

NORWALK CONSERVATION COMMISSION MINUTES

DECEMBER 17, 2002

ATTENDANCE:

Mathew Caputo,
Andrew Kydes, Karen
DeStefanis,

Ed Holowinko, Lawrence
Losio

STAFF: Alexis Cherichetti, Sr. Environmental Officer

OTHERS: Stan Watson of CL&P; Dianne Lauricella;

Grace Lichtenstein.

The meeting was called to order at 6:19 p.m. by Mr. Caputo.

**REFFERAL --NEW CANAAN AVENUE – CONNECTICUT LIGHT & POWER –
EXPANSION OF SUBSTATION IN AND ADJACENT TO A WETLAND AND
WATERCOURSE**

Mr. Watson, the representative for the applicant, CL&P, was invited to speak. He stated that in 1989 they obtained wetland approvals from Conservation Commission and Zoning Commission for a substation addition at this site. He stated that the Connecticut Siting Council (CSC) is in control of transmission line projects and that this is a location application before the Commission tonight. He noted that the location application is in support of 345 Kv substation here (pointing to a location north of existing substation). He explained that the existing substation (115Kv) is air insulated, however with the proposed new 345 Kv substation, an air insulated system would not fit in this location. Pointing to the site plan, he stated that a gas-insulated system (GIS) for the 345 Kv substation would require one tenth of the space and that CL&P is proposing to create a flat space that will be above 100-year and 200-year flood so there would likely be no flood damage to new equipment.

Mr. Watson added that this land was purchased in the 1920's. He added that due to site constrictions, the substation will require to be bound by retaining walls and a channel will be built to convey floodwaters. He explained that it is required that the project cause no change, no increase in the flood elevation of the 100-year flood and added that there will be some small changes in water velocity; some places it will increase slightly, but other places the velocity will decrease.

Mr. Watson continued to say that the wetland is a densely woodland with a mix of native and invasive species and its surface is mostly cobbles and the construction of the channel

will be only impact to wetlands. He explained that the channel invert will be 2 feet. lower than main stem of Norwalk River so that water will begin to flow through the channel somewhere between the 9-month and 1-year flood events begin to flow.

Mr. Watson indicated that he has spoken to both Don Miesling of the CT DEP and to Todd Bobowick of the NRCS-USDA and that they both want a natural normal channel and Norwalk River. He added that they didn't even look at fisheries impacts during flood stage – only during regular flows.

Mr. Watson added that, in reality, CL&P will be making wetland in the channel with the way the back water is designed, but they don't need to make additional wetlands. He said that they will be replanting the stoned-lined channel, which will be laid with natural stone, will have meandering low flow channel; and they will use fiber logs for stabilization and will use tubelings or cuttings along the banks.

Mr. Watson continued to say that about 1,800' of wetland area upstream and 2,500' of wetland area on downstream side will be temporarily disturbed. He explained that the hydrologic model was developed when CL&P was considering a DC substation at the site.

Mr. Losio asked what was intended to be done in the gravel area west of proposed retaining wall. Mr. Watson stated that they may put equipment there in the future.

Mr. Losio then asked, "If the work was kept east of the retaining wall, where the 345 Kv substation would go, would a channel still be needed?" Mr. Watson responded, "Yes," and added that the entire project has been modeled on a specific hydrologic model and channel is necessary for no flooding east of the wall.

Mr. Losio stated that he still doesn't know why area west of the wall is there. He explained, "We, the Commission are always looking to limit disturbance in wetland and adjoining areas next to wetlands. Why is the extensive gravel area here?" Mr. Watson replied that it may be needed for electrical equipment that is not associated with a future 345 Kv line and that area may have a future use of some sort – maybe even the DC plan. . He exclaimed, "We all know that the need for more transmission is acute. We have got to keep voltage up and this area may be needed." Mr. Losio asked, pointing to the map between the proposed retaining wall and the Norwalk River, if "this" is this entire area?

Stan Watson said that they came up with a model, a flood model, for a expansion and in that situation, with using the DC model, and in that situation that was where land was needed. Mr. Watson explained that the DC area was designed to go here (drawing rectangles on the plan in the proposed gravel area).

Mr. Caputo interjected that the proposal is intense. Mr. Watson replied that yes, it is.

Mr. Caputo inquired about a storm water management plan. Mr. Watson replied that nothing is really changing and that right now stormwater flows over the site, and there is

even a drainage pipe from DOT's Rout 7 that discharges across the property. He continued that this drain will be picked up by the new drainage pipes and discharged to the river. He stated that the pipe outlets have a splash pool too and there are oil separators too. He explained that there are no problems, no contaminants on the property, and so there is not a need to do a lot.

Ms. DeStefanis asked about the well field - the Kellogg Wellfield- across the River. She asked if there have been any geohydrologic studies, not just hydrologic studies, with the proposed new lines coming in and if CL&P had determined any impact to well field.

Mr. Watson replied, "We don't know what will be there, the Siting Council may say no". Karen DeStefanis replied, "Well, what if today they decided?" Mr. Watson responded that there are no PCB's or other toxic materials involved with the lines.

Mr. Caputo stated, "the Commission can either vote today or vote to go to Public Hearing. We know that we have to decide 30 days from receipt, so what is that – January 9th? This is information gleaned from your cover letter, Stan. Is that correct?"

Stan Watson responded that yes, that is correct.

Mr. Caputo stated that the Commission was not looking at this application under the wetland statutes, but under another section of the state statues. Mr. Watson responded by saying that "you guys get to act like a representative of State, you look beyond your town and look at regional benefit and public good."

