

TOWN OF WATERFORD
GENERAL FUND
2023 - 2024 PROPOSED BUDGET

DEPT/AGENCY: 10114 CONSERVATION COMMISSION

LINE ITEM	DESCRIPTION	2021/2022 ACTUAL EXPENDED	2022/2023 RTM APPROP.	2022/2023 ADDITIONAL/ TRANSFERS	ACTUAL EXPEND & ENCUMB AS OF 1/1/23	2023/2024 DEPT/ AGENCY REQUEST	2023/2024 APPROVED BD/COMM. (10/27/22)	Department Request \$ Increase	Department Request % Increase
SERVICES									
52010	ADVERTISING	1,105	1,500			1,500	1,500	0	0.00%
52020	POSTAGE	84	125			125	125	0	0.00%
52030	PROFESSIONAL SERVICES	0	3,500			3,500	3,500	0	0.00%
52031	PLANNING SERVICES	12,000	12,000			12,000	12,000	0	0.00%
52050	DUES, CONF. & EDUC.	275	600			600	600	0	0.00%
52060	PRINTING	0	25			25	25	0	0.00%
	SUBTOTAL	13,464	17,750	0	0	17,750	17,750	0	0.00%
MATERIALS & SUPPLIES									
53020	OTHER SUPPLIES	0	500			500	500	0	0.00%
	SUBTOTAL	0	500	0	0	500	500	0	0.00%
DEPARTMENT TOTAL		13,464	18,250	0	0	18,250	18,250	0	0.00%

TOWN OF WATERFORD

FY2024 BUDGET REQUEST

Conservation Commission



FY 2023/24 PROPOSED CONSERVATION COMMISSION BUDGET

The Waterford Conservation Commission serves as the Inland Wetlands Agency; reviewing applications, issuing permits and enforcing activities affecting inland wetlands and watercourses in accordance with the Waterford Inland Wetlands and Watercourses regulations and CT General Statutes 22a-36 through 22a-45. The Conservation Commission also carries out the statutory responsibilities of a municipal Conservation Commission, maintaining a survey of natural resources, reviewing land use proposals and making recommendations to other Boards and Agencies on natural resource identification and protection, and Open Space preservation.

The Conservation Commission conducted 19 regularly scheduled meetings and rendered decisions on 13 applications to conduct activities in and adjacent to inland wetlands and watercourses. Meetings were conducted virtually via ZOOM from July 2021 through February 2022 after which in-person meetings were resumed. Inland Wetland permits authorized the disturbance of 0.295 acres of wetland, of which 0.293 acres were restored.

FEES – Application Fees Generated from Inland Wetland Permit Applications

Fiscal year	Total Fees Collected
FY 2018/2019	\$ 250
FY 2019/2020	\$ 1,100
FY 2020/2021	\$ 800
FY 2021/2022	\$ 500
FY 2022/2023 -4 month	\$ 700

The Waterford Conservation Commission requires an additional fee when public hearings are required. The fee off-sets the cost for the two legal notices of public hearing required by State statute.

**TOWN OF WATERFORD
FY2024 BUDGET REQUEST
Conservation Commission**



BUDGET REQUEST SUMMARY

Line	Description	FY23/24 AMOUNT
52010	Advertising	\$ 1,500
52020	Postage	\$ 125
52030	Professional Services	\$ 3,500
52031	Planning Services	\$ 12,000
52050	Dues, Conferences & Education	\$ 600
52060	Printing	\$ 25
53020	Other Supplies	\$ 500

Conservation Commission Total Request \$ 18,250
This is the same amount approved for the FY 2022/ 23 budget.

ADVERTISING LINE 10114-52010 \$ 1,500 REQUESTED

The advertising account covers the cost of all legal notice requirements required by State statute. This includes publication of notices of public hearings, enforcement orders and notices of decision on all Commission inland wetland agency actions. Advertisements for public hearings and decisions of the Commission are required to be published in a newspaper having general circulation in Waterford. To off-set publication costs, the Commission requires an additional fee of \$400.00 when a public hearing is required for the legal notices. The costs for legal notices of decision placed in The Day newspaper increased in 2021.

