

INLAND WETLANDS
COMMISSION
Telephone (203) 563-0180
Fax (203) 563-0284



TOWN HALL
238 Danbury Road
Wilton, Connecticut 06897

November 17, 2020

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

ASML US, LLC
c/o Ervins Ozolins
77 Danbury Road
Wilton, CT 06897

Subject: Wetlands Permit Application #2659 – ASML US, LLC
77 Danbury Road, Wilton, CT, Map#69 Lot#18

Dear Mr. Ozolins:

The Inland Wetlands Commission of the Town of Wilton has **GRANTED** your application to conduct significant "regulated activities" within the Town of Wilton. Your attention is directed to the enclosed Resolution #1120-57WET. It contains a description of the permitted work and the terms and conditions attached. Please review it carefully. Your work must conform to your permit. This permit is valid for five years. Refer to General Condition #2 for additional information. The Director of Environmental Affairs must be notified 24 hours prior to commencing on-site work.

If you have not already done so, you should contact the State of Connecticut, Department of Environmental Protection, Bureau of Water Management, to determine the requirement, if any, for State authorization. If your project involves filling of, or discharge to, Federally regulated wetlands or watercourses, you should contact the U.S. Army Corps of Engineers in Waltham, Massachusetts.

For your records, a copy of the Legal Notice of the Commission's decision is enclosed. If you have any questions or comments regarding your permit, please contact this office. Thank you for your cooperation in protecting the valuable natural resources of the Town of Wilton.

Sincerely,

Elizabeth Craig
Chairwoman

Encl. Resolution #1120-57WET
General Conditions
Legal Notice of Publication

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**Resolution#1120-57WET
Permit WET#2659
November 17, 2020**

Upon Public Hearing, duly noticed and held and upon MOTION duly made, seconded, and carried, the following decision was made:

RESOLVED:

that Wetlands Application #2659 to conduct "Significant Regulated Activities," as defined by Section 2.1.x of the Wilton Wetlands and Watercourses Regulations be granted to ASML US, LLC for proposed excavation of petroleum impacted soil and sawdust within a regulated area at 77 Danbury Road, Wilton, CT (Assessor's Map #69, Lot #18) as described in documents entitled:

1. Application for a Significant Level Regulated Activity, with supporting documentation, dated October 20, 2020, signed by the Owner and Agent
2. Cover Sheet, dated October 2020, prepared by WSP
3. Signature Page, dated October 2020, prepared by WSP
4. Introduction, dated October 2020, prepared by WSP
5. Setting, dated October 2020, prepared by WSP
6. Project Description, dated October 2020, prepared by WSP
7. Wetlands Delineation, dated October 2020, prepared by WSP
8. Biological Evaluation, dated October 2020, prepared by WSP
9. Sediment and Erosion Controls, dated October 2020, prepared by WSP
10. Mitigation Measures, dated October 2020, prepared by WSP
11. Review of Alternatives, dated October 2020, prepared by WSP
12. Abutting Property Owners, dated October 2020, prepared by WSP
13. Site Location Map, dated October 20, 2020, prepared by WSP
14. Detail of 71 Building Area and Excavation EX-5, dated October 20, 2020, prepared by WSP
15. Cross Section of Southern Portion of Excavation EX-5, dated October 20, 2020, prepared by WSP
16. Photographs of Planned Excavation (EX-5) in the Regulated Area, dated October 20, 2020, prepared by WSP
17. Remediation Area and Soil Erosion and Sedimentation Control Site Plan, dated October 20, 2020, prepared by WSP
18. Watershed Boundary Map, dated March 10, 2015, prepared by WSP
19. Wetland Delineation Report, dated July 23, 2012, prepared by Tighe & Bond
20. Soil Map, dated July 23, 2012, prepared by USDA Natural Resources
21. Flood Plain Improvement Evaluation, dated June 5, 2012, prepared by Tighe & Bond with wetland flags added, dated July 20, 2012, prepared by Tighe & Bond, signed by Matthew Davison
22. General Location and Topographic Survey, dated October 16, 2020, prepared by WSP

23. Letter from Environmental Land Solutions, LLC, dated October 20, 2020, signed by Kate Throckmorton
24. Mitigation Planting Plan MP.1, dated October 20, 2020, prepared by Environmental Land Solutions, LLC, signed and sealed by Kate Throckmorton, LA, CT Lic#635
25. Transmittal Form, dated October 20, 2020, prepared by WSP
26. Email correspondence between Agent and Staff, dated October 21, 2020
27. Referral Memo to DPW, Health and Conservation for Public Hearing, dated October 21, 2020
28. Legal Notice for Public Hearing, dated October 29, 2020
29. Memo from Conservation Commission, dated November 5, 2020
30. Email from Staff to Commissioners, dated November 5, 2020
31. Email from Staff to Agent, dated November 5, 2020
32. Email correspondence between Agent and Staff, dated November 6, 2020

