

MINUTES

CONSERVATION COMMISSION/ INLAND WETLANDS AGENCY WATERTOWN, CT

Continuation of the Public Hearing from December 20, 2007

THURSDAY, JANUARY 10, 2008
WATERTOWN HIGH SCHOOL TECHNOLOGY CENTER

APPLICATION #608 – WATERTOWN RENEWABLE POWER

- Members Present:** Mr. Jim Zawadzki, Chairman
Mr. Donato Orsini, Vice Chairman
Mr. Joe Polletta
Mr. Ed Undercuffler
Mr. Tony DiBona
- Members Absent:** Mr. Glen Dupliese
Mr. Tom Murphy, Secretary
- Alternates Present:** Mr. Michael Brown
Ms. Denise Russ
- Alternates Absent:** None
- Others Present:** Mr. Moosa Rafey, Assistant Wetlands Enforcement Officer
Mr. Chuck Berger, Town Engineer

1. Call Meeting To Order

Mr. Zawadzki, Chairman, Called the Public Hearing to Order.

2. Roll Call

Mr. Zawadzki, Chairman, executed the Roll Call.

3. Hearing of Cases

- A. Continuation of the Public Hearing from December 20, 2007 - Application #608 of Watertown Renewable Power, LLC to conduct regulated activities associated with the construction of a wood burning power plant on Echo Lake Road, Watertown, CT.

Public Hearing must be closed by January 10, 2008.

Discussion:

Mark Mirabito, Project Manager for Watertown Renewable Power

Mr. Mirabito: Earlier this week we submitted a set of responses to the outstanding questions from both land tech and Mr. Berger. I assume you have a copy of those responses in front of you. You also have a copy of the questions themselves. One of the issues that was brought up at the last meeting on December 20, 2007 was a request made that we arrange for a site visit of an operating bio-mass plant. We have made arrangements for that and we have a few dates that we would like to propose to have several of you to come tour an existing plant. There was one that Tamarack Energy was involved with in the early 90's. We still have friends at that plant and they were gracious enough to offer a tour. The dates that are on the table right now are next week which are January 16, 17, or 18. Anytime in the day is fine and it's about a 2 hour drive from Watertown. It's a town called Westminster Massachusetts. It's really the closest bio-mass plant to Watertown. It will be a pretty good trip if you guys have the time.

Mr. Rafey: There is a problem with those dates because one the commission closes the public hearing then they cannot go on the site walk. I don't know if the commission really wants to go and see this?

Mr. Mirabito: Should we maybe go through the responses and see if we've addressed all the concerns adequately? I apologize being so close to the New Year I was not able to arrange a tour any sooner. I'll go through all the comments. Land Tech comments were submitted on December 19, 2007 the day before the last hearing and we discussed these during that meeting but we didn't get a chance to formally respond until now. I think I'll just paraphrase the questions and go through my response. First item 1 from the December 19, 2007 memo from Land Tech again recommends wetlands creation as a compensation for the 4,000 Sq. Ft that are being impacted by our project. At the December 20, 2007 meeting I believe we came to an agreement that the proposed clean up of the debris in the wetland and upland review area plus the extension of the conservation easement beyond the wetland boundary was an acceptable compensation for the 4,000 Sq. Ft. The second comment from Land Tech had to do with the ongoing concern about the migration of wood chips and dust during construction into the wetlands and our response there is that the sedimentation and erosion control program that will be in place during construction and that the long list of best management practices that we described last time. Between enclosed conveyers, general housekeeping, sweeping of the roads, the catch basins and the sedimentation erosion pond I believe we are doing what we can to mitigate the migration of dust and wood chips into the wetlands.

Mr. Zawadzki: What creates the dust usually, the dumping?

Mr. Mirabito: There will be some dusting there.

Mr. Zawadzki: Does it get into the storage area?