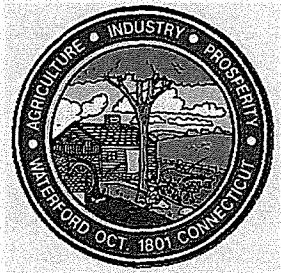
The requested amount is consistent with that approved for the previous fiscal year.

POSTAGE LINE 10114-52020 \$ 125 REQUESTED

Postage expenditures include certified letter mailings required for notice of Commission decisions on applications and for enforcement proceedings, correspondence to Town residents, and referrals to municipal, State and Federal agencies.

The requested budget amount is consistent with that approved for the prior year.

**TOWN OF WATERFORD
FY2024 BUDGET REQUEST
Conservation Commission**



PROFESSIONAL SERVICES LINE 10114-52030

\$ 3,500 REQUESTED

The professional services account is used to obtain professional technical reviews, retain expert witnesses, chemical laboratory analyses and other professional technical assistance unavailable at the municipal or State level which are needed to conduct the duties of the inland wetlands agency and the Conservation Commission. These services may include assisting the Commission with technical expert reviews of application documents, investigating complaints of wetland, soil or water quality impacts, documenting violations of the inland wetlands and watercourses regulations, providing expert testimony in court proceedings, or assisting the Commission in preparing natural resource surveys.

To carry out the responsibilities of the Inland Wetland and Watercourses Act, it is critical that the Commission have the ability to retain expert witnesses for determination of impacts to wetlands and watercourses in order to reach and maintain defensible decisions. Court case law has established that the finding of adverse impacts and justification for conditions of approval requires technical expertise and expert evidence in the application record. The Commission uses the expertise of staff members, and regional and state technical offices when available, however specific technical expertise may be required during the application process within a limited time frame. Having sufficient funding available to procure services when expert review is needed is essential in consideration of the strict time frames established by State Statute for rendering decisions on inland wetland applications.

The fee schedule for Inland Wetland permit applications allows the Commission to charge the applicant for third party expert reviews and technical evaluations deemed necessary to assist in the review of complex permit applications. However, the Commission continues to require funds for obtaining professional expertise on items not associated with complex permit applications.

Expenditures under this item are difficult to predict and are related to the number and complexity of permit applications, public hearings, enforcement proceedings and technical needs of the Commission. The requested amount will fund an estimated 25 -35 hours of professional service at a rate of \$100 - \$150/hr.

The requested budget amount is consistent with that approved for the prior year.

PLANNING SERVICES LINE 10114-52031

\$ 12,000 REQUESTED

The Conservation Commission conducts a water quality monitoring program of freshwater streams and ponds in Waterford. Samples are collected at 30 locations in the early summer and late fall of a calendar year to track water quality over the growing season and monitor changes in quality over time. Sampling is conducted on Jordan Brook, Nevins Brook, Fenger Brook, Hunts Brook, Stony Brook, Oil Mill Brook and its tributaries, Millstone (Beebe) Brook, Green Swamp Brook and a tributary stream to Goshen Cove. Water quality parameters monitored include total coliform, e. coli and enterococci

TOWN OF WATERFORD

FY2024 BUDGET REQUEST

Conservation Commission



bacteria, chemical oxygen demand, chloride, pH, suspended solids, and nutrient loadings from nitrogen compounds and phosphorus.

The surface water quality monitoring program has been conducted for the past 20 years by the Conservation Commission and has generated comprehensive data on the quality of the town's water resources. This data is used to evaluate potential impacts of land development on stream health and to track changes in water chemistry over time. It also provides a scientific basis for the Conservation Commission to establish required levels of stormwater treatment for development proposals, and water quality mitigation goals for enforcement proceedings.

Jordan Brook, Oil Mill Brook and Stony Brook support native trout and high quality waters. Habitat requirements for these fisheries include cool, oxygenated waters with suitable substrate conditions to provide food and aquatic habitat. Alterations and loss of vegetative cover, soil erosion, flow alterations sewage discharges and stormwater run-off can adversely impact the biological conditions of these watercourses.

The monitored temperature, nitrogen and phosphorus levels in these streams continue to indicate high quality surface waters.

