



MEMORANDUM

To: Waterford Conservation Commission

From: Mark Branse, Attorney for Kingstown Properties, LLC

Date: February 20, 2023

Re: Clark Lane Affordable Housing Proposal – Application #22-14

C-22-14
109R & 131 CLARK LANE
PUBLIC HEARING 01-26-23
EXHIBIT #58

Our File No. 28327.0001

The applicant, Kingstown Properties, LLC, hereby consents to the following conditions or modification of its Application #22-14. By offering these conditions and modifications, the applicant is not conceding that they are desirable from an inland wetlands protection perspective, but is willing to incorporate them into its plans if the Commission so desires. Circles are provided so that the Commission can select which, if any, of these it wishes to incorporate into a motion for approval.

- Per the recommendation of Carya Ecological Services, LLC, the plan shall be modified to utilize Alternative #3 as submitted by the Applicant. The final design details shall be subject to the approval of the Environmental Planner in consultation with the Commission's consulting engineer, SLR Associates.
- Per the recommendation of Carya Ecological Services, LLC, the plan shall be modified to include woody plantings in the large detention basin. Species selection shall be subject to the approval of the Environmental Planner.
- Per the recommendation of Carya Ecological Services, LLC, the plan shall be modified to include Erosion Control Matting on all slopes steeper than 3:1.
- Per the recommendation of Carya Ecological Services, LLC, the plan shall be modified to include a condition of approval that if any incipient channels downgradient of the level spreader are detected, they shall be promptly repaired under the supervision of the Environmental Planner.
- Per the recommendation of Carya Ecological Services, LLC, the plan shall be modified to remove Bittersweet vines where found on the Applicant's property.
- Per the recommendation of Carya Ecological Services, LLC, the plan shall be modified to include a forebay in the bio-retention basin. The final design details shall be subject to the approval of the Environmental Planner in consultation with the Commission's consulting engineer, SLR Associates.
- Per the recommendation of SLR Associates, the proposed walking trail around the bio-retention basin shall be extended to connect with the adjacent Bates Woods Park with the consent of the City of New London. The precise location of such connection shall be determined in the field by the Environmental Planner.

- Per the recommendation of SLR Associates, the Applicant shall erect permanent markers to indicate the location of inland wetlands on the site. The location and type of marker shall be determined in the field by the Environmental Planner.
 - No later than October 1 of each calendar year, the Town of Waterford shall notify the owner of record of this development if it intends to utilize salt or other de-icing chemicals on Clark Lane or the Clark Lane Middle School driveways and parking lots during the upcoming winter. If the Town indicates that it shall not use such chemicals that season, then the Applicant shall also not use them.
 - Per the recommendation of the Environmental Planner, the Applicant shall monitor water elevation within basins with standpipes during construction and selecting basin plantings to match. Final planting scheduled should be submitted to the Commission's agent for approval prior to basin planting.
 - Per the recommendation of the Environmental Planner, The Clark Lane municipal stormwater drainage connection to the proposed private system will be granted to the Town as determined by the Town Attorney.
 - Per the recommendation of the Environmental Planner, construction of the subsurface infiltration systems and the infiltration basins should be inspected by the design engineer during construction to verify the type, depths, and permeability of the specified fill materials are consistent with the approved plans. The bioretention basin soil mixture and subsoil permeability require specific material testing, permeability testing and material components per the detail. Verification of those properties will need to be provided to the Town.
 - Per the recommendation of the Environmental Planner, prior to the issuance of a certificate of occupancy an as-built plan and inspection report will be required with a written verification that the stormwater treatment and infiltration systems were constructed in accordance with the approved plans and the design infiltration rate.
 - Per the recommendation of the Environmental Planner, performance of the bioretention basin in pollutant removal including nitrogen, phosphorus, metals, and bacteria generated from the site development should be monitored at intervals of 2 times per year (semi-annually) by a qualified third party following completion of the site construction to demonstrate pollutant removal functions of the biofiltration/detention basin system and monitor potential impacts to stream quality from the site development.
- Samples are to be collected where the stormwater enters the biofiltration basin and exits the detention basin. Parameters to be tested include: total suspended solids, total phosphorus, nitrate-N, total copper, total lead, and total zinc. Samples are to be collected during storm events of 0.5 inch or greater during a 24-hour period during the early (April-May) and late (September-October) growing season. A year-end monitoring report will be required to be submitted to the Commission's agent by December 15th of the monitoring year. Stormwater discharge quality monitoring and reporting should continue for a minimum of 3 years following completion of site development.

- Per the recommendation of the Environmental Planner, post construction monitoring of the stormwater basin vegetation and stabilization should be conducted by a wetland scientist or other qualified professional for a period of three (3) years following completion of the stormwater basins to document vegetation establishment/success and functioning of the stormwater basins. Monitoring should be conducted 2 times per year during the early and latter part of the growing season and include, vegetation establishment, depth of ponding and draw-down interval, sideslope and substrate stabilization, and outlet stabilization. Invasive plant species shall be removed from the basins. Total herbaceous coverage of the basin is to equal or exceed 75% at the end of the second monitoring year. A monitoring report will be required to be submitted to the Conservation Commission by the end of each monitoring year. The Commission may require corrective actions to maintain or repair the stormwater basins.
- Per the recommendation of the Environmental Planner, the proposed conservation easement restrictive document should note that the land includes uplands as well as wetlands.