



PUBLIC NOTICE

US Army Corps
of Engineers®
New England District

696 Virginia Road
Concord, MA 01742-2751

Date: November 20, 2007
Comment Period Ends: December 20, 2007
File Number: NAE-2007-2340
In Reply Refer To: William J. Mullen
Or by e-mail: william.j.mullen@usace.army.mil

The District Engineer has received a permit application from the applicant below to **conduct work in waters of the United States** as described below. The Corps is soliciting comments on both the project itself and the range of issues to be addressed in the environmental documentation.

APPLICANT Phoenix Medical LLC and Town of Wethersfield, Connecticut

ACTIVITY Place fill in 1.03 acres of inland wetlands in order to construct additional parking spaces associated with the proposed expansion of a medical office building

A detailed description and plans of the activity are attached.

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed within inland wetlands along Goff Brook at 1260 Silas Deane Highway, Wethersfield, Connecticut. The proposed location on the USGS Hartford South quadrangle sheet is at UTM coordinates 4617467 N and 18 695267 E

AUTHORITY

Permits are required pursuant to:

- Section 10 of the Rivers and Harbors Act of 1899
 Section 404 of the Clean Water Act
 Section 103 of the Marine Protection, Research and Sanctuaries Act).

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other

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public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 as amended.

SECTION 106 COORDINATION

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to impinge upon properties with cultural or Native American significance, or listed in, or eligible for listing in, the National Register of Historic Places. Therefore, no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.
- e. Coordination with the State Historic Preservation Officer and/or Tribal Historic Preservation Officer(s)

The following authorizations have been applied for, or have been, or will be obtained:

- () Permit, License or Assent from State.
- (X) Permit from Local Wetland Agency or Conservation Commission.
- (X) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. **Comments should be submitted in writing by the above date.** If you have any questions, please contact William Mullen at (978) 318-8559, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.


Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

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For more information on the New England District Corps of Engineers programs, visit our website at <http://www.nae.usace.army.mil>.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.


Diane M. Ray
Chief, Permits and Enforcement Branch
Regulatory Division

If you would prefer not to continue receiving Public Notices, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: _____
ADDRESS: _____

