

**TOWN OF SALEM  
INLAND WETLANDS AND CONSERVATION COMMISSION  
REGULAR MEETING MINUTES  
MONDAY, AUGUST 8, 2016 – 7:00 P.M.  
SALEM TOWN HALL**

**1. Call to Order.**

Chairman Natoli called the meeting to order at 7:00 p.m.

**2. Roll Call/Seating of Alternates.**

Present were Chairman Edward Natoli, Vice-Chairman Roger Phillips, Secretary Diba Khan-Bureau, Commissioners Gale Balavender (7:22 p.m.), Eric Belt, Sally Snyder, Linda Wildrick, and Alternate Frank Abete. Also present was Wetlands Enforcement Officer (WEO) Liz Burdick.

**M/S/C: Wildrick/Khan-Bureau, to seat Commissioner Abete for Commissioner Balavender.  
Voice vote, 6-0, all in favor.**

**3. Additions of Changes to the Agenda.**

**M/S/C: Abete/Snyder, to add the following item to the Agenda:**

**Approval of Minutes:** April 11, 2016 Meeting Minutes

**Voice vote, 7-0, all in favor.**

**4. Approval of Minutes:** July 11, 2016 Meeting Minutes.

**M/S/C: Belt/Abete, to approve the minutes of July 11, 2016. Voice vote, 7-0, all in favor.**

**5. Public Comment:** *None*

**6. New Business:**

**A. IWWC#2016-04** – 504 Old Colchester Road – Applicant, Colchester Construction – Property Owner, RMD Land Development, LLC – Construction of an office building & associated site improvements – grading in upland review area. (*Decision Required Date: October 11, 2016*) Bob Russo, C.S.S., Soil Scientist/Environmental Scientist, CLA Engineers, representing Colchester Construction, provided a brief summary of the site’s existing conditions, the Applicant’s proposal, grading plan, and its potential impacts to the wetlands. The Applicant is proposing to construct an office building and parking area for its employees, visitors, and equipment on the undeveloped property located just north of R&W Heating Energy Solutions, LLC on Old Colchester Road, also known as Route 354. The higher elevations are located next to the road as the property slopes downward towards the inland wetlands area on the east side of the property. The inland wetlands area, which is comprised of a red maple swamp with soils formed in glacial tills, is provided with some protection in the form of a stonewall and wood chips that have been placed in the area. Residing in the area are both native and invasive plant species, including red maple and yellow birch trees; barberry, spice, and sweet pepper bushes; cinnamon and royal ferns, and; sphagnum moss. Common to former farmlands, rocks have been piled in and along the wetlands as the field was cleared, creating a very stony area.

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Similarly, the upland area also has stony soils. The hydrology of the site is such that the watershed located on the other side of the road is drained, emptied, and dispersed onto the site.

Due to the slope of the property and in order to provide a developable area, the property is comprised of cut at the top and fill in the lower elevations. The proposed development will be located in the upland review zone and sufficient storm water treatment will be installed to minimize the impact on the lower wetlands area. The proposed driveway entrance will be located on Route 354 leading to a paved parking lot located in the front of the building. The business offices will be located on the first floor with a garage and storage area below. In addition to the paved parking lot, there will be a crushed stone parking lot to accommodate any overflow parking and construction equipment as well as a concrete pad on which two 5,000 gallon double-wall tanks for diesel fuel will be placed. While there will be curbing located in the paved area, there will be no curbing in the crushed stone area. An oil-water separator, storm water treatment basin, forebay, and level spreader will also be installed on the property to mitigate any impact on the wetlands. The location of the storm water treatment basin was determined following the digging of test pits and a review of the grading on the site. The location, being relatively level, will provide an area where the water table can be readily intercepted. In addition, the basin will be a wet bottom basin that will retain a permanent pool of water, offering better storm water quality treatment. Proposed plantings to provide screening for the existing residential property and to restore some of the vegetation in the area will include grass, shrubs, and native plant species. The septic system for the building will be located under the parking lot.

The size of the storm water basin was determined in two different ways:

- (1) The existing and proposed water flow rates for 2, 10, 25, 50, and 100-year events, which indicated a slight reduction in the rate of discharge for each of the events
- (2) Using CT DEEP's (Department of Energy & Environmental Protection) formula for determining the water quality volume, it was determined that 5,600 cubic feet above the estimated outstanding water level would need to be provided. The basin will be providing 8,400 cubic feet, exceeding the recommended amount.

Any questions regarding the site plan will be directed to the Civil Engineer Ellen Bartlett.

