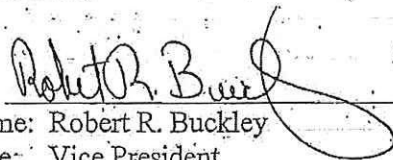
Drafts drawn hereunder must be marked "Drawn under Dime Bank, Credit No. 2017356, dated May 3, 2017.

We engage with you that your draft(s) drawn hereunder and in compliance with the terms of this credit will be duly honored by us on delivery of documents as specified. If presented at Dime Bank, Letter of Credit Department, 290 Salem Tpke, Norwich, CT 06360 on or before May 3, 2018, or any automatically extended expiration date.

Except as otherwise expressly stated herein, this Standby Letter of Credit is subject to the Uniform Customs and Practice for Documentary Credits (2007 Revision) ICC Publication No. 600 ("UCP"), and as to matters not addressed by the UCP, shall be governed by and construed in accordance with the laws of the Connecticut (without regard to any conflict of laws doctrine that would apply the laws of another jurisdiction) and applicable U.S. Federal Law.

Very truly yours,

Dime Bank

By: 
Name: Robert R. Buckley
Title: Vice President

By: 
Name: Brian P. McNamara
Title: Senior Vice President



Basin Inlet – Kathryn Ct subdivision



Basin Outlet – Kathryn Ct subdivision



Basin interior view east - April 2020



Basin interior view west – April 2020

FIFTEEN ROPE FERRY ROAD



WATERFORD, CT 06385-2886

TOWN OF WATERFORD
Inland Wetlands & Watercourses Permit #C-15-12
20 Doyle Road & 153 Niantic River Road, Waterford, CT

The Waterford Conservation Commission, acting in its capacity of the Inland Wetlands Agency, hereby authorizes the applicant to conduct regulated activities in designated areas at 20 Doyle Road & 153 Niantic River Road, 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, grading and fill activity upgradient of and adjacent to inland wetlands and watercourses for residential lot construction.
- Discharge of treated stormwater run-off from the subdivision roadway and residential lots to inland wetlands and watercourses.

These regulated activities are associated with the proposed residential subdivision located at 20 Doyle Road & 153 Niantic River Road, Waterford, Connecticut. The proposed subdivision is shown on site plans entitled; "20 Doyle Road & 153 Niantic River Road, Waterford, Connecticut, Proposed RU-40 Subdivision, KATHRYN COURT ESTATES, Applicant – Hard Eight LLC, Owner – Laraine C. Renehan"; November 12, 2015 revised through January 6, 2016, prepared by Gerwick-Mereen LLC.

The Conservation Commission has reviewed the application materials and public hearing record for application #C-15-12 and attaches 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 final plans shall include the approved plan revisions and details submitted in public hearing exhibits #4 -#6 for application #C-15-12.
2. The biofiltration basin shall be constructed and planted during Phase 1 construction. A final planting and seeding schedule for the bio-filtration basin shall be prepared by a wetland scientist and submitted to the Commission's agent for approval prior to planting. The planting schedule shall include seed mixtures, plant number, type and size, anticipated seasonal hydrologic conditions in the basin, and soil stabilization measures.
3. During construction, the bio-filtration basin shall be inspected by the project engineer to verify the stormwater system is constructed in accordance with the approved plans and with the specified materials, depths, under-drain system, plantings and erosion controls. An as-built plan and written inspection report shall be submitted to the Commission's agent by the project engineer to verify the basin is constructed in accordance with the approved plans.

4. For a period of 3 years following completion of the drainage system, the biofiltration basin shall be monitored two times (2x) per year, at the beginning and the end of the growing season, by the project engineer or a wetland scientist. Components to be monitored shall include at a minimum planting success, vegetative cover, under-drain function, stabilization of basin embankments and substrate material, and erosion and sedimentation at the basin outlets.
5. Monitoring reports shall be submitted to the Conservation Commission by June 15th and September 15th of each required monitoring year. The monitoring reports shall document the inspection findings and identify any required corrective actions to stabilize and maintain functionality of the stormwater biofiltration basin in accordance with the approved plans. The permittee shall be responsible for implementing corrective actions.
6. A cash bond or Letter of Credit shall be required for the construction of the stormwater biofiltration basin in accordance with the approved plans, and for the required post-construction monitoring and reporting. A bond cost estimate for the biofiltration basin construction, monitoring and reporting requirements shall be prepared by the project engineer and submitted to the Commission's agent for review and acceptance. The bond is required to be accepted by the Town of Waterford 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 following receipt of as-built verification of construction and monitoring reports of basin stabilization and function.
7. The permanent limit of clearing identified for Lot #7 shall be labeled as a wetland non-encroachment boundary on the final plans. The purpose of the non-encroachment area is to preserve vegetation, maintain slope and soil stabilization adjacent to the inland wetland and vernal pool habitat located southwest of the lot. 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.
8. During Phase 1 of the project construction, the wetland non-encroachment boundary on Lot 7 shall be marked in the field with boulders in accordance with the site plan and boundary identification markers provided by the Commission affixed to trees.
9. During Phase 1 of project construction, the disturbed portion of the 100 ft. non-encroachment area on Lot 7 shall be planted with native tree and shrub specimens suitable for the site and soil conditions. The planting schedule for restoring vegetation to areas cleared and/or disturbed by prior site activities shall be submitted for review and approval to the Commission's agent prior to planting. The planting shall be subject to inspection and approval by the Commission's agent following installation.
10. The location, purpose and restrictions of the wetland non-encroachment boundary on Lot 7 shall be incorporated into the property deed prior to any further conveyance of the property. The deed language shall be subject to approval by the Town attorney.
11. 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.

12. A detailed schedule of inspections and maintenance requirements for the biofiltration basin shall be submitted to the Commission's agent for review and approval. The approved inspection and maintenance schedule shall be incorporated into the Homeowner's Association documents and approved by the Town attorney prior to initiation of construction.
13. The documents and homeowners agreements shall identify the responsibilities of the Homeowner's Association for maintenance of the stormwater biofiltration basin and the individual lot rain gardens and pollution prevention practices. A copy of the Homeowner's Association documents shall be submitted to the Conservation Commission after approval by the Town attorney.

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 shall be stabilized with the application of loam, seed, required plantings 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's permits 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 sections 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 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.

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