



# *Town of Wallingford, Connecticut*

INLAND WETLANDS & WATERCOURSES COMMISSION

## REGULAR MEETING

Wallingford Inland Wetlands & Watercourses Commission  
Wednesday, July 15, 2020, 7:00 p.m.

## **REMOTE MEETING ONLY**

The IWWC Meeting of July 15, 2020 will take place REMOTELY ONLY.

The Meeting can be accessed through:

<https://global.gotomeeting.com/join/118321509>

You can also dial in using your phone:

United States (Toll Free): 1-646-749-3122

Access Code: 118-321-509

Live stream of the Meeting will also be available on the Town of Wallingford You Tube Channel:

<https://www.youtube.com/c/wallingfordgovernmenttelevision>

Materials for this Meeting will be posted on the Town's website:

[www.town.wallingford.ct.us](http://www.town.wallingford.ct.us)

Upon entering the Meeting, please wait for instructions from the Chairman as to how the Meeting will proceed. To all participants: Please **MUTE your microphone** until called on to speak, then UNMUTE. Please wait for instructions from the Chairman before speaking.

## **AGENDA**

- A. PLEDGE OF ALLEGIANCE
- B. ROLL CALL
- C. CONSIDERATION OF MINUTES
  - 1. Regular Meeting (Remote), June 3, 2020
- D. OLD BUSINESS
  - 1. #A18-1.2 / 801 North Colony Road & 6 Beaumont Road / Padens Brook - NERP Holding & Acquisitions Company, LLC - (commercial development) - Request for bond release
  - 2. #A20-6.1 / Quinnipiac River / State of CT Rights Of Way Rte. 150 (Main Street) & Rte. 68 (Church Street) - Town of Wallingford Water Division – (bridge water utility rehabilitation work & temporary accessway installations & scaffolding)
  - 3. #A20-6.2 / 155 East Street - Town of Wallingford Sewer Division - Water Pollution Control Facility Phosphorous Reduction Project - modification to IWWC #A18-11.1 - (fill installation in Upland Review Area)
  - 4. #A20-6.3 / 454 Main Street & 120 Church Street / Meetinghouse Brook – United Concrete Products, Inc. – (span bridge installation)

JAMES E. VITALI  
CHAIRMAN

ERIN O'HARE  
ENVIRONMENTAL AND NATURAL RESOURCES PLANNER

WALLINGFORD TOWN HALL  
45 SOUTH MAIN STREET  
WALLINGFORD, CT 06492  
TELEPHONE (203) 294-2093  
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E. NEW BUSINESS

F. RECEIPT OF NEW APPLICATIONS (up to 7/10/20)

1. #A20-6.4 / 40 Wall Street – Request for administrative approval – administrative approval granted 6/12/20
2. #A20-6.5 / 6 Jodi Drive – (fencing) - Request for administrative approval – administrative approval granted 6/22/20
3. #A20-6.6 / 6 Grieb Trail – Tyler Sweeney – (patio)
4. #A20-6.7 / 17 Fritz Place - John Ricci – (two-car attached garage)
5. #A20-6.8 / 72 Anderson Road – Christopher & Jessica Santore – (in-ground pool, patio, tree removal, fencing, shed) - Request for administrative approval – administrative approval granted 7/6/20
6. #A20-7.1 / 9 & 21 Toelles Road & Wharton Brook – Pfizer Inc. – (soil remediation project)
7. #A20-7.2 / 59 Wooding Rd – Charles Hemstock - (in-ground pool, patio surround, fencing)

G. REPORTS & COMMUNICATIONS

1. DEEP Notice: Municipal Inland Wetlands Agency Comprehensive Training Program; online program (free/registration is required) ; received 6/10/20
2. Discussion of proposal to adopt fines for violations

H. VIOLATIONS

1. Notice of Violation - 1245 Old Colony Road & Quinnipiac River –Jerzy Pytel - (unpermitted clearing & filling near river)
2. Notice of Violation – 950 South Colony Road – INRSJ, LLC – carwash facility - (unpermitted filling)
3. Notice of Violation - 122 Chimney Hill Road & encroachment on 110 Chimney Hill Road – (unpermitted filling)
4. Notice of Violation – 6 Grieb Trail –Tyler Sweeney – (unpermitted filling)
5. #A20-2.1 / 12 & 16 Northfield Road – over-clearing in floodplain wetlands & URA issue
6. 1103 Old Colony Road – NRWA, LLC – Memorandum to Janis Small, Corporation Counsel, re: enforcement options – forwarded 5/14/20
7. Notice of Violation - 1152 Durham Road - William Monaco – (unpermitted regrading to stream near pond)

I. ADJOURNMENT

J. NEXT MEETING – September 2, 2020

*Individuals in need of auxiliary aids for the effective communication in programs and services of the Town of Wallingford are invited to make their needs and preferences known to the ADA Compliance Coordinator at 203-294-2070 five days prior.*

**Inland Wetlands & Watercourses Commission  
Regular Meeting  
Wednesday, June 3, 2020, 7:00 p.m.  
Town Hall Room 315  
45 South Main Street, Wallingford, CT**

**(REMOTE MEETING)**

**MINUTES**

Chair James Vitali called this (REMOTE) Regular Meeting of the Wallingford Inland Wetlands & Watercourses Commission to order at 7:00 p.m. He said this is the Commission's first remote-held meeting and it is being recorded. He asked Commissioners and online listeners to mute their microphones unless they are speaking. He proceeded with the agenda.

**A. PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was recited.

**B. ROLL CALL**

**PRESENT:** Chair James Vitali, Commissioners Deborah Phillips and Michael Caruso, Alternates Aili McKeen, Robert Simon and Jennifer Passaretti, and Environmental Planner Erin O'Hare.

**ABSENT:** Secretary Nick Kern

**C. CONSIDERATION OF MINUTES**

1. Regular Meeting, March 4, 2020

**MS. PHILLIPS:** MOTION TO APPROVE THE MINUTES OF THE REGULAR MEETING ON MARCH 4, 2020, AS SUBMITTED.

**MS. MCKEEN:** SECOND

**VOTE:** APPROVED BY ALL IN A VOICE VOTE.

- 2. (Regular Meeting, April 1, 2020 – CANCELLED)
- 3. (Regular Meeting, May 6, 2020 – CANCELLED)

**D. OLD BUSINESS**

- 1. #A20-3.1 / 153 Chimney Hill Road – Lauren Young – (yard drainage improvement)



Appearing remotely was owner Ms. Lauren Young. Last fall she installed a berm, as approved under her permit, as the first part of the permit work to direct surface drainage coming from the woods into the pond. Now she has water at the rear between the pond and the house. So she is asking to put soil there, going from 6" or 7" on the far side down to 1" on the other side to guide surface rainwater into the ditch. There will be hay bale protection for the stream and then stone protection for the swale that will direct flows into the ditch. She wants to place a fire pit on the yard.

Ms. O'Hare said, normally, we don't fill a wetland, but this is a wet lawn that needs fill and the topsoil in the back yard. Ms. O'Hare read the six suggested conditions of approval from her Environmental Planner's Report of March 27, 2020.

Chair Vitali asked Ms. Young if she understands all these conditions and agrees with them. Ms. Young said, Yes, she does.

Chair Vitali asked if this application needs a determination of Significant Activity. Ms. O'Hare said it does.

**MS. PHILLIPS: MOTION THAT APPLICATION #A20-3.1 FOR 153 CHIMNEY HILL ROAD BE DETERMINED AS NOT A SIGNIFICANT ACTIVITY.**

**MS. MCKEEN: SECOND**

**VOTE: MOTION WAS APPROVED UNANIMOUSLY IN A VOICE VOTE.**

**MS. PHILLIPS: MOTION THAT APPLICATION #A20-3.1 / 153 CHIMNEY HILL ROAD – LAUREN YOUNG – (FILLING) BE APPROVED WITH THE CONDITIONS SET FORTH IN THE ENVIRONMENTAL PLANNER'S REPORT OF MARCH 27, 2020, ITEMS #1 THROUGH #6.**

**MR. SIMON: SECOND**

**VOTE: MS. MCKEEN – YES; MS. PHILLIPS – YES; MR. CARUSO – YES; MR. SIMON – YES; CHAIR VITALI – YES.**

2. #A20-3.2 / 52, 58 & 88 Woodhouse Avenue – Sunwood Development Corp. – (apartment complex [4 structures/36 units] & construction of stormwater facilities [345 feet] in



## Woodhouse Avenue)

Appearing remotely were Mr. Bob Wiedenmann, Jr., of Sunwood Development Corp., Wallingford, and Mr. Christopher Juliano, L.L.S. and P.E., of Juliano Associates, Yalesville. The site plan was shown.