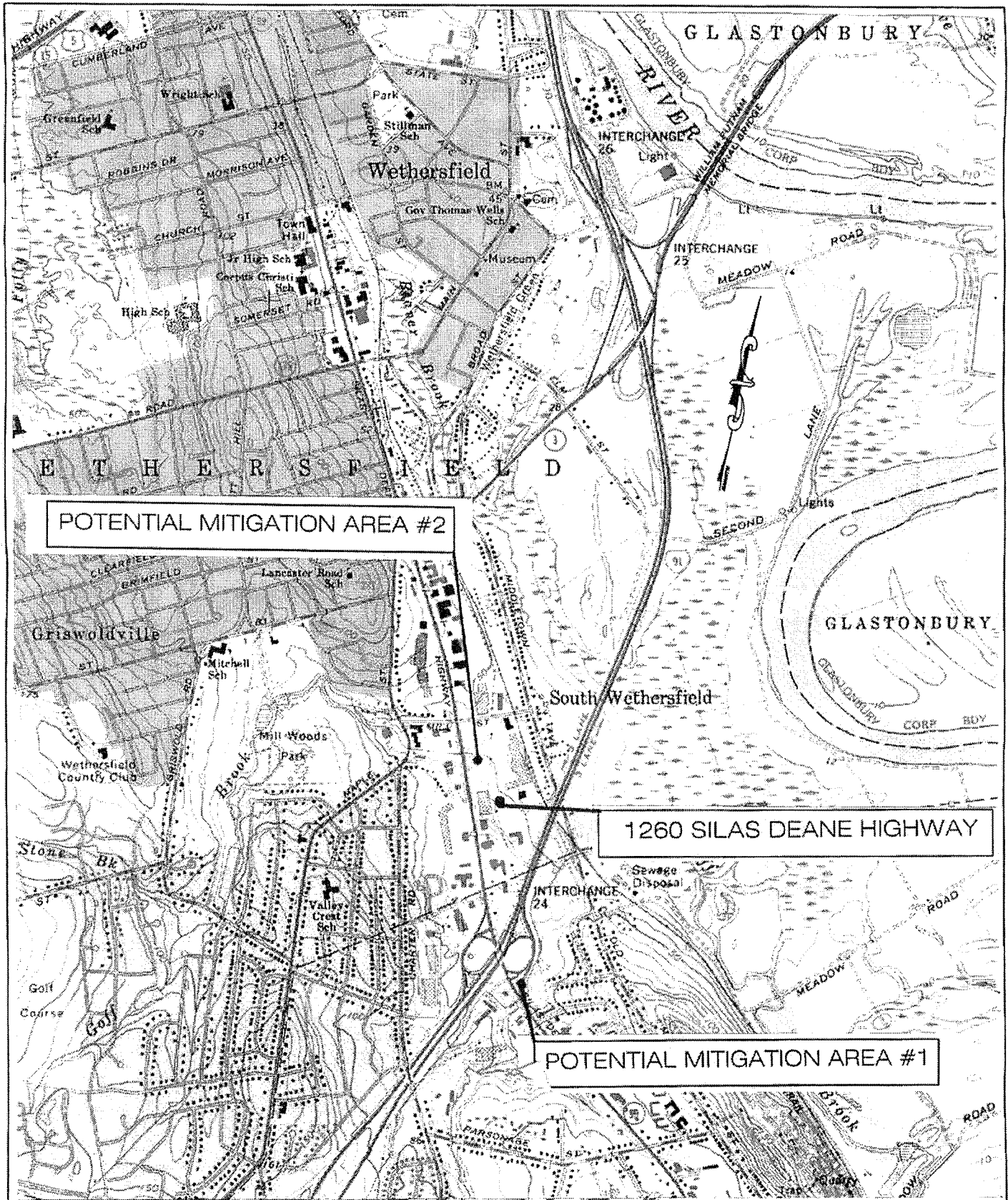
PROPOSED WORK AND PURPOSE

The work includes the discharge of fill material in 1.03 acres of wetlands located along Goff Brook at 1260 Silas Deane Highway in Wethersfield, Connecticut in order to provide additional parking in conjunction with plans for the expansion of a medical office building at the site. The fill is also within the 100-year floodplain of Goff Brook as shown in the Town of Wethersfield's Flood Insurance Rate Map revised in February 1982. The development is proposed to occur on three parcels: at 1260 Silas Deane Highway which currently includes an existing 46,000 square foot (sf) medical office building and approximately 173 parking spaces on 3.4 acres of land; at a 1.25-acre parcel of land owned by Connecticut Light and Power Company (CL&P) located easterly and contiguous to 1260 Silas Deane Highway; and at a 10,330 sf piece of land owned by Harry Gampel et. al. located easterly and contiguous to the CL&P parcel. Wetlands exist on all three of the parcels. It is proposed that the wetlands on the site (mostly on the CL&P and Gampel parcels) be eliminated by virtue of the placement of fill in them. The primary function of the existing wetlands has been determined to be floodwater storage during large storm events. The site plans include the addition of 12,865 sf of additional medical office space, and parking that would be both expanded and realigned. Grease/oil separators are proposed along with a new storm drainage system, but the storm drainage would be to the adjacent Goff Brook wetlands. Fill slopes would be stabilized with riprap or erosion control blankets, grasses and other plantings.

The sites are bounded by commercial retail buildings and wetlands to the north and east, by a multi-story office building to the south, and by Silas Deane Highway to the west. The plan as proposed contains five more parking spaces than the minimum required by local zoning regulations.

Proposed mitigation is at two offsite locations. The first location is at 1190/1206 Silas Deane Highway, Wethersfield, Connecticut (located adjacent to the subject property). Proposed mitigation at this location includes the excavation of approximately 850 cubic yards of earth material for compensatory flood storage below the 100-year flood elevation. The disturbed area would be stabilized with a permanent cover of grasses, wildflowers and native shrubs to provide both erosion control and wildlife habitat value. The second location is at the northbound I-91 on-ramp in the town of Rocky Hill, Connecticut, located approximately 3/4 mile south of the subject property. Proposed mitigation in this area consists of the excavation of approximately 6,608 cubic yards of compensatory flood storage volume beyond that required as compensatory mitigation for development of the restaurants proposed adjacent to this mitigation site.

The work is described on the enclosed plans entitled "1260 Silas Deane Highway and Properties of Connecticut Light & Power Company & Harry Gampel, et. Al., Windsor, CT" on 9 sheets (Figures 1-9), and dated "October 17, 2007" (Figures 1-5) and October 25, 2007 (Figures 6-9).



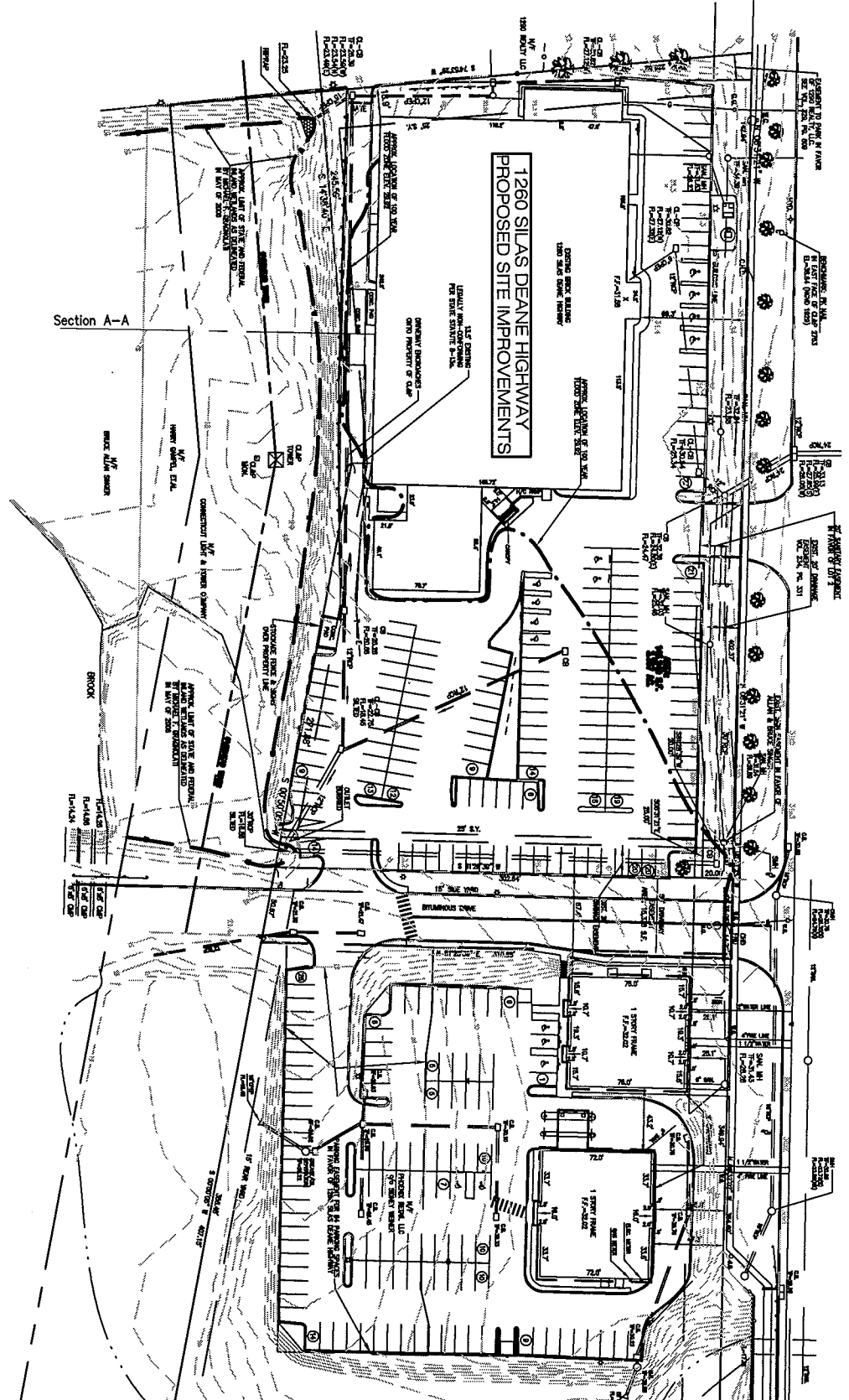
C.
J.
M.

