MEMORANDUM

TO: Bloomfield Inland Wetlands and Watercourses Commission

FROM: David Peter Castaldi, Civil Engineer and Wetlands Agent

DATE: September 9, 2022

RE: Application for a Modification to a Wetlands Permit
Ryefield Village PLR, MBL 24-226 & 24-228
(formerly Lots 4014 and 4015, Map 233)

Applicant:
Krown Point Capital, LLC/ CRT, LLC
140 Post Road
Fairfield, CT 06824

Property Owners:
Maulucci Brothers, LLC
69 Brown Street
Bloomfield, CT 06002

Wetlands File #75-2022-11

This application was officially received at the August 15, 2022 meeting and is scheduled for a hearing at the September 19, 2022 regular meeting.

The subject properties are located west of Country View Drive, east of Anthonys Way, north of Sharon Road and southwest of Valley View Drive. The proposal will include a private main road (an extension of Ryefield Hollow Drive South), two other private cul-de-sac roads and an emergency access only road to Ryefield Hollow Drive North.

This application for a Permit Modification has been submitted in accordance with Sections 11.17, and 11.20 through 11.22 of the Wetlands Regulations. These sections are reprinted in the addendum of this memo. The applicant submitted an application and is requesting approval of a Modified Permit and apparently a transfer of the Permit from the original permittee Maulucci Home Builders, LLC, to Krown Point Capital, LLC.

The Town Plan and Zoning Commission approved two revisions to the Master Plan for this PLR. The first was in December of 2020 with 71 residential units and the second in 2022 with 90
residential units. The 2020 TP&Z approval letter is attached to this memo\(^4\). The present proposal includes some multi-unit townhouses and some duplexes. The roads will be private and the proposal now includes a swimming pool and clubhouse as well as other recreational amenities.

The Wetlands Commission approved a Permit, with 27 conditions of approval, in January of 2020 for this development as originally proposed with 51 detached residential units. A copy of the 2020 approval letter is also attached as part of this memorandum\(^5\). The original 27 conditions of approval are still valid and are generally applicable to the proposed 90-unit development. The highlighted figures in conditions of approval 4., 11., 12., and 13. do not reflect the presently proposed project which has a slightly smaller footprint and may need to be revised.

According to the information presented on the plans, and the application, the regulated activities proposed for the 90-unit project are less than as approved with the 51-unit project. The direct wetland impacts for the main road have been eliminated with the use of retaining walls. The present development includes 3420 square feet of temporary wetland impact and 35 linear feet of temporary impact to a watercourse for the sanitary sewer main in the northeasterly part of the project. These temporary impacts are the same as approved in 2020.

The proposal includes regulated activities within 4.26 acres of the Upland Review Areas including 2.84 acres of disturbances within the Vegetated Buffer Zones. The southerly most part of the project, about 300 feet of the main road, is also within 500 feet of an off-site Vernal Pool. The length of the roads are about the same. Paving of the cul-de-sac at the present end of Ryefield Hollow Drive South, and resetting of one Catch Basin, are also within the Upland Review Areas. The area of impervious coverage appears to be about the same. The stormwater management report, submitted in support of the application indicates no increase in peak runoff. This report is under review by the Engineering Department.

The most significant difference in the project as presently proposed, as compared to the originally approved development, is that the number of units has been increased and that the long retaining wall on the west side of the project, proposed for the 71-unit project has been eliminated. The multi-unit townhouses are proposed on the west side and they will have basement level garages in front and walkouts one floor up at the rear.

This proposal also includes the dedication of 24.9 acres, in the westerly and northerly parts of the overall property, as Open Space. This is roughly 46% of the total area of 53.76 acres. 13.88 acres are proposed for the development which is about half of the area outside of the Open Space lots.

The latest site plan set for the 90-unit condominium project, by F. A. Hesketh & Associates, Inc. is dated June 24, 2019 and revised to August 5, 2022. Technical plan revisions were sent to the applicant and engineer.

This property includes a one acre stormwater detention pond that was constructed in the 1980’s
with the Greenfield Hollow subdivision and under a Permit from the Army Corps of Engineers. The ownership of the land and the pond has remained with the Maulucci Brothers up to the present. When the property is transferred the new property owners will assume the ownership and maintenance responsibilities for this pond. The pond was constructed on an existing watercourse that flows into the site from the south and continues off-site to the north of the pond. This watercourse is tributary to Wash Brook.

The Wetlands were delineated on these parcels in 2018 and were approved with a Wetlands Map Amendment application in 2019.

