

To: Mithila Chakraborty, DOH
From: Linda Brunza
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Date: 4/19/2024

Subject: Scoping Notice for Jack's Farm, 1538 South Main Street, Cheshire

The Department of Energy and Environmental Protection (DEEP) has received the Notice of Scoping for the Jack's Farm Housing Development located at 1538 South Main Street in Cheshire. The development includes the demolition of a vacant residential house and construction of 45 new residential apartments with associated parking, designed as a mixed income for individuals and families and deed restricted affordable housing. The site was formerly an apple orchard and horse farm.

The following comments are submitted in response to the scoping requirements of the [Connecticut Environmental Policy Act](#). Scoping is the gathering and analysis of information that a state agency will use to establish the scope of environmental review of a proposed project. Scoping is done in the early planning stages of a project and DEEP is a commenting agency. There are links included in this letter to DEEP's websites and well as contact information for the programs.

The **Site-Specific** section contains information on DEEP's regulatory programs that may require permits for the project or may be supplementary information needed for completing a permit application (such as with the Natural Diversity Data Base Program or Fisheries Division). These comments are meant to provide a high-level analysis of the area.

The **General Information** section contains general comments regarding policies or best management practices for the various Divisions within DEEP. Comments are meant to be general and provide information to assist the scoping agency in determining the next phase of CEPA.

Site-Specific Information

Natural Diversity Database

DEEP staff reviewed the site, and it is not in a Natural Diversity Data Base Area. No further consultation is required from DEEP's Wildlife Division.

Stormwater and Dewatering Wastewaters from Construction Activities General Permit

Contact: Bureau of Materials Management and Compliance Assurance, Permitting and Enforcement Division, 860-424-3025, DEEP.stormwaterstaff@ct.gov

The General Permit for [Stormwater and Dewatering Wastewaters from Construction Activities](#) may be applicable depending on the size of the disturbance regardless of phasing. This general permit was created to address rainfall runoff (i.e., stormwater) from sites under construction in order to reduce or eliminate the discharge of sediment from the site during construction as well as addressing discharges of other stormwater pollutants from the site long term.

The construction stormwater general permit dictates separate compliance procedures for “Locally Exempt” projects (projects primarily conducted by government authorities) and “Locally Approvable” projects (projects primarily implemented by private developers). This general permit applies to discharges of stormwater and dewatering wastewater from construction activities where the activity disturbs more than an acre. The requirements of the current general permit include registration to obtain permit coverage and development and implementation of a Stormwater Pollution Control Plan (SWPCP). The SWPCP contains requirements for the permittee to describe and manage their construction activity, including implementing erosion and sediment control measures as well as other control measures to reduce or eliminate the potential for the discharge of stormwater runoff pollutants (suspended solids and floatables such as oil and grease, trash, etc.) both during and after construction. A goal of 80 percent removal of the annual sediment load from the stormwater discharge shall be used in designing and installing post-construction stormwater management measures. Stormwater treatment systems must be designed to comply with the post-construction stormwater management performance requirements of the permit. These include post-construction performance standards requiring retention and/or infiltration of the runoff from the Water Quality Volume (WQV) in accordance with the Stormwater Quality Manual and incorporating control measures.

Locally Approvable construction projects with a total disturbed area of one to five acres are not required to register with DEEP provided the development plan has been approved by a municipal land use agency and adheres to local erosion and sediment control land use regulations and the CT Guidelines for Soil Erosion and Sediment Control. Locally Approvable construction projects with a total disturbed area of five or more acres must submit a registration form and SWPCP to DEEP at least 60 days prior to the initiation of construction. Registrations shall include a certification by the Qualified Professional who designed the project and a certification by a Qualified Professional or regional Conservation District who reviewed the SWPCP and deemed it consistent with the requirements of the general permit. In addition to measures such as erosion and sediment controls and post-construction stormwater management, the SWPCP must include a schedule for plan implementation and routine inspections. The construction stormwater general permit registrations must be filed electronically through DEEP's [ezFile Portal](#). Additional information can be found online at: [Construction Stormwater GP](#).

Information/ Best Management Practices

Aquifer Protection Program

Contact: Melissa Fahnestock, Water Planning and Management Division,
Melissa.Fahnestock@ct.gov

The project site is located within the South-Central Connecticut Regional Water Authority's South Cheshire Well Field Aquifer Protection Area. The proposed development is not regulated by the Aquifer Protection Program. DEEP's Water Planning and Management Division provides information on best management practices for developments within an aquifer protection area. DEEP recommends that the developer should be aware of the location of the aquifer protection area and implement best management practices for construction activities. The [Connecticut Aquifer Protection Area Program's Municipal Manual](#) contains guidance in the appendices starting with section 14.4.8.

The most relevant of the BMPs from the appendix of the document are:

- *Temporary Construction/Reconstruction in Aquifer Protection Areas*
- *Controlling Stormwater from Parking Lots in Aquifer Protection Areas*

DEEP recommends that the developer create a map of the proposed work location with the Aquifer Protection Area overlay and use this map while planning construction activities. The project map with the Aquifer Protection Area outline and the parcel boundary should be shared during any scoping meetings. For maps and GIS shapefiles, go to <https://portal.ct.gov/DEEP/Aquifer-Protection-and-Groundwater/Aquifer-Protection/Aquifer-Protection-Area-Maps>.

Additional stormwater management measures should be in place to apply stormwater discharge and treatment measures that protect groundwater quality and encourage safe recharge of stormwater where it does not endanger groundwater quality. Additional management measures include the following: practices to prevent illicit discharges to stormwater discharged to the ground, provide necessary impervious pavement in high potential pollutant release areas such as intensive parking areas, and discharge paved surface runoff to aboveground type land treatment structure. Discharge structures include surface drains, sheet flow, surface swales, depressed grass islands, detention/retention and infiltration basins and wet basins (these measures take advantage of natural treatment processes in soil and vegetation before discharge to the groundwater and promote natural aquifer recharge). Any catch basins that are installed should have deep sumps to trap sediments and hoods to trap oil and grease.

Thank you for the opportunity to review this project. These comments are based on the reviews provided by relevant staff and offices within DEEP during the designated comment period. They may not represent all applicable programs within DEEP. Feel free to contact me if you have any questions concerning these comments.

cc: Eric Hammerling, Office Director, DEEP/ERSI