Mr. Wiedenmann said Sunwood Development is the applicant. This is at 88 Woodhouse Avenue, generally behind the gas station and between Harrison Avenue and Putter Drive. This property was previously approved in 2012 for 36 apartments in one building and a single-family home remaining on the land. Now we propose four buildings of 36 townhomes. It was originally on 2.7 acres, but now we have 3.2 acres. It was used as a contractor's yard, shop and warehouse on and off. That will be removed. Wetlands report was given in October 2012 by Tom Pietras, and now we will have 36 townhomes on Woodhouse Avenue, split over the area where we have no impacts or encroachments into the wetland. This is a State statute 8-30(g) development. We are required to build 30 percent of the units as affordable. All units will be served by public water and sewer.

Mr. Juliano noted the previous project for this site in 2012 is now updated as four buildings of nine units each, driveways, plus ½ acre more land at the northwest corner. He showed the survey map. Woodhouse Avenue is on the left; Florence Avenue is on the right. There are two access points: northern at the former Katherine Street, between 52 Woodhouse Avenue and the gas station at 56 Woodhouse; southern access is just south of the existing gas station. Overall grade is about 1% in the south to about 6% in the north—very little elevation change east to west. Wetlands are located near the former Katherine Street and by The Towers. All activities are outside of the 50-foot wetlands area. We have 52,000 square feet as new surface area from 2012. So it was 51.8% coverage area in 2012 and now 52.5%, a small increase, since we have gone from one building to four.

He continued: The site layout has two main driveways. Buildings A and B are to the north, with a parking lot by Building C in the center. Garages are underneath C as townhouse units. Buildings A, B and D have outside parking. A smaller parking lot is here. The site plan shows we're raising the buildings for utility purposes and we're catching all the water that comes off Buildings B and D. Parking lots drainage goes to a northern detention system; southern drainage goes to the south, and we're directing that towards the wetlands to the extent possible. So we're retaining the grades and building up the site for the buildings. We'd catch Buildings A and C roof drainage water to the south to the wetlands to the extent possible in order not to have detrimental effect on the wetlands.-----rehear this sent?—try 12 to 14 mins last 3 sents. on drainage to wetls----

He continued: The utility plan has two underground drainage systems, one in the northern part and one in the southern part, to collect runoff from the parking lot, the grassed area and Buildings B and D—putting it in underground pipes to reduce the surface flows and construction flows and existing conditions. We're eliminating the runoff erosion and slowing the velocity of water. The only drain from our site gets into the public system and to detain our



management of flows that come out into the north driveway and out to Woodhouse Avenue. There we're adding some drainage and tying each system into the State system. We're proposing tying into a sanitary sewer system that already comes onto the property. Water comes in off Woodhouse Avenue. There's minor grading, not a lot of big cuts and fills because of the flat style of the buildings.

He continued: Stormwater drainage system has three chambers to the State drainage between our property and Harrison, allowing sediment and oil to be screened, then clean water to flow out. This way, any runoff associated with the parking lot and grass, and the system will be captured in these stormwater quality units, which will be maintained twice a year. The Town Engineer Allison Kapushinski has reviewed the drainage calculations and she made six comments. Questions?

Chair Vitali said the property seems to have a high water table. Commissioner questions?

There were none.

Chair Vitali: Ms. O'Hare?

Ms. O'Hare referred to her Environmental Planner's Report of May 29 forwarded in the IWWC packet, which summarized her remaining concerns and recommendations. Mr. Juliano said there is no activity within 50 feet of wetlands. That's true. But there's activity within 50 feet of two watercourses that are part of the Towers Apartments property that may be fed by stormwater pipes put in years ago. I saw both in April; they were running. Last week I saw them not running, maybe because of no rain. So there's activity within 50 feet of those. It's near the construction in the southeast corner. Those apartments would be within the 50-foot U.R.A., and the groundwater and the roof water from that building would go 20 feet, then offsite to the east from the south-east corner of the property.

Mr. Juliano said how the water flows off this property. You cannot discharge water onto someone else's property. But here, the proposed water from our site will actually end up being less than the amount that goes off from this property today to that area. We have two drainage ditches that are definitely man-made and are on the Towers property to the east, to the east of our Building C. From the back of C, it's about 20 feet to the property line and another 20 to 30 feet to where these ditches are. Soils Scientist Tom Pietras did not flag those in his report. Now we're not supposed to put water onto adjacent property. This is our intent, to maintain the amount that currently exists. For Building C, the water comes from the west into the wetlands. So we have taken the roof and runoff area of Building C into swales as much as we can. It's wetlands clean runoff. Similarly, behind Building A there's a swale. We don't want discharge from that onto the Falcone property. So we completed this swale which sends flow west to east and directs it to the south to get into our property and near these drainage swales. So we're doing two things: 1) keeping water off some property abutters; and 2) putting water back into the Towers area to help feed the wetlands. And we're getting about 50% of the former volume runoff back to the wetlands. With this site being so flat, I would have to pipe it to force



water from our parking lot into the wetlands. So the flatness and geometry of the site both figure into it. We're reducing by a small fraction a small area that does send water toward the wetlands. So I don't believe that our small reduction of the adjacent land mass will make it drier. It will continue getting runoff from our property and others.

Ms. O'Hare said but your property line has 80% of your total stormwater leaving the site going into this 345-foot-long utility line proposed to connect to the State system and then it goes north and then discharges northwest to some property behind Williams Place, East Main Street and Center Street?

Mr. Juliano said eventually, Yes. But our discharge point is the manhole in Woodhouse Avenue at the State system. Then, yes, it does continue to flow north and to that outfall you mentioned.

Ms. O'Hare said part of our Surface Area provision says about created surface area's likelihood to have an impact on wetlands and watercourses. In this case, the water leaving your site in a pipe will be discharged to an unnamed stream and then behind houses on Williams Place and the properties on Center Street. That's how it ties into the Wetlands Commission's purview. So this discharge is of concern. I know the Developer is seeking a State permit. I just want you to know that that outfall structure is broken. The Town thinks the outfall is the State's, and the State doesn't think it is their pipe. It's the worst case of erosion that I've seen in Town. That's between the Town and the State, but that ties into the Wetlands Commission's purview.

Ms. O'Hare continued: In my report there's been a lot of back and forth between the Town Engineer and me and the Applicant on issues. Groundwater is at four feet and five feet in some places. The site was filled in years and years ago. So it's up to discussing a Dewatering Plan about the groundwater table. Before that, I asked them to put in temporary sedimentation basins, but if they dig down for the basins they're going to hit water. But what do they do on the construction site with big excavation? Where will the dirty water go?

Mr. Wiedenmann said there's two areas that Erin O'Hare talked about: First, normal erosion control that we would put around any construction site; and second, we talked about dividing this property into segments so we can work on the northern part first. We have perimeter silt fence today proposed around the entire property. So we can bisect the site with a silt fence, to have construction entry by the northern entrance left of the gas station. And to leave the southern part undisturbed and to have some small infiltration and to allow some water to dissipate before it goes into the wetland area as open erosion control. So, second, the dewatering settlement basin that Erin O'Hare brought up. If we have a trench open for the foundation or we want to connect to existing water and sewer lines, we'd have to pipe that water out of those trenches, settle the sediment and then go back in. Or, to pipe as needed for wetlands and to let the water discharge and settle out. We could come back in a couple of days to work on a foundation or another utility line trench. We're thinking of having someplace in the field of a silt fence frame and staked hay bales and to pump the water into it to settle and



evaporate. So we could relocate that if we needed it. And then it would clean the water. And we could move such a thing around.

Mr. Juliano said they have been discussing that plus following guidelines for erosion control.

Ms. O'Hare said I want to be sure in the construction phase that dirty water wouldn't leave the site. So if we go ahead with the Erosion Control Plan, it needs to be approved with the Dewatering Plan and the sectoring that Bob described with hay bales. Also, to revise the Erosion Control Plan to reflect at the southeastern border to do a silt fence/hay bale/silt fence sandwich and with a buffer only at the low point on the southeast as a flat temporary sedimentation basin with semicircular silt fence and hay bales around that, to keep the water with sediment from going into the wetlands.

Mr. Wiedenmann said he also would put the silt fence because the velocity is almost zero. I'm not opposed to some hay bales at some areas that you feel need additional protection—not on the entire site. I would accommodate the areas that you think are more critical.

Ms. O'Hare said she thinks the southeast corner is the most critical.