This request is generally in compliance with the pertinent Sections of the Wetlands Regulations. The conditions of the original approval are not up for discussion with a request to modify the Permit unless conditions on the site have changed. The site conditions have not changed significantly since 2020.

**Recommended Action**

It is recommended that the application for a Modified Permit be approved, with the original conditions of approval, except conditions 4., 11., 12., and 13. to be revised to reflect the modified project, and approval of a transfer of the Permit to the applicant: Krown Point Capital, LLC.

Attachments:

1. 2022 TP&Z letter of approval for revised Master Plan with 90 units.
2. 2020 Wetlands Permit approval letter with 27 conditions.
Sections 11.17, 11.20 and 11.21 of the Wetlands Regulations

11.17 No modifications to any aspect of the permitted regulated activities can be made without the approval of the Commission or Agent. A written request for approval of minor modifications to approved or permitted regulated activities shall be submitted by the Permittee, to the Commission or Agent, prior to commencement of the affected regulated activities. No modifications shall be made to approved or permitted regulated activities until reviewed by the Agent or Commission and written approval granted. The Commission or Agent may require that the permittee submit an application for a Modification of Permit in accordance with Section 11.20. All field changes made during the course of construction shall be shown on as-built drawings or plans.

A minor modification is defined as any change to the approved or permitted regulated activities that does not alter, or which reduces, the impacts to wetlands, watercourses or upland review areas, or which constitutes a change in land use that would not likely have an effect on these natural resources.

11.20 An application shall be submitted for a Modification of Permit in all cases where approved or permitted regulated activities are proposed to be significantly modified. Whether a modification is minor or significant shall be determined by the Commission or the Agent. The application for a Modification of Permit shall be made in accordance with Section 7. of these Regulations and shall also include plans and supporting documentation for the proposed modifications and a comparison with the approved or permitted regulated activities.

A significant modification is defined as any change or revision to the permitted or approved regulated activities which would increase the impacts to wetlands, watercourses or upland review areas; modify a stormwater outfall, stormwater management facility or mitigation area; or a change in land use which would affect the permitted regulated activities and would likely have an effect on wetlands, watercourses or upland review areas.

11.21 Significant modifications, changes or revisions to regulated activities approved by the Commission shall be heard by the Commission. Modifications, changes or revisions to regulated activities approved by the Wetland Agent may be approved by the Agent or referred to the Commission at the discretion of the Agent. Additional information may be requested at any time by the Commission or Agent to aid in the review of the proposed modifications.

11.22 The permittee shall file a copy of the Wetland Permit, extension, modification or re-assignment, including conditions of approval, on the Bloomfield Land Records.
June 10, 2022

Krown Point Capital, LLC / CRT, LLC
3 Murthas Way #121
Granby, CT 06035

Re: Special Permit, Revised Master Plan – 21 & 30 Ryefield Hollow Drive

To Whom it May Concern:
Please be advised that, at a meeting held on April 28, 2022, the Town Plan & Zoning Commission took the following action:

APPROVED Special permit application of Krown Point Capital, LLC/ CRT, LLC, revised master plan for a Planned Luxury Residential development consisting of 90 units of single-family rental residences, property located at 21 & 30 Ryefield Hollow Drive in an R-30 zone, owner Maulucci Brothers, LLC. This approval was subject to conformance with the referenced plans and the conditions outlined in Ms. Rodriguez memo dated April 28, 2022.

If you have any questions please call the Planning Office at 769-3515.

Very truly yours,

Jennifer Valentino Rodriguez, AICP
Director of Building and Land Use

Cc: Assessor
Maulucci Home Builders, LLC
69 Brown Street
Bloomfield, CT 06002

RE: Wetlands Permit Application, 51 detached-unit PLR, lots 4014 and 4015, map 233
Wetlands File #75-2019-22

Dear Sir or Madame,

Please be advised that at a Special Meeting on January 28, 2020 the Inland Wetlands and Watercourses Commission voted to approve the above referenced application subject to the attached list of twenty-seven (27) conditions of approval.

These conditions must be incorporated into revised site plans, and otherwise complied with, before the Wetlands Permit will be issued. Any conditions of approval from the Town Plan and Zoning Commission must also be incorporated into one final set of plans. Please have your engineer or surveyor make the appropriate changes and submit one set of plans for review.

When the final plans are approved by Staff three stamped and sealed sets must be submitted for signing by the Commission. One set will be returned with your Wetland Permit and two sets will be retained for our files. Additional final sets may be submitted if you want more than one.