Close, Jensen & Miller, P.C.
1137 Silas Deane Highway, Wethersfield, Ct. 06109
Tel. 860.563.9375 Fax 860.721.1802

DRAWN BY: R.A.J.
CHECKED BY: K.R.J.
DATE: 10-17-07
SCALE: N.T.S.

LOCATION MAP
1260 SILAS DEANE HIGHWAY
AND PROPERTIES OF
CONNECTICUT LIGHT & POWER COMPANY
& HARRY GAMPEL, ET AL
WINDSOR, CT

FIGURE -1

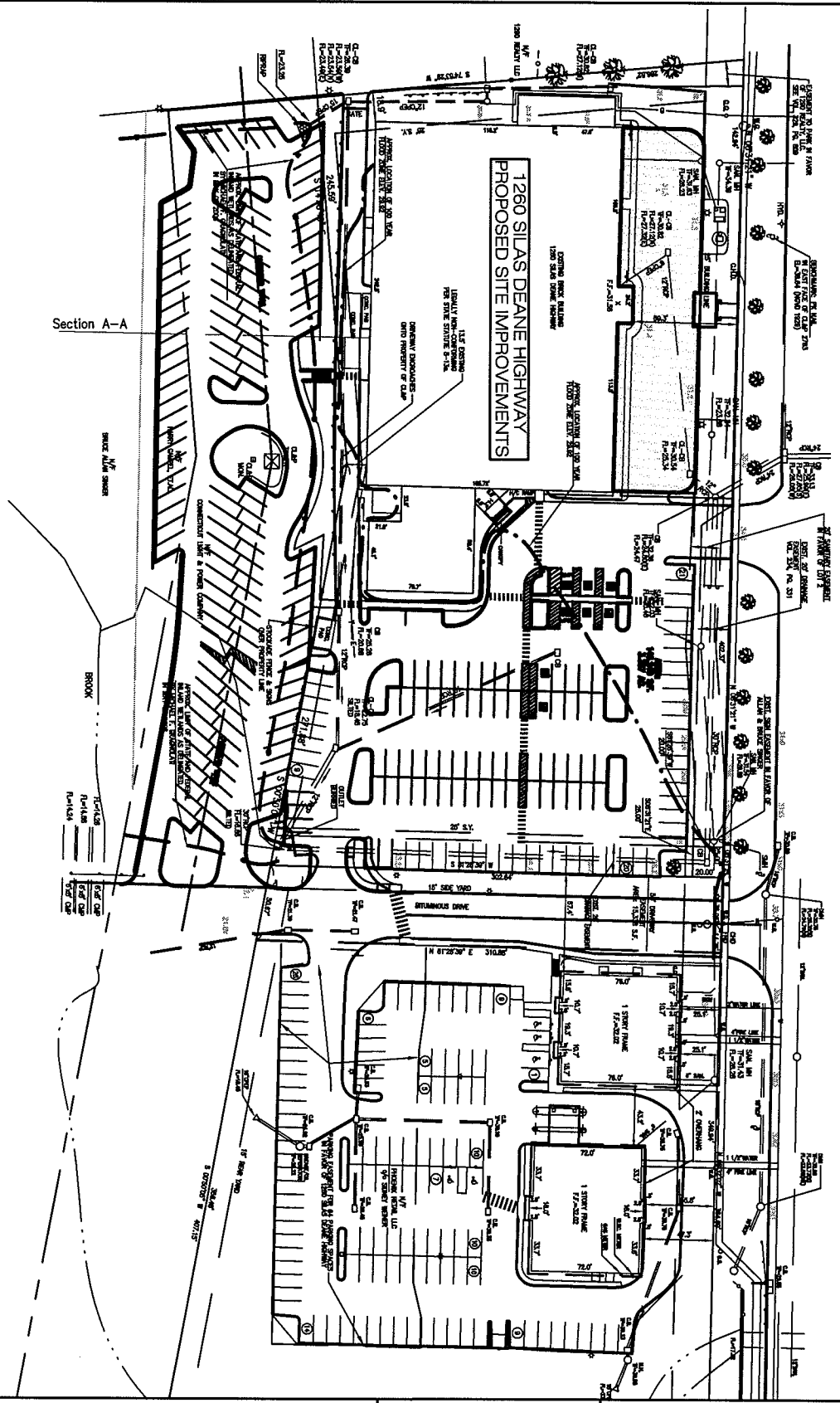


CONN. ROUTE 99 (SILAS DEANE HIGHWAY)