Chair Vitali asked if Mr. Wiedenmann has reviewed the Conditions of Approval recommended in Ms. O'Hare's report.

Mr. Wiedenmann said, Yes. He does not have any concerns with them.

Ms. O'Hare recommended that her #1 and #2 conditions should be edited somewhat as we just talked about tonight. So to eliminate #1 and #2 conditions of approval. Then in place of those, #1 it should say: #1. Dewatering (with new language). First, I would like them to submit something that characterizes what Bob laid out tonight for the development plan. And #2. Something to handle the sedimented construction phase flows—with something on paper to characterize what Bob and Chris just talked about, and then going on with the eight conditions—to submit something on paper from them as to what was talked about tonight.

Chair Vitali asked for comments from the Commissioners. There were none.

Chair Vitali said this a large, flat site, a wet site, a filled wetland. So if everybody understands the first two conditions that Erin O'Hare has changed on her report, is there a Motion regarding the Significance of Activity of this application?

**MS. PHILLIPS: MOTION THAT APPLICATION #A20-3.2 / 52, 58 & 88 Woodhouse Avenue –**

**SUNWOOD DEVELOPMENT CORP. – (APARTMENT COMPLEX) BE  
CONSIDERED  
NOT A SIGNIFICANT ACTIVITY.**

**SECOND:**      **MR. CARUSO**

**VOTE:**            **UNANIMOUSLY BY A VOICE VOTE TO APPROVE THE MOTION.**

Chair Vitali asked if there is a Motion to approve or deny the Application as submitted with Ms. O'Hare's conditions including the changes proposed by Ms. O'Hare for Conditions #1 and #2.

**MS. PHILLIPS:**   **MOTION THAT APPLICATION #A20-3.2 / 52, 58 & 88 WOODHOUSE AVENUE –**

**SUNWOOD DEVELOPMENT CORP. – (APARTMENT COMPLEX) BE**  
**APPROVED AS**

**MAY**                **SUBMITTED WITH THE CONDITIONS OF APPROVAL AS NOTED IN THE**

**AND #2,**            **29<sup>th</sup>, 2020, PLANNER'S REPORT WITH THE CHANGE TO CONDITIONS #1**

**PHASE SITE**       **THAT THE DEWATERING PLAN AND A PLAN FOR CONSTRUCTION**

**FLows BE SUBMITTED ON PAPER, AND CONDITIONS #3 THROUGH #8.**

**SECOND:**        **MR. SIMON**

**VOTE:**            **MS. PHILLIPS – YES; MS. MCKEEN – YES; MR. CARUSO – YES; MR.**  
**SIMON – YES;**

**CHAIR VITALI – YES. (APPROVED ON A VOICE VOTE)**

Chair Vitali stated the Motion is approved, and there is also the standard of having Ms. O'Hare investigate the site before the Applicant starts.

#### **E. NEW BUSINESS**

This item was not taken up but was carried forward to the next meeting.

1. #A18-1.2 / 801 North Colony Road & 6 Beaumont Road / Padens Brook – NERP Holding & Acquisitions Company, LLC – (commercial development) – Request for bond release.

#### **F. RECEIPT OF NEW APPLICATIONS**

Chair Vitali noted that Items 1, 2, and 3 were approved administratively (as below).

1. #A20-5.1 / 475 Williams Road – Scott Cavallaro – (“after-the-fact” yard improvements) –

Approved administratively 5/12/20

2. #A20-5.2 / 19 Docker Drive – James & Mary Alling – (yard improvements/drainage)

Request for Administrative Approval – Granted 6/1/20



3. #A20-5.3 / 16 Longview Road – Frank Nesto – (after-the-fact aboveground pool installation & proposed pool deck installation) – Request for Administrative Approval –  
Granted 6/1/20

Chair Vitali said New Applications Items 4 and 5 are considered received tonight. These will come before the Commission at the next meeting.

4. #A20-6.1 / Quinnipiac River/State of CT Rights Of Way Rte. 150 & Rte. 68 – Town of Wallingford Water Division – (bridge water utility installations & temporary accessway installation)  
5. #A20-6.2 / 155 East Street – Town of Wallingford Sewer Division – Water Pollution Control Facility Phosphorous Reduction Project – modification to IWWC #A18-11.1 –  
(fill installation in Upland Review Area)

#### G. REPORTS & COMMUNICATIONS

Chair Vitali acknowledged receipt of the following items.

1. Cheshire Inland Wetlands and Watercourses Commission – Notification of application with regulated activity within 500 feet in U.R.A. – Reservoir Rd., Cheshire; received 3/6/20  
2. State of CT D.O.T. – Town Notification – Rehabilitation of Bridge No. 00793A Route 15 NB over Quinnipiac River – construction anticipated to commence spring 2023; received 3/10/20  
3. Providence and Worcester Railroad Vegetation Management – email to Mayor; re: 21- day advance notification of vegetation management; dated 4/28/20; received 4/29/20  
4. Notification of Pesticide Application, as required, Spring Lake by Pond & Lake Connection, (herbicide Nautique); via phone communication to Environmental Planner on 5/11/20  
5. DEEP Offering Online Training for Municipal Inland Wetlands Agencies – Press Release, received May 19, 2020 (copy forwarded in packet)

#### H. VIOLATIONS



**1. Notice of Violation – 1245 Old Colony Road & Quinnipiac River – Jerzy Pytel – (unpermitted clearing & filling near river)**

No one appeared. This NOV was continued from the Commission's November 2019 meeting.

Environmental Planner Erin O'Hare said she has repeatedly asked the violator to put erosion controls along the roadway. Apparently, on Friday they put some erosion controls out. I think they are waiting for floodplain fill removal direction from the Interim Town Planner. The Commission took no action, and this Notice of Violation remains in place.

**2. Notice of Violation – 950 South Colony Road – 1NRSJ, LLC – carwash facility – (unpermitted filling)**

No one appeared. This NOV was continued from the March 4, 2020, meeting.

Ms. O'Hare said the Violator's engineer was to survey exactly where on the land the fill is and how much is on the floodplain. A fair amount of it is in the floodplain. The Flood Regulations are within the Zoning Regulations, so they will get direction from the Planning Department to get the fill out of the floodplain. About six trees will die unless this is done. This NOV remains in place.

**3. Notice of Violation – 122 Chimney Hill Road & encroachment on 110 Chimney Hill Road (unpermitted filling)**

Appearing remotely was owner Mr. Steven Reid.

Ms. O'Hare said she went out there in response to an anonymous complaint that someone was filling on Eversource property. The filling occurred largely on the Eversource property. She gave Mr. Reid a Notice of Violation. Since then, he did take all of the fill onto his property. The fill is now an ATV track for the children. Also, the children had made an ATV track with a dam across the stream. But he took all the fill off the other property, re-seeded it, and he put silt fencing in, and it's not eroding. At the stream on the Eversource property there was some erosion before. So I'd recommend for the Commission to let him keep his ATV track made of dirt, which is in the Upland Review Area, but to cite Mr. Reid to apply for an after-the-fact permit.

Chair Vitali asked for Commissioners' opinions. The Commissioners' unanimous consensus was to accept Ms. O'Hare's recommendation. This Notice of Violation remains in place.

**4. Notice of Violation – 6 Grieb Trail – Tyler Sweeney – (unpermitted filling)**

Appearing remotely was Mr. Tyler Sweeney.

Ms. O'Hare said she had received an anonymous complaint of filling being done on Spring Lake. She went out and saw a fresh pile of fill there (shown in photo provided to the Commissioners).

This pile of fill is on an adjacent property, not on 6 Grieb Trail. The owner, Mr. Sweeney, explained that he's been putting in a patio. He also needs a permit for that. He dug out his back yard and had to put the fill somewhere. I explained that the fill had to be removed because it's a swamp there and not his property. I went out there, and he had removed six inches off the top of it. And he did put a silt fence. I went out again, and maybe another six inches has been taken out. The pile is covered with grass, and he feels he doesn't want to take the rest out.

Mr. Sweeney had made this calculation: It's 9.1 cubic yards by the wheelbarrows that he dumped and removed from his yard, matching the 20' x 10' patio, about 1' deep. He had a truck with a scale come out and hold the dirt while he was working on it. He removed 12 cubic yards from the site, 8.1 tons by the truck, exactly 3 more yards than what he had dumped. He put fresh topsoil on the hill, put seed and hay for a silt fence. I believe the stabilized dirt looks better than before. I stopped the dirt from getting into any water supply. I think I've done everything in my power to stabilize this.