The 2020 State of Connecticut Integrated Water Quality Report, submitted by CT DEEP to the EPA, identifies Alewife Cove, Niantic Bay and near-shore waters of Long Island Sound as not meeting designated uses of habitat for fish and other aquatic life. In addition, Alewife Cove, Jordan Cove, and areas of Niantic Bay and the Niantic River are listed as impaired for direct shellfish consumption due to bacteria levels. Fenger Brook is listed as not supporting designated uses for aquatic life and recreation. Hunts Brook downstream of the Miller Pond dam is listed as not supporting fish and aquatic life habitat. The lower reach of Stony Brook south of Rte 1 has been identified as impaired for recreational use due to bacteria. The State is developing restoration policies to improve water quality and habitat of impaired waters.

The Commission continues to monitor bacteria, nitrogen and phosphorus levels in stream reaches that eventually discharge to Jordan Cove, the Niantic River, and Long Island Sound. This long-term water quality monitoring is a critical part of the natural resource inventory work the Commission conducts and allows tracking of trends in water quality from land use changes and can provide an indication of where water quality may be affected. Town staff conducts the sampling to minimize costs. Cost variations are linked to the number of water samples collected.

The Commission is requesting the same amount for this item as approved in the previous fiscal year.

TOWN OF WATERFORD FY2024 BUDGET REQUEST Conservation Commission



DUES, CONFERENCES, EDUCATION LINE 10114-52050

\$ 600 REQUESTED

Expenditures from this line item include membership dues, commission and staff training, attendance at seminars and workshops. The Connecticut Inland Wetlands and Watercourses Act [CGS 22a-36 - 22a-45a] recommends members of inland wetland agency complete a comprehensive training program developed by the CT DEEP. Commissioners also attend environmental education conferences and legal seminars regarding inland wetlands to keep informed of changes to State Statute or case law affecting application review practices, public hearing records and decision-making for Inland Wetlands and Watercourse Regulations application. The Commission satisfies the minimum required training recommended by CT DEEP for inland wetlands agencies.

The Commission is requesting the same amount for this item as the previous fiscal year to maintain the level of training of its members.

PRINTING LINE 10114-52060

\$ 25 REQUESTED

Expenditures under this line item include printing of oversized documents, maps and colored copies, which cannot be printed or are unavailable at Town facilities. As a result of changes in court procedures, some printing funds may be necessary to reproduce, in paper or digital format, large documents and files. The amount requested under this line item is the same as the prior fiscal year.

OTHER SUPPLIES LINE 10114-53020

\$ 500 REQUESTED

Funds in this account are used to purchase and maintain environmental testing/monitoring equipment, safety equipment, survey flagging, and Conservation Easement and Non-Encroachment Boundary Line markers for field markings. This equipment allows the Conservation Commission with its professional staff to perform wetland identification, water testing, natural resource inventory and conservation easement boundary marking that would otherwise require contracting for outside professional services.

The amount requested under this line item is the same as the previous year.

COMMISSION MEMBERS

Richard Muckle , Chair
Tali Maidelis, Secretary
David Lersch
Mathew Keatley
Geneva Renegar
Wade Thomas

Ivy Plis - Alternate
George Bray – Alternate

TOWN OF WATERFORD FY2024 BUDGET REQUEST Conservation Commission



HISTORY OF EXPENDITURES

	FY 18/19	FY19/20	FY20/21	FY21/22	FY22/23 To date	Proposed FY23/24
52010 Advertising	\$469.80	\$901.65	\$989.00	\$1,104.75	\$682.30	\$ 1,500
52020 Postage	\$ 50.12	\$104.40	\$106.00	\$83.87	\$ 29.64	\$ 125
52030 Professional Fees	\$ 2,900	\$0	\$3,500	-	-	\$ 3,500
52031 Planning Services	\$10,665	\$12,000	\$12,000	\$6,347	-	\$ 12,000
52050 Dues/Education	\$ 485	\$455	\$295	\$275	\$ 95	\$ 600
52060 Printing	-	-	-	-	-	\$ 25
53020 Supplies	\$404.37	\$8.40	\$365.92	-	-	\$ 500

Approved by Conservation Commission – October 27, 2022

MEETING MINUTES

Conservation Commission
October 27, 2022 6:30 PM
Waterford Town Hall

Members Present: Tali Maidelis, Rich Muckle, Dave Lersch, Wade Thomas
Members Absent: Matthew Keatley, Geneva Renegar
Alternates Present: Ivy Plis
Alternates Absent: Bud Bray
Staff Present: Maureen FitzGerald, Environmental Planner
Leanne Santos, Recording Secretary
Attorney Nick Kepple

RECEIVED FOR RECORD
WATERFORD, CT
2022 NOV - 2 P 1:12
ATTEST: *[Signature]*
TOWN CLERK

1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

The meeting was called to order at 6:34p.m. I. Plis was seated for the vacant seat.