| | | | |
|--|---------------------------|---|------------------|
| <p>C. J. M.</p> <p>Close, Jensen & Miller, P.C. 1137 Silas Deane Highway, Wethersfield, Ct. 06109 Tel. 860.563.9375 Fax 860.721.1802</p> | <p>DRAWN BY: R.A.J.</p> | <p>EXISTING CONDITIONS PLAN</p> <p>1260 SILAS DEANE HIGHWAY AND PROPERTIES OF CONNECTICUT LIGHT & POWER COMPANY & HARRY GAMPEL, ET AL WINDSOR, CT</p> | <p>FIGURE -2</p> |
| | <p>CHECKED BY: K.R.J.</p> | | |
| | <p>DATE: 10-17-07</p> | | |
| | <p>SCALE: 1"=100'</p> | | |

CONN. ROUTE 99 (SILAS DEANE HIGHWAY)



Section A-A

C.
J.
M.

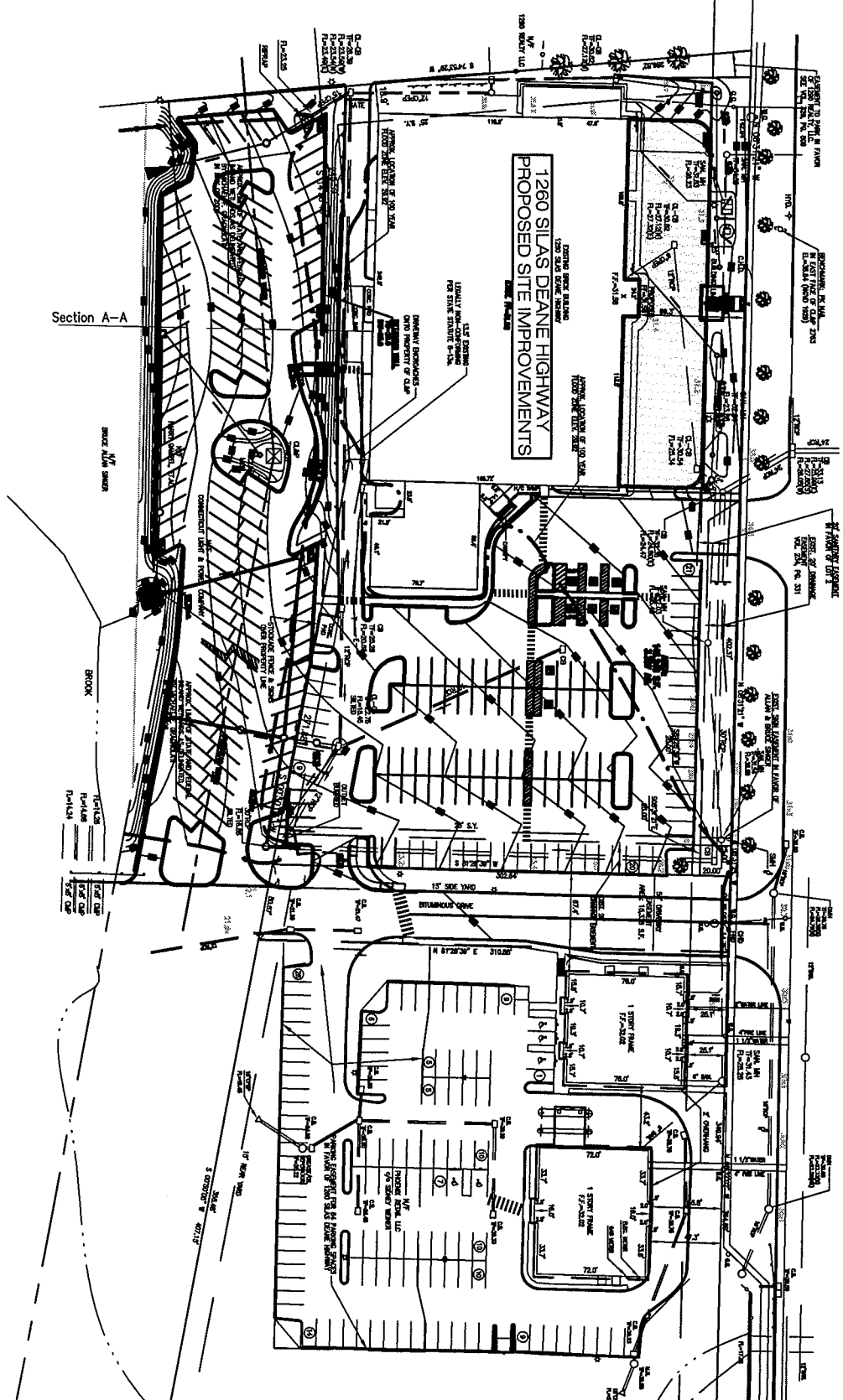
Close, Jensen & Miller, P.C.
1137 Silas Deane Highway, Wethersfield, Ct. 06109
Tel. 860.563.9375 Fax 860.721.1802