Chair Vitali said, while it would look better, it's not necessarily better for the wetlands. You made some negative impact to the wetland. The 10' x 20' x 1' deep is about 7 cubic yards.

Mr. Sweeney said he moved back more and put fill on top.

Ms. O'Hare said she went out there tonight. It's the same amount as before with grass growing on it.

Chair Vitali asked Mr. Sweeney to please contact Ms. O'Hare and go out there and take a clear picture and come back to the Commission next month.

Mr. Sweeney said absolutely he could do that. Ms. O'Hare agreed.

Chair Vitali asked Mr. Sweeney to describe the construction of the patio. Did you dig up and replace with screening and pavers?

Mr. Sweeney said not yet. He is waiting to fill out the permit.

Chair Vitali asked if he is putting footings in?

Mr. Sweeney said the materials will be stone, sand and paver blocks.

Ms. O'Hare said she saw a pile of stone in the driveway tonight.

Mr. Sweeney said he will get the permit before he fills it. Every day I try to do something.



This Notice of Violation will continue in place until the next meeting.

**5. #A20-2.1 / 12 & 16 Northfield Road – over-clearing in floodplain wetlands & U.R.A. issue**

No one appeared for the owner.

Ms. O'Hare said this Violation complaint was from Commissioner McKeen. This was a permit obtained in February by Mr. and Mrs. Williams. The entire property is within a 100-year floodplain. She explained that the reason the work was going to be allowed was that the home was there for years. But Mr. Williams cleared more than what we directed, which was about 30 feet along Northfield Road. He cleared an area 70' x 60' in a star shape on the wooded flood-plain. And he had an excavator take a large tree out across Wharton Brook. All the downed trees are stacked now in a floodplain by the river. I think the Commission should decide what should be done.

Chair Vitali said the Commission needs Ms. O'Hare to make a recommendation.

Ms. O'Hare said she did meet with the Owner out there last week. She told him to cease clearing about 1½ months ago. He is set on having a lawn. She explained that it's a "forested floodplain", a Critical Habitat in the State of Connecticut, and you can't just clear that. She felt that invasives will come back, but maybe let it go and let the shrubs grow back over time. He's wanting to put soil and grass seed in there.

Chair Vitali said he believes that he could grow grass on the floodplain. Keep us apprised of what's going on and see if the vegetation is coming back.

Commissioner McKeen said she drives by frequently. He did stop as soon as Ms. O'Hare told him to. Whether it's grass or shrubs, it's really a low-lying area and I don't think it would take long for Wharton Brook to overflow it. He cleared that even before he did the tree mentioned in his permit. Last time I went by, I didn't notice a downed tree, but he had no activity along Northfield Road where I first saw he was cutting.

Ms. O'Hare said, as to the forest behind his house, he hasn't touched that yet. She suggested waiting until August when it's drier. He's permitted to take out the vines and dead stuff behind his house.

Chair Vitali said O.K.

This Notice of Violation remains in place.

**6. 1103 Old Colony Road – NRWA, LLC – Memorandum to Janis Small, Corporation Counsel, re: enforcement options – forwarded 5/14/20**



Ms. O'Hare's memorandum to Corporation Counsel Small was received. There was no Commission discussion on it tonight. This Notice of Violation remains in place.

**I. ADJOURNMENT**

**MS. PHILLIPS: MOTION TO ADJOURN THE MEETING.**

**SECOND: MS. MCKEEN**

**VOTE: UNANIMOUS IN A VOICE VOTE TO ADJOURN.**

The meeting was adjourned at 8:15 p.m.

**J. NEXT MEETING – July 15, 2020**

Respectfully submitted,

Kathleen L. Burns  
Recording Secretary



## *Town of Wallingford, Connecticut*

INLAND WETLANDS & WATERCOURSES COMMISSION

JAMES E. VITALI  
CHAIRMAN

ERIN O'HARE  
ENVIRONMENTAL AND NATURAL RESOURCES PLANNER

WALLINGFORD TOWN HALL  
45 SOUTH MAIN STREET  
WALLINGFORD, CT 06492  
TELEPHONE (203) 294-2093  
FAX (203) 294-2095

### MEMORANDUM

**To:** IWWC  
**From:** Erin O'Hare, Environmental Planner  
**Date:** July 10, 2020

**Re:** IWWC#A20-6.1 / Quinnipiac River/State of CT Rights Of Way Rte. 150 (Main Street) & Rte. 68 (Church Street) - Town of Wallingford Water Division – (bridge water utility installations & temporary accessway installation)

### ENVIRONMENTAL PLANNER'S REPORT

#### Status

- Pre-application conference with Applicant team to improve proposed site plan.
- Application submitted 6/2/20
- Several phone conferences with Applicant team members

#### Jurisdictional Areas

- **Wetlands** – floodplain wetlands along Quinnipiac River at both bridge crossings
- **Watercourses** – Quinnipiac River and its FEMA Floodway & 100-yr. floodplain
- **Upland review area (URA)** - The URA consists of the area within 50 feet surrounding the above resources where activities are proposed.

#### Existing Conditions & Proposal

Existing water transmission lines running under two bridge floors are proposed to be 'rehabilitated' at two bridge crossings over the Quinnipiac River on Main Street and on Church Street. In order to access the undersides of the bridges in both locations and complete the work, temporary access for vehicles and equipment and lay-down area for materials is required (with associated temporary disturbance) within the watercourse, within wetlands, within the upland review area, and within FEMA Floodways and 100-year floodplain, as may pertain to different aspects of the proposal (see 'Regulated Activities' below for detail.) Access is through the State of CT Rights-Of-Way for both sites with the Church Street Bridge site access route crossing the Hunters' Pool driveway. Please see an aerial image with the two sites demarcated and photos of the two sites taken by the Water Division (in April and July respectively), attached.

Temporary scaffolding is proposed to be erected across the channel for both sites. Erosion control measures are proposed accordingly to protect wetlands and river's edge, etc.. In addition, DEEP protocols will be implemented for the two species identified under the DEEP Natural Diversity Database requirements – the Eastern Box Turtle and a colony of False Mermaid Weed – as indicated on the plan (and in DEEP correspondence



submitted – see copies in packet forwarded). Please see photos of this rare plant on the Main Street site taken by Project Wetlands Scientist on 4/28/20, attached.

Most of the proposed installations associated with the rehabilitation work lie within the FEMA Floodway of the Quinnipiac River. The proposed Lay-down area and the Construction Pad is proposed to be located outside of the Floodway and Floodplain for the Main Street Bridge site location but are located within for the Church Street Bridge site. The proposed temporary scaffolding is proposed to be removed from the river channel 24-hours in advance of a forecasted flood event at both sites. This office has suggested that the proposed timber planks comprising the proposed 'Construction Mat' as well as other project-related installation materials and the removed scaffolding materials should be removed out of the Floodway as well before a predicted flood occurrence. Applicant was requested to make a determination if site materials would need to be removed out of the 100-year Floodplain area as well.

Installations are temporary with proposed work to be completed within one year's time.

### **Regulated Activities**

Proposed regulated activities are provided below with individual impact figures with the pertinent section of the Regulations provided (type of proposed activity underlined).

#### Main Street Bridge Pipe Rehabilitation

Under Section 2.1.z. *"Regulated activity" means any operation or use of a wetland or watercourse involving the removal or deposition of material; or any obstruction, construction, alteration or pollution, of such wetlands or watercourse, ... "*

Under Section 2.1.z. 3. *Activities within 50 feet of a wetland or watercourse, likely to impact or affect wetlands and watercourses, including, but not limited to, any clearing, grubbing, filling, grading, paving, excavating, constructing, erecting of a structure, depositing or removing of material or any indigenous vegetation, the planting of lawns or landscaping, the expansion of existing lawns or landscaping, or the discharging of storm water."*

Proposed removal of vegetation and deposition of material within wetlands along northern side of Quinnipiac River relative to construction of the lower portion of proposed Temporary Construction Entrance Pad for access way to be created within Route 150 Right Of Way to provide access to underside of the bridge over Quinnipiac River on the northeastern side of the bridge.

Erection of temporary scaffolding (with stone-filled sandbags installed under dead man blocks installed as a base) across the river channel.

<b>WETLANDS IMPACT:</b>	<b>0 s.f.</b>
<i>(no wetlands delineated due to past filling for embankment in area according to Soils Scientist)</i>	
<b>UPLAND REVIEW AREA IMPACT:</b>	<b>1,485 s.f</b>
<b>WATERCOURSE IMPACT:</b>	<b>750 s.f.</b>

## Church Street Bridge Pipe Rehabilitation

Under Section 2.1.z. "Regulated activity" means any operation or use of a wetland or watercourse involving the removal or deposition of material; or any obstruction, construction, alteration or pollution, of such wetlands or watercourse, ...".