2. APPROVAL OF THE October 13, 2022 MEETING MINUTES

Motion: Motion made by T. Maidelis, second by D. Lersch to approve the October 13, 2022 meeting minutes.

Vote: 5-0-0

3. PUBLIC HEARING - Continued

C-22-9, 21 Gurley Road, Commercial Office and Warehouse Complex, Stone Ridge R E, LLC.
Owner & Applicant, CLA Engineers, Agent

R. Muckle, Chairman opened the public hearing. Attorney W. Sweeney, counsel for applicant and Ellen Bartlett PE. (CLA Engineers) were present for the applicant. Staff noted the exhibit list has been updated to include the responses to comments submitted by CLA Engineers as exhibits 16 and 17.

Attorney Sweeney spoke briefly about the third party review submitted from Trinkaus Engineering, LLC and the extension granted in order to address the comments. Revisions were made to the plans to address the suggestions and comments. He also noted they have had positive communications with one of the directors of Save the River Save the Hills.

E. Bartlett PE. of CLA Engineers presented a summary of the plan modifications and responses to comments from the September 22, 2022 public hearing. The drainage calculations have been revised using the TR-55 method. In response to the public concerns of flooding along the stream and potential impact to a shallow well, E. Bartlett submitted a comparison of the existing to the proposed storm run-off volumes contributing to the stream for the 2-year through 100-year storm events. She noted that the basins are over-sized and provide detention and retention which reduce the volume of run-off as well as peak flows. (Entered spreadsheet with calculations into the record as Exhibit #18).

E. Bartlett addressed comments from the Trinkaus Engineering report. She stated the topography has been verified in the field and 31 test holes were logged. Permeability test results were submitted. The bottom of all the basins are at or near seasonal high groundwater levels so

basin plantings will be supported. She stated that basins will infiltrate and recharge groundwater and additional pavement will not be needed for parking or truck circulation.

E. Bartlett reviewed the revisions made to the drainage report in response to comments. In-flow and outflow summary sheets for the basins were added, groundwater recharge calculations were completed and exceed the required recharge volume. The plans were revised based on recommendations from the report including increased depth of the temporary sediment traps, increased depth of basin forebays, inclusion of a reverse bench in the eastern cut slope and a curtain drain along a portion of the top of slope. Elevations of the rip-rap outlets were added to sheet 3. Fore bays have all been reconfigured for depths ranging from 4 to 8 feet and inlets and outlets have been reconfigured to maximize the travel time. E. Bartlett noted she could not find the study Mr. Trinkaus referenced from North Carolina State University regarding roof run-off pre-treatment. She stated that there will be no roof top units on the buildings for this project and the metal roofs will be treated with an elastomeric coating. E. Bartlett noted there are 4 feet of native soils between the infiltration chambers and seasonal groundwater elevation that will filter run-off. The plans have been revised to include pre-treatment of roof run-off through rain gardens with standpipes and the first row of infiltrators are wrapped in filter fabric. E. Bartlett stated they have made all the physical changes to the plans to address the concerns in the Trinkaus report. They have provided extra stormwater treatment to buildings 1 and 2. Run-off from buildings 3, 4 and 5 flows to a man-made wetland in the center of site, which provides natural storage and detention, after being treated through a series of treatment train components. (Revised drainage report entered as Exhibit #19, revised plans discussed entered as Exhibit #20).

Chairman R. Muckle opened the floor for questions from commission members.

I. Plis noted the concerns about pollutants reaching the Niantic River and flooding have been addressed. She asked how the roadway run-off is treated.

E. Bartlett reviewed the drainage collection and treatment systems on site, and that each basin will retain the 2-year storm, which is 3.45 inches of rain. The project will include installing sewer 1000 feet up Oil Mill Road and 500 feet up Gurley Road, there will be no septic systems on the site.