DRAWN BY: R.A.J.
CHECKED BY: K.R.J.
DATE: 10-17-07
SCALE: 1"=100'

OVERALL SITE PLAN
1260 SILAS DEANE HIGHWAY
AND PROPERTIES OF
CONNECTICUT LIGHT & POWER COMPANY
& HARRY GAMPPEL, ET AL
WINDSOR, CT

FIGURE-3

CONN. ROUTE 99 (SILAS DEANE HIGHWAY)



C.
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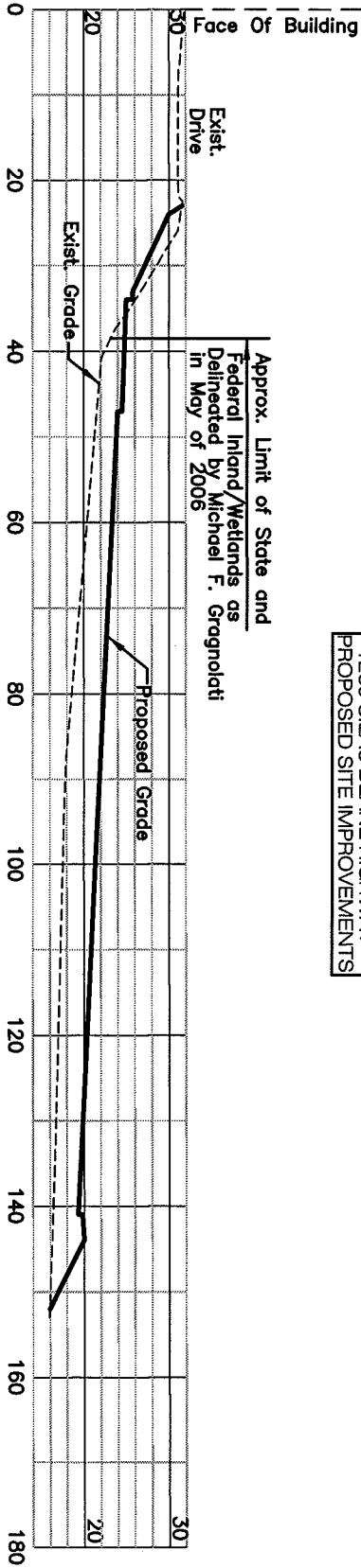
Close, Jensen & Miller, P.C.
1137 Silas Deane Highway, Wethersfield, Ct. 06109
Tel. 860.563.9375 Fax 860.721.1802

DRAWN BY: R.A.J.
CHECKED BY: K.R.J.
DATE: 10-17-07
SCALE: 1"=100'

PROPOSED GRADING/
UTILITY PLAN
1260 SILAS DEANE HIGHWAY
AND PROPERTIES OF
CONNECTICUT LIGHT & POWER COMPANY
& HARRY GAMPEL, ET AL
WINDSOR, CT

FIGURE-4

1260 SILAS DEANE HIGHWAY
PROPOSED SITE IMPROVEMENTS



SECTION A-A



Close, Jensen & Miller, P.C.
1137 Silas Deane Highway, Wethersfield, Ct. 06109
Tel. 860.563.9375 Fax 860.721.1802

DRAWN BY: R.A.J.

CHECKED BY: K.R.J.