Under Section 2.1.z. 3. Activities within 50 feet of a wetland or watercourse, likely to impact or affect wetlands and watercourses, including, but not limited to, any clearing, grubbing, filling, grading, paving, excavating, constructing, erecting of a structure, depositing or removing of material or any indigenous vegetation, the planting of lawns or landscaping, the expansion of existing lawns or landscaping, or the discharging of storm water."

Proposed removal of vegetation and deposition of material within wetlands along west side of Quinnipiac River relative to construction of the lower portion of proposed Temporary Construction Entrance Pad and proposed removal of vegetation and deposition of material within Upland Review Area to install upper portion of proposed Temporary Construction Entrance Pad and Construction Lay-down Area within Route 68 Right Of Way to provide access to underside of bridge over Quinnipiac River on the southwest side relative to proposed rehabilitation work.

Erection of temporary scaffolding (with stone-filled sandbags installed under dead man blocks installed as a base) across river channel.

WETLANDS IMPACT:	260 s.f.
UPLAND REVIEW AREA IMPACT:	1,360 s.f.
WATERCOURSE IMPACT:	290 s.f.

**Stormwater Management**  
Not applicable.

### **Erosion Control Plan**

E&S control measures proposed appear adequate. If flood conditions occur, any worksite areas disturbed by floodwaters need to be immediately identified and protected with additional erosion controls measures accordingly, and restored as may be necessary.

### **Required Or Requested Information / Documents Yet To Be Submitted / Remaining Issues**

The following concerns remain:

- 1) Applicant was requested to review certain protections as currently proposed for the identified patch of False Mermaid Weed, a protected species, and revise proposed protections if needed.
- 2) Wetlands scientist was requested to submit DEEP correspondence, regarding the two species requiring DEEP protocols to be implemented (per plan) – anticipated to be submitted this week.



- 3) Project Engineer did not want to revise plan to call for removal of timber mats in the event of a forecast of a flood event but this can be made a Condition of Approval.
- 4) Applicant will submit information regarding clarification regarding any proposed impacts should the alternative 'Snooper-type rig' approach be utilized by the Contractor, e.g. laydown areas, access, etc. using that method (see next Section).
- 5) Four mature Sycamore trees are identified on plan growing in channel near the river's edge, two of which are slated to be removed to construct the access path into the river under the Main Street Bridge. As tree roots are instrumental in helping hold the bank together and protect from flood erosion, the Construction Mat access should be shifted, if at all possible, so that one or both of the two trees (10-inch dia. and 18-inch dia.) can be spared.
- 6) Certain information omitted from plans (see listed under the suggested Condition of Approval #1, under 'Recommendations'.)

#### **Alternatives To Reduce Impact and Reduce and Improve Proposed Plan**

Submitted plan was improved by incorporating with Environmental Planner's pre-application suggestions. As Applicant states under 'Alternatives' section of application form, the proposal under consideration for approval will be implemented only if the Contractor selected by the Town elects to employ this approach based on his available equipment. *"The use of a 'Snooper-type rig, which would allow for repairs to be conducted without any impacts top regulated resources is still considered an option."* As per above section, the Applicant is to certify that the 'Snooper-type rig' method, in fact, requires no laydown, access road, etc.

#### **Comments From Other Agencies/Departments**

None received.

#### **Recommendation**

If the rehabilitation work is to be executed using the 'Snooper-type rig' method rather than the method approved by this permit, the Water Division will need to provide information to the Environmental Planning Office that that alternative method has no anticipated impact within the jurisdictional area (see discussed under 'Alternatives', above.).

This office recommends that the application be approved as submitted with the following conditions of approval:

- 1) Plans (and Contractor documents) are to be revised to reflect the following:
  - o Call out both worksites are located within State of Connecticut property (Rights Of Way) and said ownership
  - o Depict Upland Review Area boundary on Sheets EX-1 and P-1 in the vicinity of northeast side of Main Street Bridge
  - o Specify Construction Pad materials to be used
  - o Revised protections for False Mermaid Weed: Depict straw wattles to be used for protection on false mermaid weed patch itself (change called for

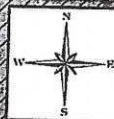
- by Project Wetlands Scientist). Silt fencing and hay bales are to be installed outside of the False Mermaid Weed patch area.
- Depict on the plans hay bales to be placed on the inside edge of Construction Mats abutting wetlands to protect wetlands from sedimentation tracked by vehicles (as per Detail Sheet P-3).
  - The additional flood precautions to be undertaken as per IWWC.
- 2) Relocate Construction Mat access location slightly to avoid proposed removal of one or both of the mature Sycamore trees (10-inch dia. and 18-inch dia.) growing at edge of river channel, if at all possible, as tree roots help hold the bank together.
  - 3) Herpetologist hired by Permittee to perform required protocols to protect Eastern Box Turtles in the project area is to contact the Environmental Planner one week prior to start of any permit activities to review schedule and protocols. Exclusionary fencing for Eastern Box Turtle is to be installed prior to installation of erosion controls or any disturbance, as per plan Cover Sheet.
  - 4) Erosion control measures are in place and Environmental Planner to be contacted to inspect them for adequacy prior to any further work being conducted onsite in first phase of project.
  - 5) Any materials in the jurisdictional area are to be removed immediately at completion of work and the area is to be restored (area checked for debris to be removed and then seeded). Staked hay bale protection to be installed across base of any disturbed slopes and removed when area is adequately stabilized by growth. Should completion of project occur after the growing season has ended or before it begins, alternate means of protecting the disturbed access route area shall be installed in the interim period until such time that the area can be seeded.
  - 6) Temporary scaffolding and its base to be removed from river channel and timber planks and other 'floatables' are to be removed at both sites 24 hours prior to any predicted weather event that could produce flood conditions.
  - 7) In the instance that flood conditions occur, any worksite areas disturbed by floodwaters need to be immediately identified when flood waters recede and should be protected with additional erosion controls measures accordingly and restored as may be necessary.
  - 8) If the rehabilitation work is to be executed using the 'Snooper-type rig' method rather than the method approved by this permit, the Water Division will need to provide information to the Environmental Planning Office that that alternative method has no anticipated impact within the jurisdictional area.

Attachments: aerial image; photos

CC: Neil Amwake, General Manager, Town of Wallingford Water & Sewer Divisions  
Tom Flannery, Town of Wallingford Water Divisions



\\000-c:\Users\hazid\OneDrive\Wallford\1585-51\_mermaid.mxd



#### LEGEND

- Proposed Temporary Scaffolding
- Proposed Temporary Construction Access
- Confirmed False Mermaid-Weed Population
- Natural Diversity Area
- Parcel Boundaries



**MILONE & MACBROOM**

99 Realty Drive  
Cheshire, Connecticut 06410  
(203) 271-1773  
www.mmlinc.com

#### DETAILED SITE MAP

WALLINGFORD WATER MAIN REPAIR AND MAINTENANCE  
CHURCH STREET AND MAIN STREET BRIDGES

CHURCH STREET (RT 68) AND MAIN STREET (RT 150)  
WALLINGFORD, CONNECTICUT

SOURCE: 2019 AERIAL PHOTO, CT DEEP

DATE: 07 MAY 2020

SCALE: 1" = 60'