Mr. Caputo stated the he thinks that the application warrants a public hearing and that a public hearing could be scheduled to be held on January 7th, 2003.

Mr. Losio affirmed that Siting Council " take in our considerations and other public good". He continued that he is focused on the proposed 345 Kv substation and the area beyond (east of) the proposed retaining wall and asks if this portion (east of the retaining wall) is in the interest of the public good. He questioned, "Is extra work necessary for public good?" Mr. Losio expressed concern that they do not have compelling evidence that this is for the public good and that the Commission cannot weigh 'public good'. He continued to say the if this was a private application, he would deny it and that the one additional thing to weigh would be public good of the activity beyond (west of) the retaining wall.

Mr. Watson stated that other pole configurations are not shown on the maps that the Commissioners have, but it is important to provide the option of space for future use. Mr. Caputo stated "Gee, if not much there – then why go there." He continued to say that he would like to read off some issues that he has with the application. He stated that Mr. Watson could attempt to answer them now or that perhaps he should write them down and they would be discussed at a public hearing should the Commission vote to hold one.

Ms. DeStefanis left the meeting at 7:15pm.

Mr. Caputo read off the following issues:

1. Construction of the channel appears to de-water the existing wetland soils;
2. The project would result in a decrease of floodplain area, which would further diminish capacity for water remediation;
3. there is an inadequate natural buffer between development and the wetland and watercourse;
4. there is no plan to compensate increased impervious surface area.

Mr. Watson replied that many of the answers can be found in the report from Soil Scientist and environmental services and that their assessment states that a small amount will not significantly decrease function of the wetland; he added that this information was on page five, first paragraph, of that report. He continued that they foresaw only minor indirect impacts, like more light penetration. He also explained that, "Yes, the floodplain area will be diminished". He said that he quoted the Soil Scientist report on p.13-14, which says that the area is so far down watershed that it has a low ability to clean water. The floodplain will be reduced and flood storage reduced. Mr. Watson continued to say that a buffer was a concern, and that he attempted a 50' buffer, however the plan got close in north part to Norwalk River. He continued to say that at first, the engineers just thought that they would widen the river, but the design was not considered good for environmental reasons. He went on to say that the plan will add vegetation and will try to keep a 50' buffer from the wetland. He also stated, "You know, we did our best to have no effect to Norwalk River main stem.

Mr. Watson continued to explain the issues raise regarding the increase in impervious surfaces and peak discharge. He stated that some of Route 7 drains through site. He agreed that there was no plan in retaining runoff, but added that stormwater will go through oil separators and a stilling basin. Mr. Watson that in the text of the SCEL application, it explains that fast runoff is desired because then it doesn't effect the delayed storm peak – so it beats the storm peak.

Mr. Caputo asked if there were any other concerns. Ed Holowinko stated that he was concerned about protecting residents from flooding. He inquired if the applicant had studied what will happen to the downstream neighbors following removal of five acres of floodplain.

Mr. Watson responded that Leonard Jackson had done the flood calculation study and that, though Mr. Jackson is not here tonight, he does have his expert opinion. Mr. Watson continued to say the state statutes allow the Commission to look beyond that information and ask, 'Is this the right location to have this enlargement?' and CL&P believes that the answer is 'yes'.

Mr. Losio again inquired about the Commission's charge to weigh the public good of the proposal. He requested that the applicant do a better job of explaining why the disruption beyond area foreseen for the 345 Kv substation, the area west of retaining wall, is necessary and what public good comes out of it.

Mr. Caputo asked if there is a time limit when CL&P has to submit information to the Conservation office? Ms. Cherichetti answered that she believed there was not under this statute. Mr. Watson responded by saying that the Commission really does not even need a public hearing.

Mr. Caputo asked Mr. Watson, "Well, what is our charge? Our parameters? Bring someone with answers. There will probably be public input too. We would hear the public hearing and make decision on January 7, 2003. Any other questions?"

Mr. Holowinko responded that he had one more question. He noted that it is likely that someone will ask, "Why don't you put it (the expanded substation) somewhere else?", and asked Mr. Watson how he would respond.

Mr. Watson commented that the substation had to be part of existing transmission line. He added that one alternative site considered was an existing service station, across New Canaan Avenue, that is close to the existing lines but also close to houses. He added that the area of proposed clearing has been previously disturbed and that the applicant is just re-shaping it. He continued to explain that the site does not have any endangered species or critical habitats and that the existing substation will stay and will still flood. He stated that the channel will distribute water positively, according to the fish biologists, and the channel area will become a wetland too. Mr. Watson ended with stating that the channel mimics natural conditions of river.

Mr. Caputo asked if there were any other questions.

Mr. Losio moved to hold a public hearing on this application on January 7, 2003 at 7:00 p.m., at a location to be announced.

Mr. Holowinko seconded the motion and the motion passed unanimously.

Mr. Losio stated that he had to leave meeting (7:45 p.m.).

Mr. Caputo quickly added that the Commission will have address the discussion slated for tonight's meeting at January 21, 2003 meeting instead.

Mr. Holowinko commented that public input at the January 21, 2003 meeting would be good. Mr. Caputo responded by saying that he is interested in hearing what fellow Conservation Commissioners are interested in first. Mr. Losio said that he agreed with Mr. Caputo. He suggested that the Commission iron out their own priorities first and then later take in opinions from public, and at that point, of course, the Commission could modify its priorities.

Mr. Kydes moved to adjourn.

Mr. Losio seconded the motion and the motion passed unanimously.

The meeting was adjourned at 7:50 PM.