This Wetlands Permit will expire after ten years from this approval date or on the same date as the Town Plan and Zoning Commission approval, whichever is sooner.

If you have any questions, please contact the Wetlands Agent, David Peter Castaldi, at 860-769-3526 or by e-mail at pcastaldi@bloomfieldct.org.

Sincerely,

[Signature]

Nicholas Panke, Chairman
Inland Wetlands and Watercourses Commission
NP/dpc

Attachment
At a Special Meeting, held on January 28, 2020, the Inland Wetlands and Watercourses Commission voted to approve the application of Maulucci Home Builders, LLC for a 51 detached-unit condominium project at lots 4014 and 4015 Ryefield Hollow Drive South, after making a finding of no prudent and feasible alternatives, with reference to the site plans by F. A. Hesketh and Associates, Inc., revised to December 6, 2019, and subject to the following conditions of approval:

Conditions to be complied with prior to the issuance of the Wetlands Permit:

1. The permittee shall submit final plans, revised for compliance with the final conditions of approval, and all technical review revisions. These conditions of approval shall be added to the plans verbatim. Final plans are subject to the approval of the Wetlands Agent.

2. The permittee shall submit three (3) final plans on paper, signed and sealed, to the Wetlands Commission for signing. Final plans shall also be submitted in digital data format compatible with the Town GIS in addition to any prints or mylars required.

3. The permittee shall also submit fixed line mylar plans, signed and sealed by the Surveyor and Engineer, of the Title Sheet, Master Plan (MA-1), the Layout Plan (LA-1), the Mitigation Area Plan (MI-1), the Wetlands Impact Plan (WI-1) and the Property/Limited Topographic Survey plan (PS-1), for signing by the Commission. The permittee shall file the signed mylar plans on the Bloomfield Land Records.

Conditions to be complied with prior to the start of any site work including tree clearing:

4. In accordance with Sections 11.9 and 13 of the Wetlands Regulations the permittee shall post a bond, separate from the TP&Z developmental bond, for the duration of the project, in the amount of $1,000 per acre of development or portion thereof. This bond shall be posted prior to any site disturbance, including tree clearing, to correct or prevent impacts to on-site and off-site wetlands or watercourses and to guarantee that soil erosion and sediment control measures are properly installed and maintained; that disturbed areas are stabilized; that all conditions of approval are complied with; and that mitigation areas, landscaping and other site work are completed. This project includes 20.4 acres of disturbance and a $21,000 bond is required.

5. In accordance with Section 11.22 of the Wetlands Regulations the permittee shall file a copy of the Wetlands Permit, including conditions of approval, on the Bloomfield Land Records.

6. The permittee shall schedule a preconstruction meeting with the Wetlands Agent, developer general contractor, site work contractor and utility companies.

7. The permittee shall notify the Wetlands Agent prior to clearing of any existing vegetation to schedule an inspection of the limits of clearing and to identify any trees to be saved and protected. All specimen trees located in or adjacent to the proposed
development and a general clearing line shall be flagged. Trees identified to be saved shall be protected from damage due to construction equipment. Tree protection measures are required to be maintained for the duration of the project.

8. All wetlands, wet and damp meadow areas, mitigation areas and stormwater management basins shall be staked out in the field. These areas shall be protected with construction fence or other barrier to prevent inadvertent damage during construction.

9. The common project/open space property lines, shall be staked every 100 feet. No vegetation removal is permitted outside of the project limits.

10. Any permits or registrations required for the project from the DEEP, ACOE or other state or federal agencies are to be obtained, and copies submitted to the Wetlands Commission for the record.

**General conditions to be complied with during construction**

11. This permit authorizes certain regulated activities within wetlands and/or watercourses. The direct impact to wetlands shall be no greater than 3450 square feet, and the direct impact to watercourses shall be no greater than 40 linear feet of stream or shoreline. Mitigation shall be provided for these direct impacts in a minimum ratio of 1½ to 1 and shall include the restoration, enhancement or creation of wetlands or watercourse resources, outside of the stormwater management areas.

12. This permit authorizes certain regulated activities within the Upland Review Areas, 100 feet from wetlands and 200 feet from watercourses. The impacts to the Upland Review Areas shall not exceed 4.54 acres. The minimum separation between the residential buildings and the wetlands shall be 50 feet. Mitigation for the impacts to the Upland Review Areas shall be provided in a ratio of at least 1:1 and shall include the restoration, enhancement or creation of wetlands or watercourse resources, or Upland Review Areas adjacent to the wetlands and watercourses, outside of the stormwater management areas.