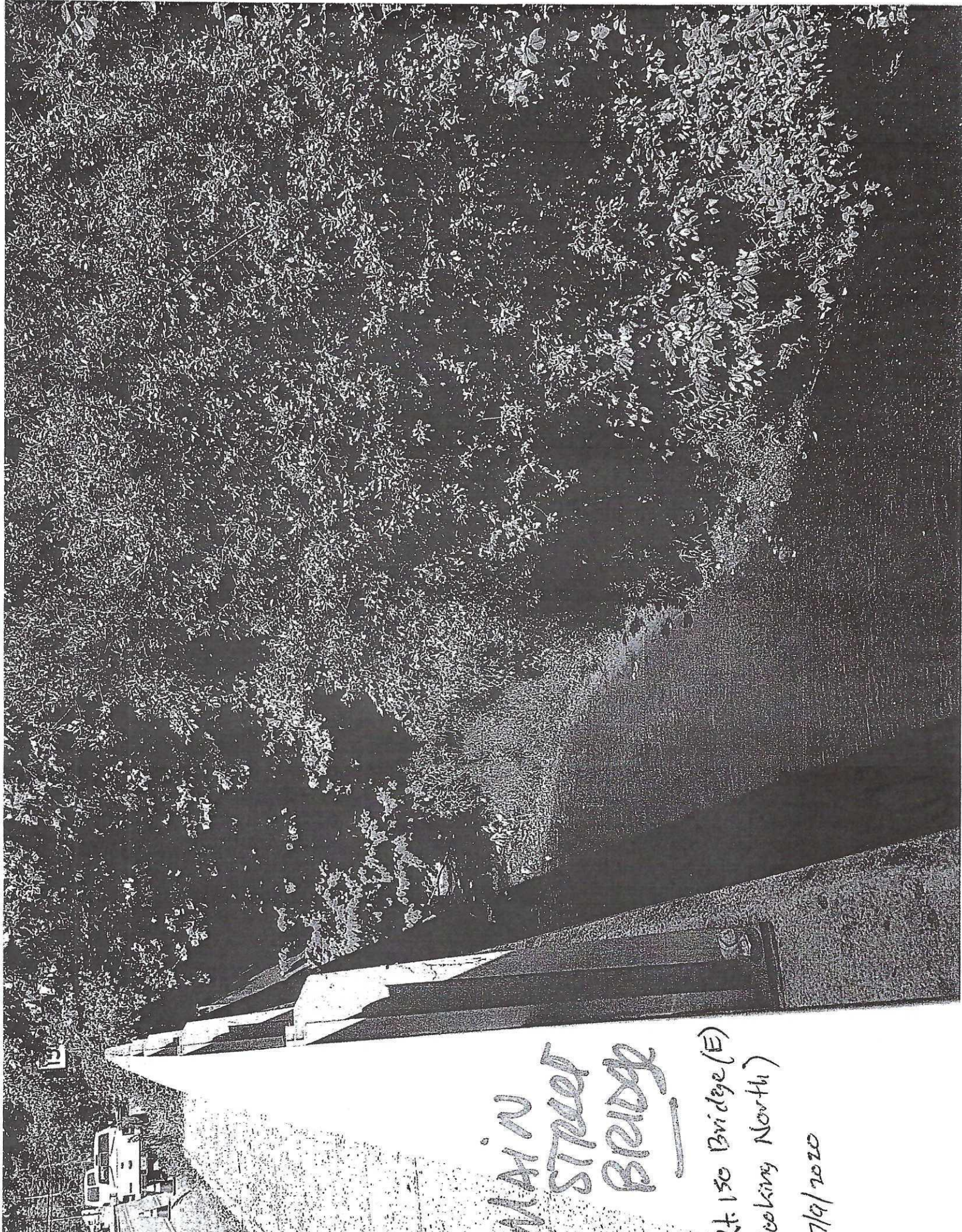
PROJ. NO.: 1585-51

DESIGNED	DRAWN	CHECKED
AYO	AYO	MJS

DRAWING NAME:

**ATT. B**





Main Street Bridge

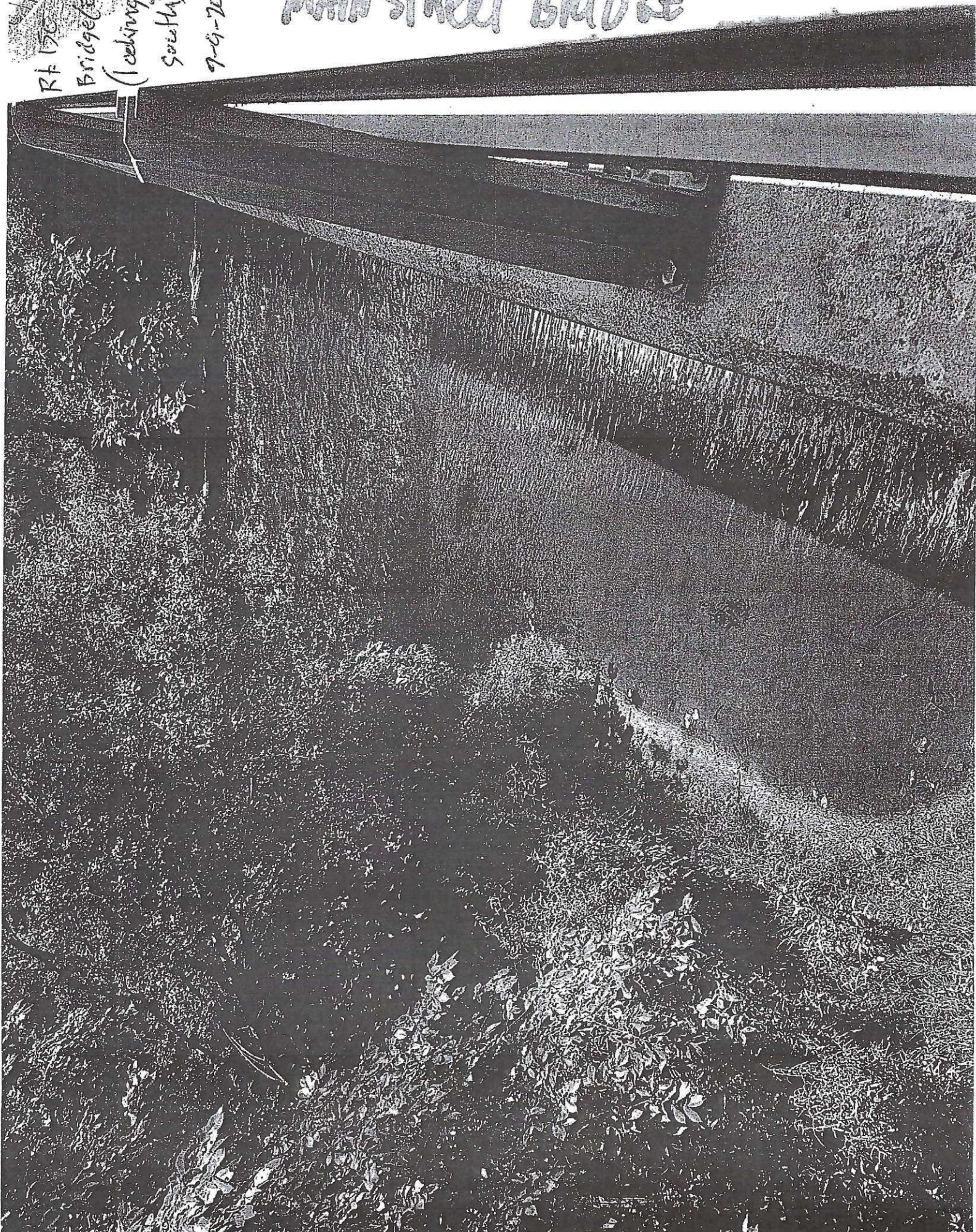
at 150 Bridge (E)  
looking North

7/9/2020



Rt 170  
Bridge (E)  
(Looking  
South)  
9-4-70

# MAIN STREET BRIDGE





# CHURCH STREET BRIDGE



**MILONE & MACBROOM**

## PHOTOGRAPHIC LOG

**Client Name:**

Town of Wallingford

**Site Location:**

Main Street and Church Street Bridges over  
Quinnipiac River  
Wallingford, Connecticut

**Project No.**

1585-51-06

**Photo No.**

05

**Date:**

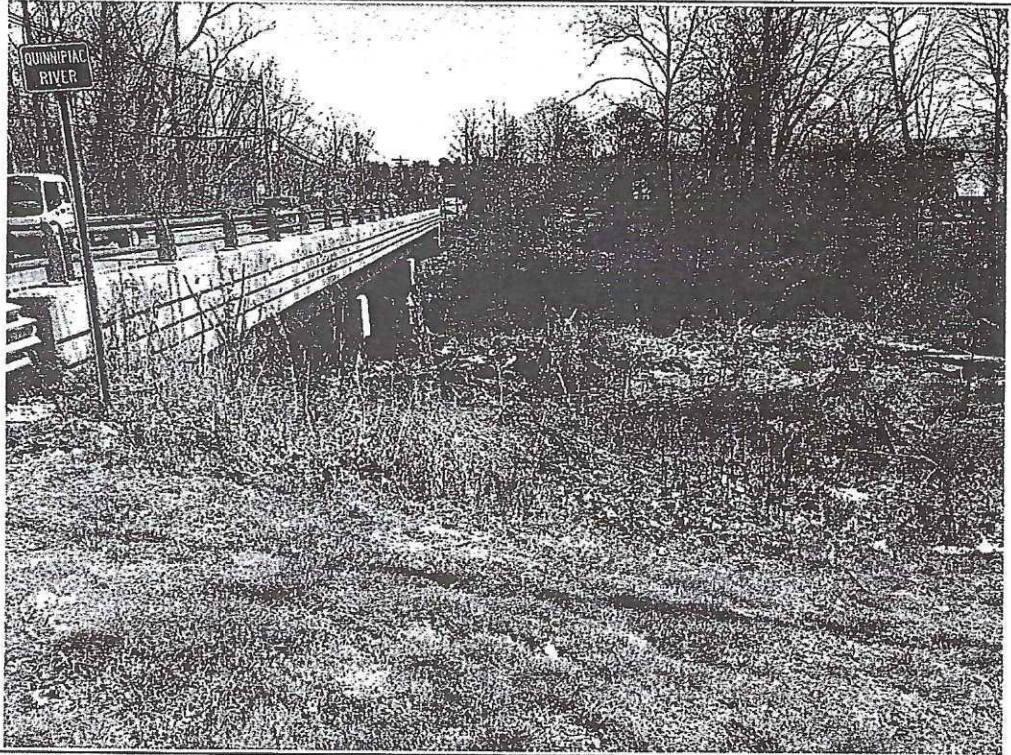
04/28/2020

**Direction Photo Taken:**

Church Street Bridge - East

**Description:**

Construction access  
location. Area consisting of  
maintained lawn, scrub  
shrub, and weedy  
vegetation. No false  
mermaid-weed found.