**WATERTOWN CONSERVATION COMMISSION INLAND/WETLAND AGENCY
PUBLIC HEARING
APPLICATION #608 – WATERTOWN RENEWABLE POWER
JANUARY 10, 2008
Page 3**

Mr. Mirabito: The truck dumper is here and if you remember there is going to be high side walls on those hoppers so even as they're dumping there might be some dust. These main roads will be maintained. The conveyer that goes along the top of the pile and as the wood chips fall there will be a chute that contains the dusting as best as we can. But there probably will be a small amount of dusting right as the wood chips are filling the top of the pile. It will be controlled and some pictures were submitted of what the chutes would look like the last time.

Mr. Zawadzki: This lower part of the drawing is the western side of the property right?

Mr. Mirabito: Right.

Mr. Zawadzki: So the prevailing winds in this area are west to east so most dust should go the other way.

Mr. Polletta: The ashes would be contained into a covered dumpster and then disposed where?

Mr. Mirabito: It could either be a land fill unless the DEP gives us a beneficial use permit that ash can be spread as a fertilizer. We are pursuing a beneficial use permit with the DEP so ideally that would be the ultimate disposal option. But if not it could go to a land fill. Item 3 there are some comments regarding the fuel storage area and some concerns about run-off coming from that area. We've talked about an area that has walls on all 4 sides. Land-Tech's concern is that there could be design changes as we go forward and he asked that the wetlands commission had an opportunity to review that. What we are proposing is that would be reviewed as part of a building permit process and we certainly are going to take in all the concerns that have been expressed over the last several months on sedimentation. Item 4 is a comment regarding the lechate issue which we discussed previously and I think we all got comfortable with that last time. The wood chips won't be there for more than 20 days so they won't have a chance to decay and create potential lechate. Also the pile itself as rain water falls on it only the top foot or 2 of the pile actually gets wet. The water doesn't actually percolate all the way through the pile. We are confident that no lechate would be generated and Land-Tech is just acknowledging that here. Number 5 is related to item 2 which is the migration of dust particles. I'd refer to my previous response for that. We are doing what we can with soil erosion sedimentation control as well as the best management practices that will be in place. We recognize that we are certainly close to the wetlands here. It's the best we could do between the wetlands and the state forest and we'll put those practices in place to control the migration of dust. Item 6 has to do with the hydrodynamic separator that's installed on the south end of the site here. There are also some questions about an oil water separator here. We are asking for calculations and that will happen at a later stage. We will work with the manufacturers of this equipment to make sure they are designed for DOT specifications.

Mr. Zawadzki: Why does the DOT have to pass on that?

**WATERTOWN CONSERVATION COMMISSION INLAND/WETLAND AGENCY
PUBLIC HEARING
APPLICATION #608 – WATERTOWN RENEWABLE POWER
JANUARY 10, 2008
Page 4**

Mr. Mirabito: They have a specification that they publish and the manufacturers of this equipment design things so it meets those specifications. Item 7 there is a concern with the sedimentation pond. Land Tech's concern is that this might not always be a wet bottom pond. Dave Lord believes that ground water is at a sufficient depth and it will always be wet. In the case that it may not always be wet we are proposing a mix of plantings and some of which thrive in a wet bottom pond and others if the water table was to fall. We've submitted a few pages of modification to our planting plan that you can insert in the previously submitted version.

Mr. Rafey: Can you monitor the ground water level to see if they'll even support the wetland vegetation there? Or do you want to try one type and then if it doesn't work go on to the next?

