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January 29, 2021
Matthew Davis, Acting 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 Engineer Comments Dated December 7, 2020
82-92 Crest Way, 785 Sherman Avenue, 925 Sherman Avenue

Dear Mr. Davis,

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, to address the Town Engineer's comments in his memo to the Planning and Zoning Commission date stamped January 11, 2021. Mr. Austin's comments are reprinted herein and our responses are provided as underlined text.

Included with this letter are ten (10) full size (24" x 36") copies of the drawings and one (1) copy of the updated Stormwater Management Report.

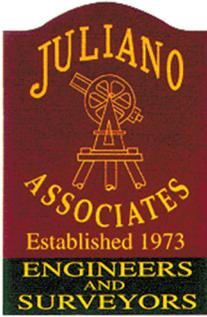
1. Missing from the Plan set

- a. *This plan set does not address the encroachments on #100 Overlook or #72 Crest Way as previously submitted during the enforcement actions. **There is a conflict between the 11/30/2020 and the 12/2/2020 response. 11/30 indicates that the trespass will be addressed later in a separate plan/approval. The 12/2/2020 indicates the repairs have been made. The submitted survey from 2019 or earlier, indicated excavation onto these properties.***

The applicant does not recall and has not found any documents that depict an excavation encroachment on the 100 Overlook or 72 Crest Way property. Please provide documentation for us to review so that we may provide a response accordingly.

- b. *Provide a material handling plan.*

- i. *How will potentially hazardous materials be handled if encountered? **Only bulk testing is proposed. What are the contingency plans if impacted materials are found during excavation? This could be as***



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simple as oily smelling soils, trash, or other non-woody materials are found. During the most recent meeting with the applicant, there was discussion of no testing being allowed at all. This is contradictory to this plan.

If the on-site environmental inspector/LEP observes any suspicious materials (ie. oily soil, solid waste) it will be set aside on polyethylene sheeting for further evaluation and testing. All excavated material will be disposed at properly permitted facilities. See Phase Notes #1.i. in the revised plan set attached.

2. Proposed remediation area:

a. Viability of the remediation plan:

- i. Phasing in 20 foot sections: When excavating, the assumption is that the material is sufficient to support the excavator pad. **During the meeting with the applicant, notes need to be made about the type of and stability of the filled material. Please specify the material to be used and compaction to stabilize the newly deposited 3 feet of material for the pad.**

See Phase Notes #1.d in the attached revised plan.

ii. Restoration plan

1. How were the number of trees and other vegetation restoration determined? **This is a restoration plan. The number and types of trees are not specified. A final plan needs to be submitted for approval by the Commission.**

The plans were revised to include three (3) different varieties of trees as shown on sheet 9 of the revised plans. The number of trees were an estimate and were initially agreed upon by the property owners of #785 & #925 Sherman Avenue. The applicant is currently working with the property owners of #785 and #925 Sherman Avenue to secure a letter of acceptance of the proposed removal and restoration work to include the tree plantings. These letters will be provided to your office once received.



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2. The soil conditions are unknown below the restoration area. At a minimum, soil compaction restoration should be considered to promote future growth. This is a very serious issue when planting trees. **The 12/18/2020 letter did not address compaction restoration for trees. A licensed arborist should be retained for this portion of the restoration.** (As a disclosure, the Town Engineer has an Advanced Tree Warden certification but is not the Tree Warden for Hamden.)

To address soil compaction issues and to promote survivability of the newly planted trees the following are proposed in the revised plan set:

- Width of the hole to be dug for the planting shall be two (2) times the recommended width.
- Deep rooted trees are specified rather than shallow rooted trees.

See the above and additional notes on the “Tree Planting on Slope Detail” on sheet 11 in the revised plans.

3. **The proposed area of “Steep Slope” is being indicated as 0.54’H:1’V which is significantly greater than the 2:1 standard maximum slope. (Final Grade Notes: page 9 of 13). This slope is not able to be stabilized or maintained with normal soils. Please provide details.**

See the “General Sediment & Erosion Control (S&E) Notes” and “Areas of Steep Slope” notes on Sheet 9 of the revised set. A Geoweb product rated for stabilization of slopes as steep as 0:5H :1V shall be installed where slopes of this grade are encountered. The manufacturer will provide final verification of the type and installation methods. The Geoweb literature is attached.

- b. *What is the material of the proposed pad for the excavator? Add this to the plans. The material was not specified in either of the responses. “fill material presently on site” is not sufficient. Add a note about compaction.*

See Phase Notes #1.d found on sheets 7-9 in the revised plans for a detailed description of the material for the excavator pad and compaction methodology.



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- c. *Consider benching to provide a runoff break to prevent erosion on final restoration.*

In lieu of benching, the following measures are proposed on the plans to minimize erosion that may be caused by storm runoff into the sloped restoration area and to stabilize the restoration areas as soon as practicable. First, a swale is proposed at the top of slope (and upslope of the restoration area) to redirect water away from the restoration area and 2) removal and restoration operations will proceed in 20' wide sections so that the disturbed areas may be minimized and stabilized in smaller sections. Furthermore, the swale shall remain in place until a new curb is constructed along the top of slope to perform the same function. The new curb is proposed as part of the Site Plan Amendment application for 82 Crest Way that has been submitted concurrently with this application.