Attorney Sweeney referred to the October 7, 2022 letter (Exhibit 11) responding to potential bacterial loading. The project does not direct flow from the development into the stream or utilizing on-site septic systems. The project is designed to protect the perennial stream.

D. Lersch asked for a definition to the term "storm water wetland" used. E. Bartlett responded the CT DEEP storm water manual includes 4 different examples of stormwater wetlands, but she does not use that term in the design. The basins are hybrids based on the site conditions.

D. Lersch asked about the potential for sediment basin failure during construction referenced in the comments. E. Bartlett stated the basins are sized to contain 2 times the predicted sediment volumes and they do not anticipate failure.

R. Muckle asked if the run off from I 95 can be mitigated. E. Bartlett stated the highway run off goes to a paved swale and is not on the project site. They cannot do anything about that run-off.

Staff asked E. Bartlett to clarify for the record if there will be down stream flood impacts and what type of stormwater basin is proposed. E. Bartlett states she feels there will be no down stream impacts from this development. The basins intercept seasonal high groundwater

elevation and the soils are well drained. The basin functions as a wet bottom infiltration basin. Staff asked E. Bartlett to provide an estimated exfiltration rate for the basins for the record and to assist with long-term maintenance. E. Bartlett said she will provide the estimate but thinks it will be a 2 to 3 day time frame. Attorney Sweeney stated they can provide that. Staff asked how the provision of no outdoor storage of materials will be enforced. Attorney Sweeney stated it is not permitted through zoning, but they could include a provision in the agreements/lease.

Chairman R. Muckle opened the floor to public comment, asked three times if anyone would like to speak in favor of the application. No one spoke.

Chairman R. Muckle asked three times if anyone would like to speak that is not in favor of the application. No one spoke.

Motion: Motion made by W. Thomas, second by I. Plis to close the public hearing.

Vote: 5-0-0

Motion: Motion made by T. Maidelis, second by W. Thomas to take a five minute recess.

Vote: 5-0-0

4. APPLICATION REVIEW

C-22-9, 21 Gurley Road, Commercial Office and Warehouse Complex, Stone Ridge R E, LLC, Owner & Applicant, CLA Engineers, Agent

Staff will prepare a review of the public hearing record for the commission to review at the next meeting. The request for an estimate of the rate of exfiltration from the basins was discussed by the Commission. Staff clarified she is looking for a general rate of discharge from the basin to substantiate the basins will drain within 2 to 3 days.

5. NEW APPLICATIONS

C-22-12, 23 Spithead Road, New construction of single home, Curtis C. & Ursula M. Carboni, Owner & Applicant, John Paul Mereen (Gerwick-Mereen, LLC), Agent

Staff explained this is a re-submittal of a previously approved plan under permit #06-07 that has since expired. No changes are proposed in the regulated activity. Staff will visit site to review and report to the commission at the November 10, 2022 meeting.

6. VIOLATIONS

1122, 1124 Hartford Turnpike, Unauthorized fill, grading & deposition of materials adjacent to inland wetlands.

Staff reported most of the plantings are complete, boulders need to be placed. She believes the owner will satisfy the October 30, 2022 deadline and will have a report at the November 10, 2022 meeting.

7. OTHER BUSINESS

72 Spithead Road, Review shed authorization.

Motion: Motion made by D. Lersch, second by T. Maidelis, that the shed does not involve regulated inland wetland activity and to concur with staff approval.

Vote: 5-0-0

Conservation Annual Report (7/1/2021-6/30/22), Staff and commission reviewed the report.

Motion: Motion made by W. Thomas, second by T. Maidelis to approve the Annual Report.

Vote: 5-0-0

Conservation Commission Annual Budget 2023-2024, Staff and commission reviewed the draft budget.

Motion: Motion made by W. Thomas, second by T. Maidelis to approve the 2023-2024 Commission budget as written.

Vote: 5-0-0

8. **CORRESPONDENCE** - None

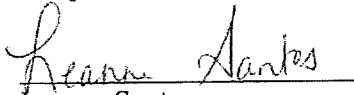
9. **CONSERVATION OUTREACH**

10. **ADJOURNMENT**

Motion: Motion made by I. Plis, second by T. Maidelis to adjourn at 8:03pm.

Vote: 5-0-0

Respectfully Submitted,



Leanne Santos
Recording Secretary