David Lord, Professional Wetlands Scientist and Environmental Consultant

Mr. Lord: This is a good time to give you guys some more details. I'm passing out a revised storm water wetland planting plan dated January 7, 2008. One paragraph has been added to the planting plan. The first page is revised with the revision date through January 7, 2008. Page 7 is the paragraph insertion and the third paragraph under the section of maintenance and monitoring. In the event that die off has occurred within the slump area or the Stormwater wetland planting area A re-planting will utilize species with greater tolerance of variable hydrology such as wool grass and green bulrush. Other herbaceous species listed on page A3 of the 2004 storm water quality manual copy attached may also be used for re-planting. If we do get altered hydrology it is drier than I am anticipating in the design, we will re-plant because we have an 80% threshold for survival of plants. Those re-plantings will be done with species which are tolerant of a wider range of hydrology conditions i.e. a drier type of conditions. The last page of what I just passed out is a copy of the 2004 storm water quality manual page A3. It lists those herbaceous plant species which Connecticut DEP recommends for use within what they call zone 3 which is within an area one foot above the normal pool elevation for water. So these species and all of the species that I've described in my planting plan are listed for plantings within one foot above the designed high water. So one foot above the sump these plant materials are recommended by Connecticut DEP. We did do some soil sampling in the area of the pool area that I discussed at the last session. It's more representative of long term hydrologic conditions within the soils where the storm water wetland is proposed to go. One year monitoring will give you that season's fluctuation and groundwater table conditions. The soil colors, the modeling and reduction of the iron compounds of the soil is a long term process and that's what I saw in the soil. That's what I'm basing the design elevations for the bottom of the storm water wetland in providing the necessary hydrology to allow for those plant materials grow long term within the bottom of the storm water wetland. Any question I would be happy to answer them.

Mr. Mirabito: Ok and the last comment number 6 from Land Tech has to do with the easement on the western boundary which we talked about. We have extended the easement to include the 50 foot buffer. So that's the extent of Land Tech's comments.

**WATERTOWN CONSERVATION COMMISSION INLAND/WETLAND AGENCY
PUBLIC HEARING
APPLICATION #608 – WATERTOWN RENEWABLE POWER
JANUARY 10, 2008
Page 5**

Mr. Zawadzki: When I was going through the previous documents I noticed that back in your letter on December 10, 2007 you had made a comment there in paragraph 3 about wetland mitigation compensation. So the wetland creation plan for the commission's consideration will be submitted under a separate cover. This is December 10, 2007 and I assume that something happened to that now at the easement level there was never another plan sketched or was that...

Mr. Mirabito: It might be my terminology. We were still evaluating what our proposal was going to be for wetland mitigation. Our proposal is for the clean up of debris in the extension of the easement. You didn't miss a submittal. Chuck submitted four comments of his own. He actually had expressed these at the December 20, 2007 meeting and then submitted them to us in writing. I'll paraphrase and then go through our responses. The first item had to do with the sequence of construction. Particularly at the area closest to the wetlands. There will be retaining wall installed here. Scott Meyers added 5 or 6 items of detail on the plans that were submitted earlier this week addressing that particular area to make sure that it is done in a proper sequence to avoid minimizing impacts to the wetlands. Item 2 has to do with the outlet structure from the detention pond. I think there was some confusion over the exact details and that's something that Scott Meyers and Chuck discussed off line. No new modeling was required there were just some updates made to the plans so that they reflected our intent. Number 3 we discussed already the hydro-dynamic separator will be designed in accordance with the DOT standards. That's fine by us. That last question has to do with the fuel storage area. At this point we just wanted to say that those previous drawings that were provided gave our best picture of what this area will look like. As far as the cross section I think there was some confusion over the height of the walls. The height of the wall in this area particularly giving access to the fuel storage area in case one of the under pile screws that goes back and forth were to breakdown. We described the fact that we have to get in there and remove the wood chips temporarily and repair the screw. The base elevation of the wood chip area is 620 feet. The screw would travel just about that at 621 and that's an update we made on the plan. So as that travels back and forth it's reclaiming wood chips and they are falling into a tunnel that's below 620. So at the north and south end of the pile there is only a concrete tie beam that connects the tunnels on the outside of the pile. The tunnels on the outside of the piles there is the mechanism that drives the screw. So this tie beam only needs to be a few inches above grade about 6-12 inches. The bottom line is that when we do need to access this we are proposing simply to make a temporary ramp out of the wood chips that we would need to remove and it's only a 6 to 12 inch ramp. Making a temporary ramp give us the flexibility as far as location whether it's on either end. As far as the concern of leaving those wood chips there permanently we would argue that to us that's wood fuel and that's money so we would cover that. We wouldn't want to leave it outside of the area.

Mr. Zawadzki: I have no idea what the frequency of repair is on those screws but it seems to me that the worse case scenario would be if you get a breakage in the middle of that storage area you could conceivably have to empty out half of that storage area outside the walls and into a temporary staging area just to do your repairs.