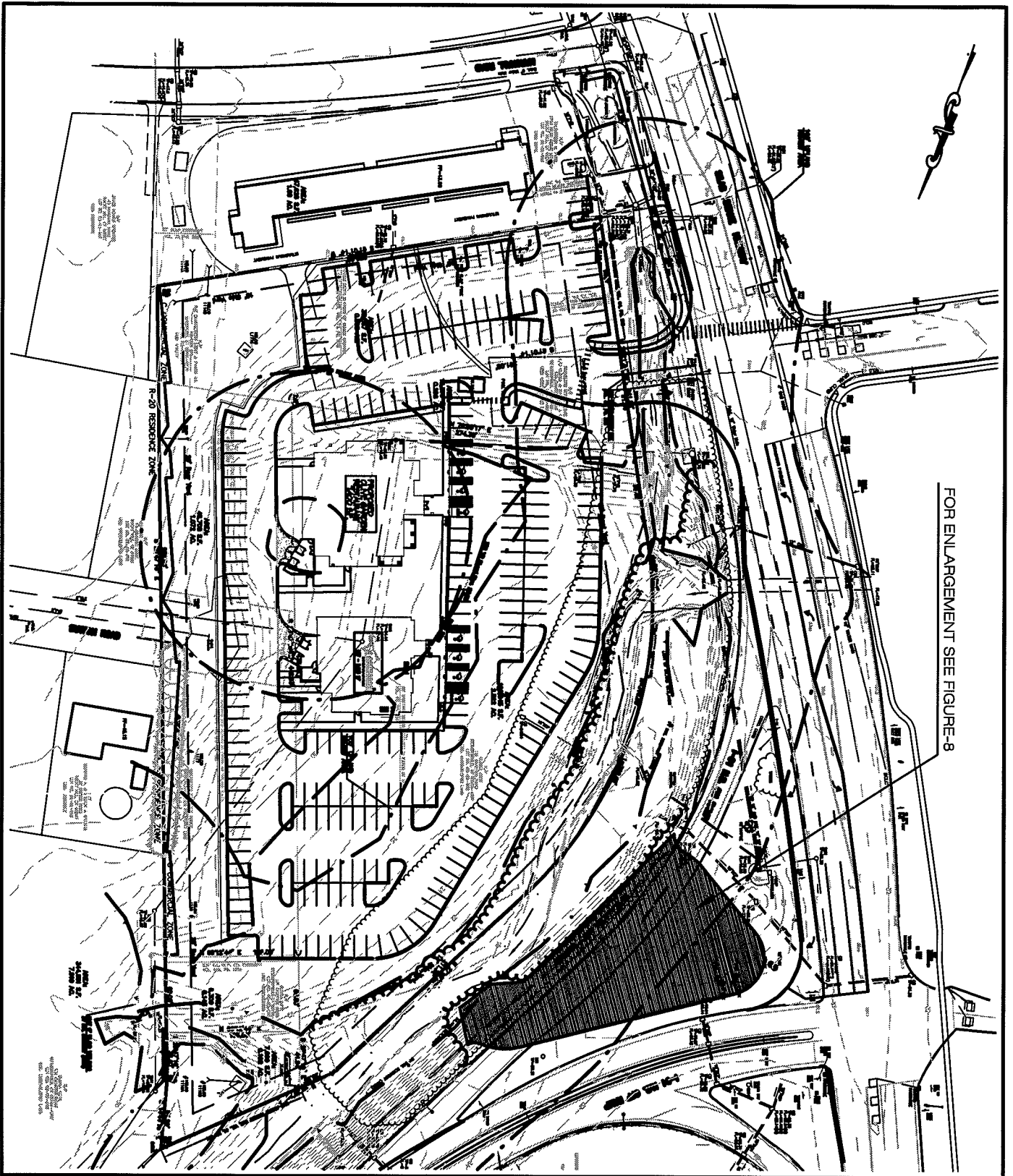
DATE: 10-17-07

SCALE: 1"=20'

SECTION VIEW

1260 SILAS DEANE HIGHWAY
AND PROPERTIES OF
CONNECTICUT LIGHT & POWER COMPANY
& HARRY GAMPEL, ET AL
WINDSOR, CT

FIGURE-5



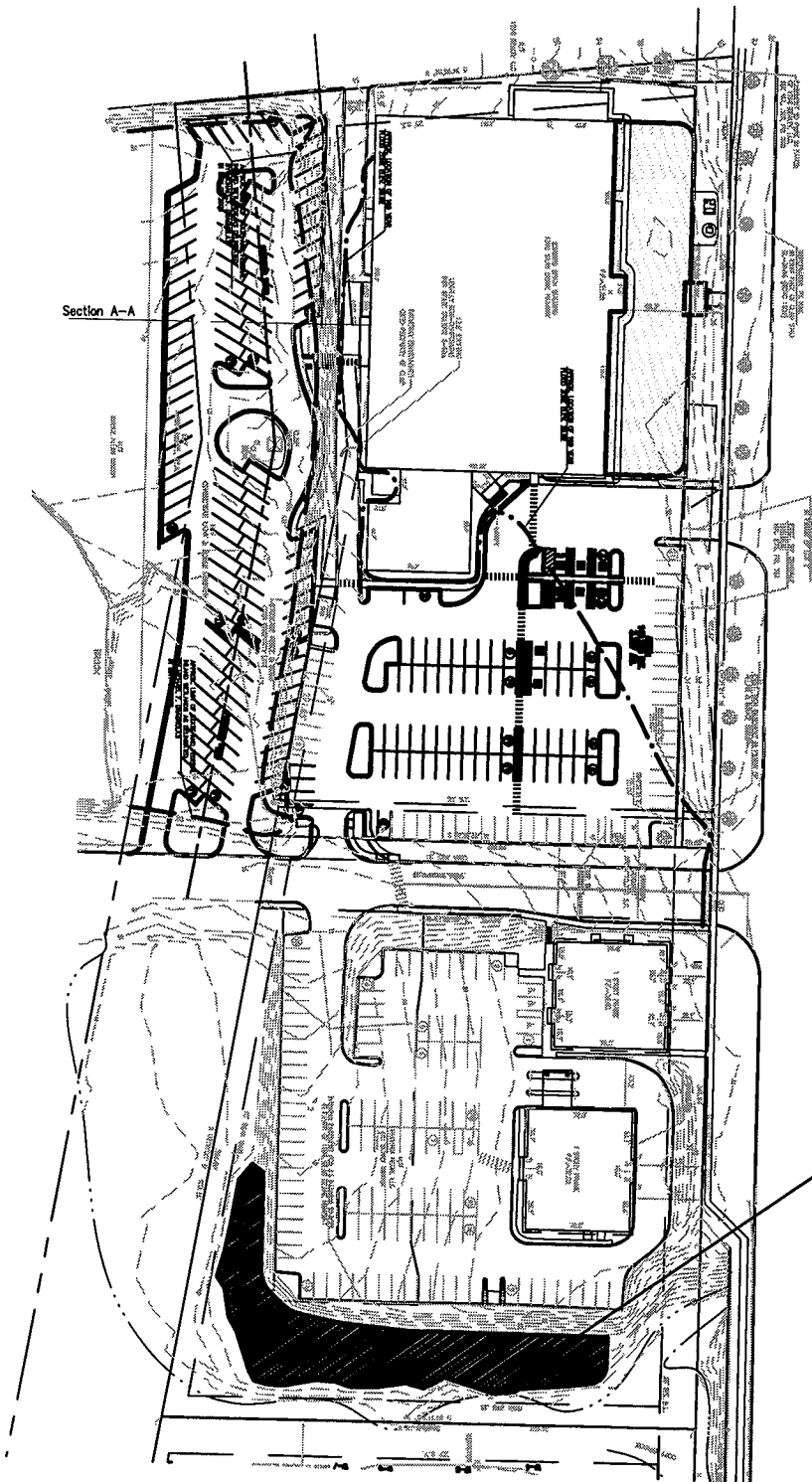
C.
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1137 Silas Deane Highway, Wethersfield, Ct. 06109
Tel. 860.563.9375 Fax 860.721.1802

DRAWN BY: E.T.J.
CHECKED BY: K.R.J.
DATE: 10/25/07
SCALE: N.T.S.