**Photo No.**

06

**Date:**

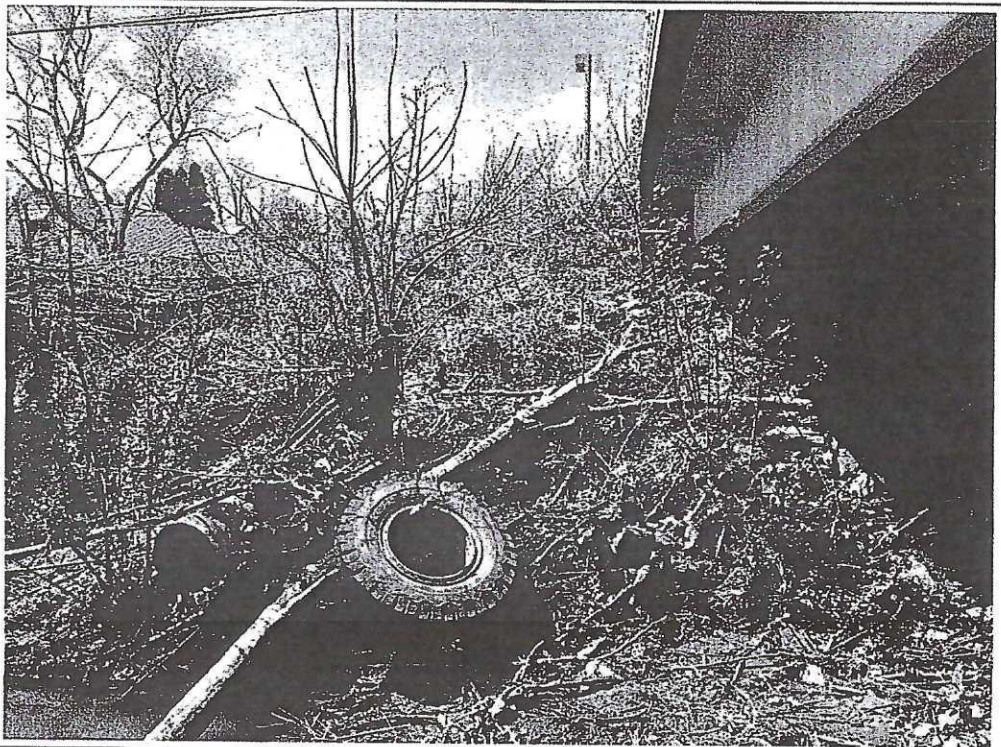
04/28/2020

**Direction Photo Taken:**

Church Street Bridge -  
West

**Description:**

Construction access  
location. Area consisting of  
scrub shrub and weedy  
vegetation. No false  
mermaid-weed found.





# RARE PLANT - MAIN STREET BRIDGE



**MILONE & MACBROOM**

## PHOTOGRAPHIC LOG

**Client Name:**

Town of Wallingford

**Site Location:**

Main Street and Church Street Bridges over  
Quinnipiac River  
Wallingford, Connecticut

**Project No.**

1585-51-06

**Photo No.**

03

**Date:**

04/28/2020

**Direction Photo Taken:**

Main Street Bridge  
Construction Access -  
Southeast

**Description:**

False mermaid-weed  
intermixed with Japanese  
knotweed and garlic  
mustard. Pachysandra  
patch in background.



**Photo No.**

04

**Date:**

04/28/2020

**Direction Photo Taken:**

Main Street Bridge  
Construction Access -  
Southeast

**Description:**

Pachysandra stand  
preventing false-mermaid-  
weed colonization within  
forested floodplain.







## *Town of Wallingford, Connecticut*

INLAND WETLANDS & WATERCOURSES COMMISSION

JAMES E. VITALI  
CHAIRMAN

ERIN O'HARE  
ENVIRONMENTAL AND NATURAL RESOURCES PLANNER

WALLINGFORD TOWN HALL  
45 SOUTH MAIN STREET  
WALLINGFORD, CT 06492  
TELEPHONE (203) 294-2093  
FAX (203) 294-2095

### MEMORANDUM

**To:** IWWC  
**From:** Erin O'Hare, Environmental Planner  
**Date:** July 10, 2020

**Re:** IWWC#. #A20-6.2 / 155 East Street - Town of Wallingford Sewer Division - Water Pollution Control Facility Phosphorous Reduction Project - modification to IWWC #A18-11.1 - (fill installation in Upland Review Area)

### ENVIRONMENTAL PLANNER'S REPORT

#### Status

- Two conferences & several phone conferences
- 6/2/20: Application submitted with Plans
- 7/2/20: Site investigation conducted
- 7/8/20: Additional information submitted –
- 7/8/20: letter about soil test faxed
- 7/10/20: Requested 'Field Soil Delineation Overall Map' submitted

#### Jurisdictional Areas

- **Wetlands** – wooded low-depression area is an altered, impacted wetland
- **Watercourses** – seasonal ponded area in middle of wetland described above.
- **Upland review area (URA)** - The URA consists of the area within 50 feet surrounding the above resources.

#### Existing Conditions & Proposal

Excavation, relative to the construction of various structures as part of the Town of Wallingford Sewer Division - Water Pollution Control Facility Phosphorous Reduction Project – approved, in part, under permit IWWC #A18-11.1, has generate and will generate a significant amount of fill material which needs to be moved elsewhere. In light of the cost to dispose of the fill, the Sewer Division is proposing to deposit and compact the fill, building up the grade, in two locations on its site which are located partially within the Upland Review Area.

Requested 'Field Soil Delineation Overall Map' – submitted today - depicts soil types as previously delineated in the field by Scott Stevens, Soils Scientist, demarcates the IWWC 50-foot Upland Review Area boundary, and depicts the existing and proposed grades. Grade changes located within the URA require permitting. Inspection of the soils types on this plan, indicates much of the area is manmade fill soils (of several different classifications) evidence of a series of fill events in years past. The entire site was probably part of the wide Quinnipiac River floodplain a 100 years ago. The proposed fill



areas were chosen to keep fill out of the 100-yr. floodplain and at least 25 feet away from the proximal wetlands boundary as depicted clearly on the previous plans submitted 7/8/20. This plan shows an area on the north side where fill was proposed at the edge of a steep grade above an area subjected to periodic flooding. The fill limit in this particular vicinity has been revised as requested – see the 7/10/20 revised grading.

Photos of both the proposed Northern and Southern fill deposition areas are included in the Application Bound document. The majority of the areas to be filled is outside of the IWWC jurisdictional area.

A total of 9,400 s.f. of the URA is proposed to be impacted – a minor amount in the ‘Southern area’ (see plan) with most of the material in the ‘Northern Area’. The process entails removal of existing trees and other vegetation, installing silt fencing, grubbing, grading, depositing the fill, grading and compacting the fill areas, installing loam and Conservation/Wildlife seed mix to protect the fill areas from eroding over time.

A plan submitted on 7/8/20 depicting NRCS soils boundaries was not distributed by this office to the IWWC as it is very inaccurate and would only confuse matters. The Project Soils Scientist’s information (see in Application bound document and also in plan submitted today) reflects onsite conditions and soils boundaries with soils types determined in the field..