**WATERTOWN CONSERVATION COMMISSION INLAND/WETLAND AGENCY
PUBLIC HEARING
APPLICATION #608 – WATERTOWN RENEWABLE POWER
JANUARY 10, 2008
Page 6**

Mr. Mirabito: Yes that is the worse case scenario and as far as the frequency and this is probably less than once a year. We do have to make provisions for it if it does happen. What we would do in that case is there is going to be a way to manually feed this conveyer so the screws are actually working and we'll be able to get in there and dump wood chips directly into this conveyer that then goes to the incline.

Mr. Zawadzki: So it wouldn't shut you down?

Mr. Mirabito: No it wouldn't shut us down. But that would be the worst case scenario happening right in the middle. The screws are independent as well so you wouldn't loose all operation. That's the extent of our responses to Chuck's comments. I'd be happy to answer any other questions.

Mr. Berger: I'm satisfied with their responses to my comments. They've answered all the comments that I've had. Our relay to you the notes I took from my discussion with Chris this afternoon regarding the hydro-dynamic separators he's ok with that. Regarding the plantings in the basin he's ok with that. Regarding the mitigation he still stands by his previous recommendation and the last note I wrote is if there is a field trip he'd be interested in attending.

Mr. Zawadzki: Any other questions? Ok at this point does the public have any comments? Hearing none. We can't discuss going on the field trip because we can't get another extension.

Mr. Rafey: I talked to Attorney Jessell today. If the applicant is willing to give another extension we can take one to keep it until next month. If we close the public hearing tonight we can't have another meeting to go and see the site and we can't use that information to make a decision.

Mr. Mirabito: I will just mention one thing. This project is not going to go through formal local P & Z approval. It goes through the Connecticut Citing Council which is what governs the citing of power plants. We submitted an application in November and they are planning a public hearing on February 5, 2008 in Watertown. So that would be an opportunity for anyone one of you to comment directly to the citing council on something that you had seen on the site visit which would be part of the record. Wetlands if certainly one of the many issues that the citing council considers. Technically they have ultimate approval of the wetlands plain as well. But we wanted to make sure you all were comfortable and ideally we will have local approval of our wetlands impact permit but they certainly consider wetlands and would listen to your comments.

Mr. Rafey: If you close the public hearing tonight and want to see the plant on your own not as a commission you can do that. The only issue I want you to discuss is the mitigation plan that Chris Allen mentioned to Mr. Berger that he still is supporting his comment that was presented to you in his first report. Chris Allen wants to create some wetland. That's a subject that we should decide on tonight on how we want to handle it.

**WATERTOWN CONSERVATION COMMISSION INLAND/WETLAND AGENCY
PUBLIC HEARING
APPLICATION #608 – WATERTOWN RENEWABLE POWER
JANUARY 10, 2008
Page 7**

Mr. Mirabito: We talked about this area in here and it seems to have an indent. It's pretty steep in here which is why it's not currently wetlands. So it would require the removal of a good amount of earth but there is an area that's roughly the same size.

Mr. Zawadzki: I came to the same conclusion. It's steep and it's wooded and you'll have to do a lot of excavation work in there.

Mr. Rafey: If this was a disturbed area then that makes sense to stabilize it but it's already wooded.

Mr. Zawadzki: I'm happy with the easement.

Mr. Zawadzki: Well if there are no other comments we can entertain a motion to close the public hearing on application #608.

Mr. Orsini: So move.

Mr. Undercuffler: Second.

Mr. Zawadzki: All in favor?

Everyone: Aye.

Mr. Zawadzki: Opposed?

NONE

MOTION PASSES UNANIMOUSLY – NO FURTHER DISCUSSION

MOTION: (Mr. Orsini, sec. Mr. Undercuffler) to close the public hearing for application #608 of Watertown Renewable Power, LLC to conduct regulated activities associated with the construction of a wood burning power plant on Echo Lake Road, Watertown, CT.

Respectfully submitted,

Jim Zawadzki, Chairman
Conservation Commission
Inland/Wetland Agency Chairman