POTENTIAL MITIGATION AREA #1
1260 SILAS DEANE HIGHWAY
AND PROPERTIES OF
CONNECTICUT LIGHT & POWER COMPANY
& HARRY GAMPEL, ET AL
ROCKY HILL, CONN.

FIGURE-6



FOR ENLARGEMENT SEE FIGURE-9

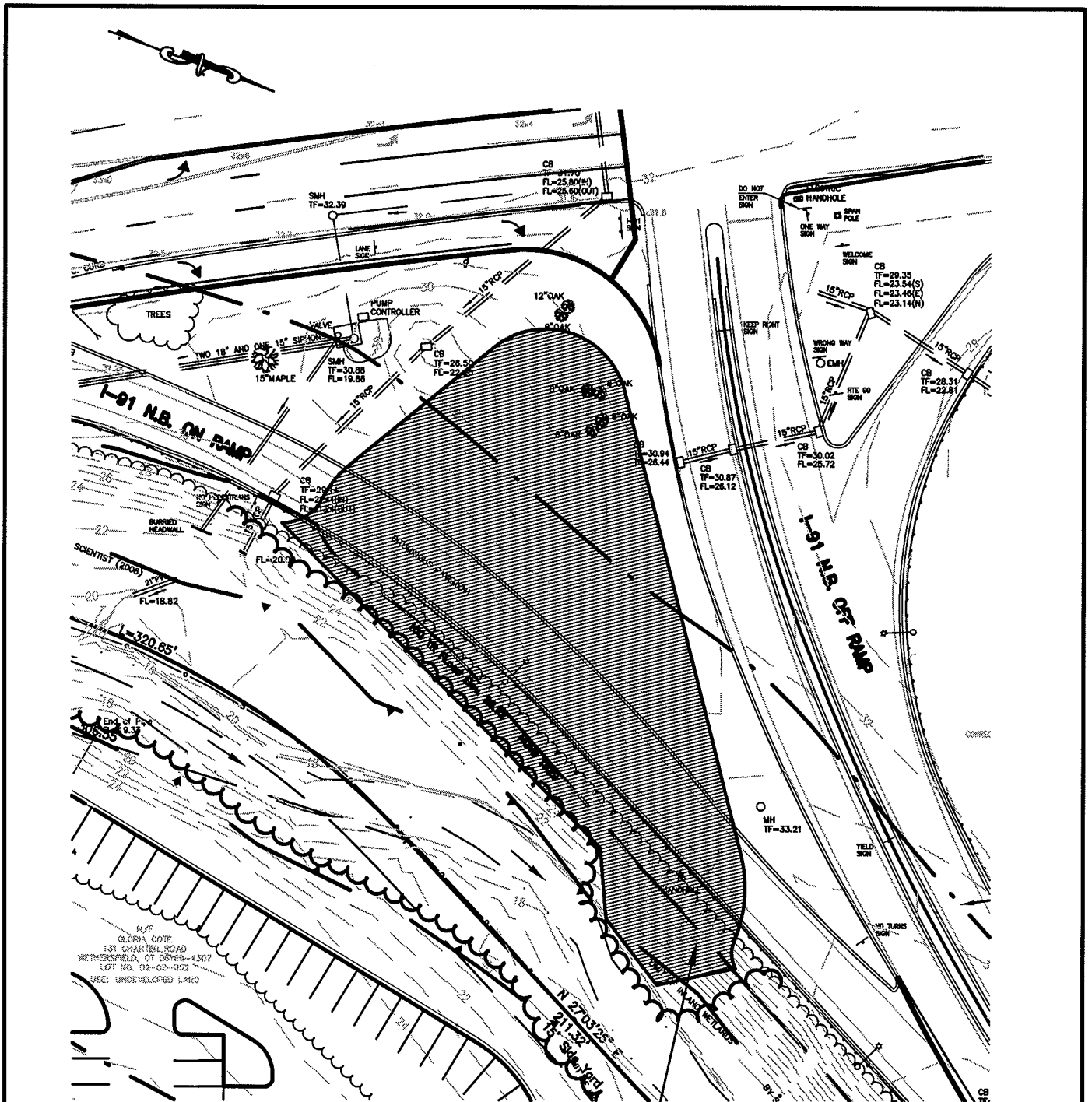
C.
J.
M.

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1137 Silas Deane Highway, Wethersfield, Ct. 06109
Tel. 860.563.9375 Fax 860.721.1802

DRAWN BY: E.T.J.
CHECKED BY: K.R.J.
DATE: 10/25/07
SCALE: N.T.S.

POTENTIAL MITIGATION AREA #2
1260 SILAS DEANE HIGHWAY
AND PROPERTIES OF
CONNECTICUT LIGHT & POWER COMPANY
AND PROPERTIES OF
WETHERSFIELD, CONN.