3. Access and Driveways:

- a. *Provide the location of the new wall west of the building. (as shown on the enforcement actions plans). Please see clarifications and additions below:*
- i. **We understand that it is at the noted at the “Face of Steep Slope”. This was previously shown as a rock outcropping in the original approved proposal. This note has been subsequently removed. Please clarify. As of the current review (1/8/2021 of the 12/18/2020 plan) the corrections have not been made as per the 12/18/2020 letter.**

The “Face of Steep Slope” as noted on sheet 1 of the revised set is the current existing conditions.

- ii. With the proposed wood stockpile being shown near this wall, the material and size of the wall is important to verify it can handle the abuse of the proposed activity (becoming a push wall). **The geotechnical report does not address the stability of the rock wall as a push wall or an area to be stored against. The report specifically indicates the face should be clear to allow for drainage and a fall area.**

See attached letter from Down To Earth Consulting, LLC dated January 27, 2021 to address this issue.

- iii. Where will the existing equipment being shown on the western edge of the property be stored? This is in direct conflict with the wood storage area.



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Equipment storage, to the extent illustrated, is not shown on the previous site plan page 3 of 13 and is a nonconforming use. Please consult with Planning and Zoning.

Any equipment that is in conflict with the proposed storage areas will need to be moved to another location on site. If there is not room then the equipment will need to be removed from the site.

4. Drainage:

a. *Do not conduct work until the detention pond discharge is properly installed and inspected by the Engineering Department. Clarifications below:*

i. **The pond is shown as incomplete. The drainage pipes from the existing/originally proposed site drainage system need to be shown on the plans with inverts. Page 6 of 13 is missing the northern inlet.**

The plan set has been updated with the requested information and shown on Sheet 6 in the revised plans. Clarification on the status of the northern inlet is also included on sheet 6 under "Detention Basin Improvement Notes" #4.

ii. **The pond bottom is shown as three feet too shallow (present conditions 182, proposed conditions 179.1 as per the outfall structure inlet. Has the outlet structure been properly installed? Modifications are not noted on page 6 of 13 as indicated on the plans and the memo of 12/18/2020.**

The topographic contours in the detention basin and existing invert elevations on the storm structures that have been installed are updated in the revised plans (see sheet 6). The outlet structure will need to be modified and the basin regraded in Phase 1 as noted on Sheet 6.

iii. **The response indicates inspections have occurred by the Engineering Department. The Engineering Department has only inspected the pipe from the outfall to the catch basin leaving the site (not shown on the plans). The purpose of this inspection was for the water stops, not for the pond or the outfall structure.**

Noted, the basin will need to be updated in order to complete this project.



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b. *Provide contours for the detention basin on the plans. Provide the existing approved plan and the drainage structures on the proposed plan. Clarifications below:*

i. **The 12/2/2020 response indicates that the pond is to be completed in phase 1. This was not changed on the plans. With the other necessary details, this needs to be corrected.**

The topographic contours in the detention basin and existing invert elevations on the storm structures that have been installed are updated on the revised plans (see sheet 6).

ii. **The pond bottom is shown as three feet too shallow (present conditions 182, proposed conditions 179.1 as per the outfall structure inlet. Neither the plans nor the comments reflect what changes are necessary, just the final outcomes.**

Please see response 4.a.ii.

5. Parking:

a. *What has or has not been installed from the existing approved site plan. While we understand your approach that this is not necessary because the original use is not officially being utilized, this is relevant because this is an area that the restoration worker may use for parking and queuing of removal trucks. This is also relevant due to the apparent installation of an “tail” extension on the building which, if not properly marked and signed, may be a hazard for passing vehicles entering or existing. (there was a reference to a staircase).*

The stairs have been added along with a callout for them. The section of the building that appears to be a “tail” extension is a portable carport and has been noted as such on the revised plans (see sheet 1). This carport is now being called out as to be removed (see sheet 4).

6. Building:

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



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To the best of our knowledge, the site is not being used for business related activity.

- b. **There are a number of reports of activity on site as well as the reference to equipment on site in violation of current site testimony.**

7. Utilities

- a. *Provide existing, existing as proposed from the site plan, and proposed to be installed utilities for the site and new building. **Is there a natural gas service to the building?***

Information is provided on Sheet 1 of the revised plans.

I hope that this letter helps to clarify points and address your concerns. Also, thank you for meeting with us on January 26, 2020 to review your comments, and to discuss the revisions to the plans as they are described herein. If you have any additional questions or concerns, please let me know and I will do my best to address them as quickly as possible.

Sincerely,

James DiMeo, PE
Juliano Associates, LLC
405 Main Street, Wallingford CT 06492

CC: Mark Austin, PE, Town Engineer
Holly Masi, CZEO
Timothy Lee, Town Attorney
Attorney Joseph Porto, Parrett, Porto, Parese & Colwell, P.C.
Rus Boyarsky, Eighty-Two Ninety-Two Crest Way, LLC
Judy Schuler, PE, East-West Engineering, PLLC
Robert Carr, PE, LEP, East-West Engineering, PLLC

Attachments:

- Down To Earth Consulting, LLC Letter dated January 27, 2021
- Geoweb Literature
- Stormwater Report and HydroCAD Calcs
- Proposed Soil Removal Plan Drawing Set Revised to January 28, 2021