



South Norwalk Electric and Water
A Municipal Utility System
Serving the Needs of the Community

ALAN E. HUTH, Interim General Manager

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V I A E – M A I L: EnvAffairsDirector@wiltonct.org

July 8, 2020

Ms. Elizabeth Craig, Chair Wilton Inland Wetlands Commission
c/o Mr. Mike Conklin, Director of Environmental Affairs
Town of Wilton, Town Annex
238 Danbury Road
Wilton, CT 06897

RE: Cease & Desist Hearing for 269 Millstone Road on July 9th 2020

Dear Chairwoman Craig, Mr. Conklin, and Members of the Commission:

SNEW has just learned of a suspected wetland violation at the above referenced property, and has had insufficient time to review all of the materials on the Town website before submitting these partial comments in advance of tomorrow night's hearing. SNEW has the following, preliminary concerns and requests for the Commission's consideration.

1. SNEW requests the Commission retain the cease and desist order, which has been issued to the owners of 269 Millstone Road during the show cause hearing.
2. For the record, the subject property is situated within the Comstock Brook watershed, which is a source of drinking water for SNEW customers, contrary to the cover page for the application that has been submitted. SNEW owns Class 1 watershed land approximately 1,500 feet downstream of the impacted regulated areas. This property is a 200-acre parcel consisting of native upland and lowland forests that function as a protective buffer to the brook from the effects of surrounding land uses.
3. Counter to the requirements of Connecticut General Statutes Chapter 440 §22a-42f, the applicant has not notified SNEW of this corrective action application. SNEW requests that the applicant comply with this statute. SNEW also requests the Commission withhold its consideration of any application until written proof of notification has been provided by the applicant, and SNEW has had an opportunity to review the application and its supporting documentation fully.
4. Based on SNEW's familiarity with the property and the photo record taken on 4/6/20 as part of the Town's violation investigation, SNEW believes significant filling and re-grading of regulated areas has occurred beyond those indicated and addressed in the applicant's corrective action plan. SNEW requests a full accounting of the filling and regrading activities in relation to the wetlands and other regulated areas (e.g., upland review area). SNEW remains concerned about the source and content of this fill, and requests sampling and testing for common organic and inorganic contaminants.
5. Filling and grading activities have caused a loss of inland wetlands and contributed to a loss of their

structure and functions. SNEW has noted that some Commissioners have already documented siltation within stream flows. Rill formation in bare soils is evident in photos of the site. Much more erosion and sedimentation problems are anticipated with the forecasted heavy rains at the end of this week. Significant off-site water-quality impacts downstream of this property can be reasonably expected.

6. SNEW requests a full wetland and watercourse restoration plan for the entire length of impacted streambank and buffer areas. Current proposed work areas appear to address only a portion of impacted areas.

7. SNEW will provide additional requests once SNEW has had an opportunity to review this application and any other supporting documentation, which the Commission will be requiring. Some additional protection measures, which the Commission should consider, include pre-filling grade restoration, permanent wetland delineation, establishment of a no-mow zone within a suitable watercourse buffer, and deer protection for any new plantings.

Thank you for your consideration of SNEW's concerns.

Sincerely,

A handwritten signature in cursive script, appearing to read "H. Casey Cordes".

H. Casey Cordes
Watershed Inspector

Cc: Ms. Elizabeth Larkin, Administrative Asst., via e-mail: elizabeth.larkin@wiltonct.org