Concerns regarding the storage of heavy construction equipment, including an excavator(s), bulldozer(s) and dump truck(s), the size of the oil tanks, and the potential impact of an oil leak(s)/spill(s) on the groundwater and/or wetlands area were raised. Light maintenance work, e.g., oil changes, will occur in the garage for the smaller vehicles, but no major service of vehicles is expected and there is no intention to service the heavy equipment. Any accidental oil spills in the gravel area will require a call to the DEEP and a licensed company to cleanup the area. Discovering and handling any spillage in a timely fashion would be necessary to minimize the impact. In an effort to keep as much of the area as pervious as possible, a layer of clay will not be placed below the crushed stone area. Any small oil leaks that are spilled in the crushed stone area would soak into, stain, and contaminate the soil for a period of time. The typical spill would not be of great volume and, similar to a septic system, all of the bacteria would search

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for organic matter resulting in the oil to get broken down over time. Due to the distance between the crushed stone and wetlands areas, contamination of the wetlands due to an oil leak is not be a major concern unless a very heavy rainstorm occurs and the leak is very large. Contamination of the groundwater table would be more concerning than that of the wetlands. Standing water was reached at a depth of 8' when the test pits were dug during the summer. Due to the type of soil, the contamination would tend to travel at a slow rate downwards and would need to travel at least a few feet before reaching the water table and a number of years would be required for the contamination to reach the wetlands. A cleanup plan should be in place so as to minimize any contamination. Mr. Russo felt that there is no particular hazard by allowing parking on a crushed stone surface that is an adequate distance from the wetlands and on these particular soils. The double-wall design of the oil tank, which has a fairly low level of risk for leaks, is based on the standard accepted by the DEEP and other regulatory agencies for above ground oil tanks and is a secondary means of containment within the structure that is not intended to hold a spill/leak.

The total acreage of disturbance to the area is approximately five (5) acres.

It was clarified that the water travels through the pipe into the forebay, where the sediment will settle. A storm water maintenance plan for the forebay as part of the approval of the application may be necessary to ensure that the water is properly drained and cleaned prior to reaching the storm water basin.

The timeline of the application to the State and the approval of the application by the Commission were briefly discussed. Should the Commission decide that the proposed development would propose a significant impact, they shall schedule a public hearing. There is also a 14-day petition period for the public to request a public hearing on the proposal. WEO Burdick suggested the Commission review the list of items noted in Section 2.1 of the Inland Wetlands and Watercourses Regulations, "Significant impact activity", to determine whether the application fits the definition and a public hearing would be necessary. The Town Engineer, the Planning & Zoning Commission, Town Planner Richard Serra, and WEO will be reviewing the application and both the WEO and Town Engineer will conduct a site walk of the property. It was proposed to table the item while the Engineer, WEO, and Town Planner review the proposal and prepare a report.

**M/S/C: Wildrick/Khan-Bureau, to table Application IWWC#2016-04. Voice vote, 7-0, all in favor.**

**B. Review of 2016 State of CT DEEP Inland Wetlands Training Program Materials.**

Chairman Natoli reported the following items of interest that were discussed at the Training Program:

- (1) Site Walks – Any time a site walk is held, whether a quorum is achieved or not, should be designated as an official meeting. The Commission may opt to send a representative, e.g., the Wetlands Enforcement Officer. In addition, there should be no discussion held at a site walk aside from questions to orient him/herself with the site.

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- (2) Discussions – Discussions regarding items on the agenda outside of the meetings should be kept at a minimum and side discussions between members of the Commission during meetings that the public would not be privy to should not occur.
  - (3) Disclosures – The Chairman will disclose a member’s qualifications and area of expertise to the public prior to each meeting.
4. **Approval of Minutes:** April 11, 2016 Meeting Minutes.  
**M/S/C: Snyder/Khan-Bureau, to approve the minutes of April 11, 2016. Voice vote, 6-0-1. Voting in Favor: Commissioners Abete, Khan-Bureau, Belt, Natoli, Snyder, and Wildrick. Voting in Opposition: None. Voting in Abstention: Commissioner Phillips.**
7. **Public Hearing(s):** *None*
8. **Old Business:** *None*
9. **Wetlands Enforcement Officer’s Report:** *None*
10. **Correspondence:** *None*
11. **Adjournment**  
**M/S/C: Abete/Khan-Bureau, to adjourn the meeting at 8:08 p.m. Discussion: None. Voice vote, 7-0, all in favor. Meeting adjourned.**

Respectfully Submitted by:

Agnes Miyuki, Recording Secretary for the Town of Salem