

Tilcon Connecticut Inc. Motions of Approval per BOS minutes July 25, 2018

J. Firlik made a motion, seconded by L. Cooper that the Board of Selectmen grant the following waivers from the Sterling Planning & Zoning Commission, Zoning Regulations, Supplementary Regulations, Appendix A, in the excavation application by Tilcon Connecticut Inc. for property located at 0 Sterling Road (Route 14), Map 03844, Block 16A, Lot 0012 as shown on plans entitled "Proposed Gravel Removal Operation; Sterling Road (Route 14), Sterling Connecticut; Applicant: Tilcon Connecticut Inc., 1 Forest Road, North Branford, CT 06471; Owner: Tilcon Connecticut Inc., 1 Forest Road, North Branford, CT 06471; Prepared by: Provost & Rovero, Inc.; Dated: February 3, 2009; Revised 4/27/2009, 3/26/2018, 6/25/2018, 7/10/2018 and 7/18/2018". (Changes to the draft motion have been made).

- A) Section 104.3.E: Scale of location map (provided at 2000 scale when 1000 scale is required).
- B) Sections 109 & 112.p: Submission of a bond estimate. (We are comfortable with \$10,000.00 per acre due to the fact that this site will be self-contained and the highly permeable soils present).
- C) Section 112.2.d: Submission of an A-2 Boundary Survey. (The plans reference an A-2 Survey).
- D) Section 112.2.f: The nature of the uses on adjacent and nearby properties within one thousand (1,000) feet at 100 or 200 scale mapping. (The applicant has submitted an aerial photo at 400 scale which is sufficient for this purpose in our opinion).
- E) Section 112.2.g: The surrounding general topography within one thousand (1,000) feet at 100 or 200 scale mapping. (Offsite topography does not aid in the review of this application).
- F) Section 112.2.i: Current determination of groundwater depths (See conditions).
- G) Section 116.13. b: Applications involving significant truck traffic (i.e., 25,000 cubic yards annual excavation or 15 or more trucks per day) shall provide a detailed traffic study, impact analysis, and mitigation plan to avoid any adverse impacts resulting from the activity proposed. The Selectmen shall determine the scope of traffic/impact/mitigation plans or studies. (Due to the underlying low traffic counts on Route 14, it is our opinion that a traffic study is not needed).

Item IV: Consider & Act on Application for Excavation Permit by Tilcon Connecticut, Inc. for Property Located at 0 Sterling Road (Route 14): The continued public hearing for Tilcon Connecticut, Inc. closed earlier tonight. J. Firlik made a motion, seconded by L. Cooper to approve the Excavation Permit Application by Tilcon Connecticut, Inc. for property located at 0 Sterling Road (Route 14); Map 03844, Block 16A, Lot 0012 as shown on plans entitled "Proposed Gravel Removal Operation; 0 Sterling Road (Route 14), Sterling Connecticut; Prepared by: Provost & Rovero, Inc.; Dated: February 3, 2009; Revised: 4/27/2009, 3/26/2018, 6/25/2018, 7/10/2018, and 7/18/2018" with the following permitted reductions and conditions of approval:

Reductions:

- ii. 116.6: A reduction from 100 feet to 0 feet from the excavation to the line common with Corson, a reduction to 50 feet to land now or formerly CL&P, a reduction to 80 feet to land now or formerly of Glass, and a reduction to 50 feet to land of Miller.

- iii. 116.8: A reduction in the separation distance for excavation activities to a residence on an adjacent parcel from 200 feet to 110 feet to the home on n/f Miller.

Conditions of Approval:

- a) Approval from the Connecticut Department of Transportation (DOT) for the proposed access driveway shall be provided before any onsite activities commence.

- b) A preconstruction meeting shall be scheduled and held no later than two (2) weeks prior to the start of excavation preparation activities including; the applicant's operational representative; the applicant's engineer; the Sterling Land Use Agent; the First Selectman; and the Town Engineer.

- c) The bond shall be renewed for the term of the permit in the amount of \$166,500.00 for Erosion and Sedimentation and site restoration for the life of the permit and that at no time shall the disturbed area be greater than 16.65 acres.

- d) Once activities commence, the site shall be inspected by the Design Engineer monthly with any observations including deficiencies noted and reported to the Selectmen within three (3) days along with additional inspections made and reported to the Selectmen following any two (2) inch rainfall event or greater.

- e) The Town Engineer shall inspect the site semi-annually and following large stormwater events at a minimum plus any necessary follow-ups due to deficiencies noted to secure their resolve and quarterly inspections shall be conducted by the Town's Land Use Agent.

- f) The Town's application review costs shall be paid in full by the applicant.

- g) A \$5,000.00 deposit for onsite supervision and emergency Erosion and Sediment (E&S) controls. The Town will invoice the permit holder monthly to maintain that balance.

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- h) The hours of operation shall be limited to Monday through Friday 7:30 a.m. to 5:00 p.m. and Saturday from 8:00 a.m. to 12:00 p.m. No work shall be conducted on Sundays, State or National Holidays.
- i) If at any time the supervision fees become deficient or the bond amount lapse, that the permit will become void.
- j) No topsoil or arable subsoil shall be permitted to be exported from the site until the site is fully excavated, restored and stabilized.
- k) No final excavation depth shall be closer than four (4) feet to the seasonal groundwater table. Test pits shall be excavated at the request of the Town Staff or its consultants if they are determined by the Staff or consultants to be necessary to maintain the minimum separation to ground water.
- l) No stumps or land clearing debris shall be buried or permanently stockpiled onsite.
- m) No screening, crushing, washing, or processing of materials shall be permitted onsite, and that no blasting or rock splitting (hammering) shall likewise be permitted except in conformance with the Zoning Regulations.
- n) No offsite materials shall be brought to the site except those necessary for the driveway construction and construction of the Erosion and Sediment (E&S) measures proposed unless approved by the Board specifically, now or as a modification later.
- o) Any changes to the Conditions of Approval or approved plans shall be returned to the Board of Selectmen for approval or disapproval as a modification requiring a Public Hearing.
- p) Final mylars shall be recorded in the Town Clerk's Office subject to the endorsement of the Town Engineer and First Selectman. The mylars will not be signed until the fees have been paid, the bond has been posted, and any required deposits have been made.
- q) Said permit shall be valid for a period of five (5) years following the date that the plans are signed by the First Selectman and Town Engineer.