13. This permit authorizes certain regulated activities within the wetlands and watercourse Vegetated Buffer Zones. The impacts to the Vegetated Buffer Zones shall not exceed 2.85 acres. Existing vegetation shall be retained as much as possible within 25 feet of the wetlands. All new planted wetland vegetated buffers are part of the total mitigation for impacts to the established Upland Review Areas.

14. In accordance with Section 11.13 of the Wetlands Regulations, the permittee shall engage and pay for an independent consultant, soil scientist, civil engineer, biologist, wetlands scientist, or other professional, acceptable to the Commission, to report on the progress of the project, and the results of any monitoring and/or inspections as required by the Commission and to provide periodic reports to the Commission regarding sensitive issues such as soil stabilization, siltation or other contamination or pollution of wetlands and watercourses, or the impacts of development or its operation upon completion. Said professional shall, during all phases of construction, perform soil
erosion and sediment control measure inspections, and prepare and submit reports on
the status of these measures on a weekly basis and within 48 hours of the end of a rain
event of one half inch or more in a 24-hour period. Reports are to be submitted to the
developer and site contractor; and submitted in writing to the Wetlands Agent at P. O.
Box 337, 800 Bloomfield Avenue, Bloomfield, CT 06002, and by e-mail.

15. The approved plans shall be revised to include well-defined phases and sub-phases of
construction, soil erosion and sediment controls, and a construction sequence for each
phase. The permittee shall stabilize each phase, and request an inspection and approval
of each phase, from the Wetlands Agent, Town Planner or Engineering Staff, before
starting the next phase. Detailed phasing plans shall be included in the final plans.

16. All infrastructure, storm drainage facilities, utilities, roads (to the base course), and other
common improvements shall be constructed in each phase prior to starting any building
foundations.

17. The cut slope stabilization methods and plantings shall be added to the plans along with
maintenance requirements and specifications. The scheduling of this work shall provide
for permanent stabilization of the cut slope no later than May 15th for work started in
the spring and no later than October 15th for work started in the summer or early fall. No
work on the cut slope shall be done in the winter months or during period of rainy
weather.

18. Wetland mitigation areas, and the wet and moist meadows, shall to be constructed during
the first construction season of each phase, as specified by REMA Ecological Services,
under the supervision of a wetland scientist, and monitored for a minimum of 3 years
after initial stabilization. Annual reports on the status of the mitigation and meadow
areas are to be prepared and submitted to the Wetlands Agent until such time as all areas
are functioning as designed.

19. Annual Stormwater Quality/Maintenance reports shall be submitted, to the Wetlands
Agent, and shall include copies of the inspection reports, identification of any
shortcomings or regular maintenance and documentation of the maintenance work
completed.

20. In accordance with the Wetlands Regulations Section 11.6 the permit cannot be
transferred from the permittee to another party without the approval of the Commission.
This permit is to be assigned to the applicant: Maulucci Home Builders, LLC.

21. The permittee shall notify the Commission in writing of any change in the ownership of
the property for which a Permit was issued on the same day that the deed is filed on the
Land Records; and of any changes to the ownership or directors of the corporation or
company to whom the Permit was issued.
22. No construction activities or equipment shall work within a wetland or watercourse more than five days consecutively and not within three days of a rain or snow event of 1” or greater.

23. The Landscaping and Property Maintenance Best Practices Plan shall be implemented by the permittee in coordination with the property owner, owners, neighborhood association or condominium association after the construction phase has been completed and prior to the transfer of responsibility for post-construction management of the project.

24. All disturbed areas shall be stabilized with seed and mulch within 30 days. Permanent stabilization of disturbed areas in all phases shall be completed by April 15th and by October 15th of any year. Outside of the normal growing season non-vegetated stabilization methods are required.

Conditions to be complied with prior to the approval of any certificate of occupancy or completion:

25. An as-built site improvement and grading plan, prepared by a licensed Land Surveyor, shall be submitted after all site work has been completed and property corner monumentation has been installed.

26. After construction is complete and all disturbed areas have been stabilized, the temporary sediment and erosion control measures are to be removed. Catch basin sumps and all other storm drainage systems, including water quality measures, are to have accumulated sediments removed, and any restoration done.

Additional Condition:

27. The site plans shall be revised to include shade trees and habitat trees in and around the farm field wetlands and meadow areas.