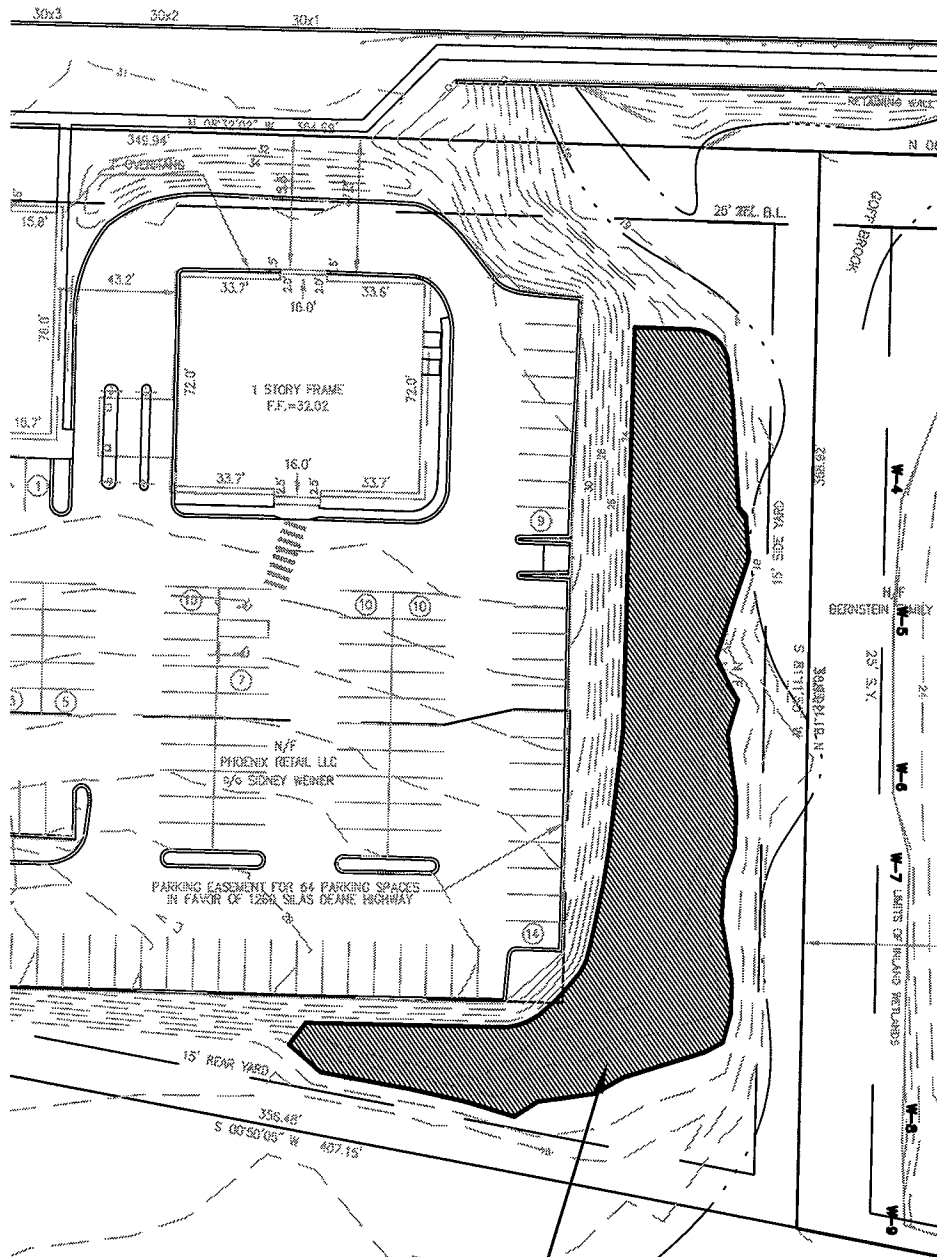
FIGURE-7



EXCESS EARTH EXCAVATION (BEYOND WHAT'S REQUIRED FOR THE DEVELOPMENT OF TWO PROPOSED RESTAURANTS AS SHOWN ON FIGURE-5) BELOW 100 YEAR FLOOD ELEVATION OF 28.92 IS APPROXIMATELY 6,608 C.Y.

NOTE: MITIGATION IS FOR FLOOD STORAGE COMPENSATION ONLY.

| | | | | |
|-------------------------|---|---------------------------|---|-----------------|
| C. J. M. | Close , Jensen & Miller , P.C. 1137 Silas Deane Highway, Wethersfield, Ct.06109 Tel. 860.563.9375 Fax 860.721.1802 | DRAWN BY: E.T.J. | ENLARGEMENT POTENTIAL MITIGATION AREA #1 1260 SILAS DEANE HIGHWAY AND PROPERTIES OF CONNECTICUT LIGHT & POWER COMPANY & HARRY GAMPEL, ET AL ROCKY HILL, CONN. | FIGURE-8 |
| | | CHECKED BY: K.R.J. | | |
| | | DATE: 10/25/07 | | |
| | | SCALE: N.T.S. | | |



**EARTH EXCAVATION BELOW 100 YEAR FLOOD
ELEVATION OF 29.92 IS APPROXIMATELY 850 C.Y.**

**NOTE:
MITIGATION IS FOR FLOOD STORAGE COMPENSATION ONLY.**

C.
J.
M.

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DRAWN BY: E.T.J.

CHECKED BY: K.R.J.

DATE: 10/25/07

SCALE: N.T.S.

**ENLARGEMENT
POTENTIAL MITIGATION AREA #2**

1260 SILAS DEANE HIGHWAY
AND PROPERTIES OF
CONNECTICUT LIGHT & POWER COMPANY
& HARRY GAMPEL, ET AL
WETHERSFIELD, CONNECTICUT

FIGURE-9