The permit is subject to the attached General Conditions with the following General and normal Special Conditions:

1. Prior to the commencement of any on-site permit related activity, the applicant shall submit an estimate for the cost of the planting plan and the erosion and sedimentation control plan for approval by this commission or its staff for the purpose of determining a bond amount.
2. Prior to the commencement of any on-site permit related activity, the applicant shall post a bond in a form and an amount acceptable to this commission and town counsel. The portion of the bond attributed to the planting plan shall be eligible for release at the end of the second full growing season after the planting plan is fully implemented. In the event the applicant fails to properly implement and maintain the planting plan or, the erosion and sedimentation control plan, the Town reserves the right to use the bonded funds to correct such deficiencies.
3. Prior to the commencement of any on-site permit related activity, the applicant shall submit photo documentation of the site. The photos shall be both wide angle and close up shots. They shall be labeled and cross referenced on a site plan.

END

Res#1120-57WET

GENERAL CONDITIONS**IN THE ISSUANCE OF ALL WILTON INLAND WETLANDS COMMISSION PERMITS**

1. The permittee shall notify the Director of Environmental Affairs 24 hours prior to the commencement of work and upon its completion.
2. If the authorized activity is not completed on or before 11/12/25 said activity shall cease and, if not previously revoked or specifically extended, this permit shall be null and void.
3. No equipment or material including fill, construction materials, or debris, shall be deposited, placed, or stored in any wetland or watercourse on or off site unless specifically authorized by this permit.
4. All work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this permit. Any structures, excavation, fill, obstructions, encroachments or regulated activities not specifically identified and authorized herein shall constitute a violation of this permit and may result in its modification, suspension, or revocation. Upon initiation of the activities authorized herein, the permittee thereby accepts and agrees to comply with the terms and conditions of this permit.
5. Prior to commencement of any construction, including road, accessways, drainage systems, and lots, each and every general contractor and subcontractor employed by the applicant or subsequent purchaser shall execute a document in the form annexed indicating that the contractor or subcontractor has fully familiarized itself with and understands the Wilton Inland Wetlands and Water Courses Regulations as they apply to its project, and with the terms of the permitted activity, including the general and special conditions which may pertain.
6. The permittee shall employ best management practices, consistent with the terms and conditions of this permit, to control storm water discharges, to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands or watercourses. For information and technical assistance, contact the Director of Environmental Affairs. The permittee shall immediately inform the Commission of any problems involving wetlands or watercourses which develop during the course of, or which are caused by, the authorized work.
7. In evaluating this application, the Commission has relied on information provided by the applicant and, if such information subsequently proves to be false, deceptive, incomplete and/or inaccurate, this permit shall be modified, suspended or revoked.
8. Nothing in this permit shall obviate the requirements for the applicant to obtain any other assents, permits or licenses required by law or regulation by the Town of Wilton, State of Connecticut and the Government of the United States, including any approval required by the Connecticut Department of Environmental Protection and the U.S. Army Corps of Engineers. Obtaining such assents, permits or licenses is the sole responsibility of the applicant.
9. This permit is subject to and does not derogate any present or future property rights or other rights or powers of the Town of Wilton, conveys no property rights in real estate of material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state and local activity affected hereby.
10. This authorization is not transferable without the written consent of the Wilton Inland Wetlands Commission.
11. Where applicable, the oil tank shall be above ground or in the basement of the dwelling.

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CONTRACTOR AGREEMENT

RESOLUTION NUMBER: 1120-57WET

WETLANDS PERMIT NUMBER: #2659

As a contractor/subcontractor engaged by _____ to perform the regulated activities described in Wilton Inland Wetlands Commission Permit referenced above, I am familiar with the applicable State and Town of Wilton Inland Wetlands and Water Courses Regulations and the Permit, and will comply with all the conditions therein.

Work will commence on or about _____ and will be completed within _____ weeks.

Name: _____

Address: _____

Telephone: _____

Signature

Date Signed

MAIL TO: Wilton Inland Wetlands Commission
Town Hall Annex
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LEGAL NOTICE - PUBLISH ONCE

The Wilton Inland Wetlands Commission took the following ACTION on November 12, 2020

GRANTED with conditions, Wetlands Application **WET#2659 – ASML US, LLC** – proposed excavation of petroleum impacted soil and sawdust within a regulated area at 77 Danbury Road, Wilton, CT (Assessor's Map #69, Lot #18).

The full record of the Commission's action is available for public review at its offices in the Town Hall Annex at 238 Danbury Road, Wilton, CT.

Dated this 17th day of November, 2020 at Wilton, CT

Publish **ONCE** in the Wilton Bulletin, November 17, 2020

Rick Stow
Secretary