#### **Regulated Activities**

The proposed activities fall under Section 2.1.z. 3.: *Activities within 50 feet of a wetland or watercourse, likely to impact or affect wetlands and watercourses, including, but not limited to, any clearing, grubbing, filling, grading, paving, excavating, constructing, erecting of a structure, depositing or removing of material or any indigenous vegetation, the planting of lawns or landscaping, the expansion of existing lawns or landscaping, or the discharging of storm water.*

Proposed removal of vegetation, grading of area, deposition of fill, compacting and grading, installation of loam and Conservation/Wildlife seed mix in Upland Review Area keeping, at minimum, 25 feet away from nearby wetlands areas.

**IMPACT: 9,400 s.f.**

#### **Stormwater Management**

Flows will drain off fill area and drain overland. No drainage facilities are necessary.

#### **Erosion Control Plan**

Silt fencing is proposed to be installed between area to be receive fill and downgradient URA and wetlands areas once vegetation has been removed. Erosion Control Matting will be installed on steep slopes of fill areas, 4 inches of loam will be installed, and seeded with New England Conservation Seed Mix.

#### **Required Or Requested Information / Documents Yet To Be Submitted / Remaining Issues**

Some requested information on soil qualities was submitted this week (see copy of Project Consulting Engineer memorandum in packet) indicating the material is comprised

of sand, gravel with some silt and clay. The memorandum appears to indicate that this fill material cannot be reused elsewhere on the site due to a very low level of contaminants but that the proposed deposition (which apparently does not constitute a 'use') is acceptable. Requested information relative to the composition of the material regarding nitrogen, phosphorous, and potassium - which may possibly act to fertilize the receiving wetlands - has not yet been submitted.

#### **Alternatives To Reduce Impact and Reduce and Improve Proposed Plan**

The alternative to dispose of the excavated fill material offsite was deemed cost prohibitive.

#### **Comments From Other Agencies/Departments**

No comments were submitted.

#### **Recommendation**

This office recommends that the application be approved as submitted with the following suggested Conditions of Approval:

- 1) Composition of the soil material to be used as fill with regard to Nitrogen, Phosphorous and Potassium to be submitted within one-month's time of approval of this permit by the IWWC along with documented means to address any issues this information may present or a demonstration that there is no issue.
- 2) Environmental Planner is to be contacted to schedule inspection of silt fence installation for adequacy of installation upgradient of the wetlands areas. Once installation is deemed to be adequate, further work permitted under this Permit may commence. It is understood silt fencing should not be installed prior to tree removal work due to the potential for damage to the silt fencing itself, however, schedule should be such that the silt fencing is installed immediately after vegetation clearing has been completed and before a storm event occurs. Ideally, the two crews could be scheduled to complete the above work 'as a tag-team'.
- 3) Should any changes to this permitted Project be required in the PZC approval process, a review of the changes by the Environmental Planner will need to be requested by the Permittee to determine if a modification to this IWWC permit will be necessary.
- 4) Fill work should be completed within the growing season to allow Conservation seed mix to become sufficiently established to withstand winter conditions without erosion occurring in the fill areas. In the event that date of completion fails to meet this objective, alternate erosion control protection will then be required to be installed in order to provide sufficient protection of the downgradient wetlands as required.

CC: Neil Amwake, General manager, Water & Sewer Divisions





## *Town of Wallingford, Connecticut*

INLAND WETLANDS & WATERCOURSES COMMISSION

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ENVIRONMENTAL AND NATURAL RESOURCES PLANNER

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TELEPHONE (203) 294-2093  
FAX (203) 294-2095

### MEMORANDUM

To: IWWC  
From: Erin O'Hare, Environmental Planner  
Date: July 10, 2020

Re: IWWC##A20-6.3 / 454 Main Street & 120 Church Street / Meetinghouse Brook – United Concrete Products, Inc. – (span bridge installation)

### ENVIRONMENTAL PLANNER'S REPORT

#### Status

- Several conversations with Project team pre-application and post-application submittal
- Application submitted 6/2/20
- Site investigation conducted 7/6/20

#### Jurisdictional Areas

- Wetlands – riparian wetlands along Meeting House Brook but not in immediate proposed crossing area
- Watercourses – Meetinghouse Brook – 10' - 30' wide rocky channel with a designated FEMA Floodway and 100-year floodplain – flows west
- Upland review area (URA) - The URA consists of the area within 50 feet surrounding the above resources where activities are proposed.

#### Existing Conditions & Proposal

The proposed crossing area is located immediately west of the Railroad crossing where Meetinghouse Brook, flowing west, narrows down in this vicinity where the river was channelized in years past with gabions, boulders, riprapping, etc.. There are several Sewer Division facilities and easements and riprap protection areas in the vicinity. There are no wetlands delineated through the proposed activity stretch of river - the two "wetland flags" depicted on plan being simply the call-out used by the Wetlands Scientist to denote the watercourse edge (see copy of Wetland Report attached to Application from submitted).. A narrow band of riparian wetlands occurs further down the river on either side. On the south side, on the 120 Church Street property (which supports the heliport site and a building of several industrial concerns) at the rear of the parcel, the land is mowed almost to the edge of the very steep bank. On north side, on the 494 Main Street property, the rocky, weedy river bank rises sharply to meet a graveled, busy, congested concrete yard for United Concrete products.

An 85-foot-long concrete span bridge (24.7 feet wide; with a span area of 371 s.f.) will be installed on footings across the river approximately 10 feet off the Railroad property line



at the closest in this vicinity. A minor amount of activity is proposed to take place in the Upland Review Area on the south side (210 s.f.) which is proposed to be altered for filling associated with the southwesterly modular block retaining wall installation and associated silt fence protection installation. On the north side of the bridge, approximately 1,830 s.f. of impact will occur associated with the installation of the bridge footings, abutment, filling for roadway area (approx.. 30 foot-long), and two modular block retaining walls, and associated silt fence protection installation. No disturbance is planned for the area between the silt fencing and the riverbank itself.

The proposed dewatering area and materials laydown area -- currently proposed on the south side - will be revised next week to be re-located further back entirely out of the FEMA floodway and floodplain (see both boundaries depicted on the plans) and thus avoiding that issue. In the crossing area, the Floodway is contained within the walls of the riverbanks through this narrow river corridor section.

### **Regulated Activities**

Proposed activity falls under Section 2.1.z. 3. *Activities within 50 feet of a wetland or watercourse, likely to impact or affect wetlands and watercourses, including, but not limited to, any clearing, grubbing, filling, grading, paving, excavating, constructing, erecting of a structure, depositing or removing of material or any indigenous vegetation, the planting of lawns or landscaping, the expansion of existing lawns or landscaping, or the discharging of storm water.* “

Impact on south side of proposed bridge associated with proposed installation of span bridge southeastern retaining wall and the silt fence protection below it in that vicinity.

**IMPACT: 210 s.f.**

Impact on north side of proposed bridge associated with the installation of the bridge footings, abutment, filling for roadway area (approx. 30 foot-long), and installation of two modular block retaining walls, and associated silt fence protection installation.

**IMPACT: 1,830 s.f.**

### **Stormwater Management**

Not applicable. Flows off abutments will trickle down rocky sides to channel with no erosion foreseen.

### **Erosion Control Plan**

Proposed silt fencing appears to be adequate.

### **Required Or Requested Information / Documents Yet To Be Submitted / Remaining Issues**

Plan is anticipated to be revised this week to relocate proposed dewatering area and laydown area out of FEMA Floodway and Floodplain entirely.

### **Alternatives To Reduce Impact and Reduce and Improve Proposed Plan**

No alternate crossing routes provided with Application as it was stated that this was the narrowest crossing so it would have the least impacts.



### **Comments From Other Agencies/Departments**

Only comments submitted are from Erik Krueger, Sewer and Water Division, with several concerns regarding sewer easements that are requested to be considered as Conditions of Approval, see copy in packet.

### **Recommendation**

It is this office's opinion that because this particular river corridor area has been severely altered in the past (channelizing, riprapping, gabion installations, Town utility installations, railroad bed and crossing, removal of natural vegetation in upland review area) the proposed activity will render no appreciable adverse impact to the crossing area. The bridge span will cause sunlight to be blocked at certain times of the day as the sun moves from east to west but with no appreciable adverse impact to the river aquatic community.

This office recommends that the application be approved as submitted with these suggested condition of approval:

- 1) Erosion control measures are in place and meet the approval of the Environmental Planner for adequacy prior to any further work being conducted onsite.
- 2) Water & Sewer Division concerns are complied with as per Erik Krueger's memorandum dated June 30, 2020, attached to this Notice of Decision.

Attachment: photos

CC: Jon Gavin, United Concrete



494 Main St.



proposed crossing

site

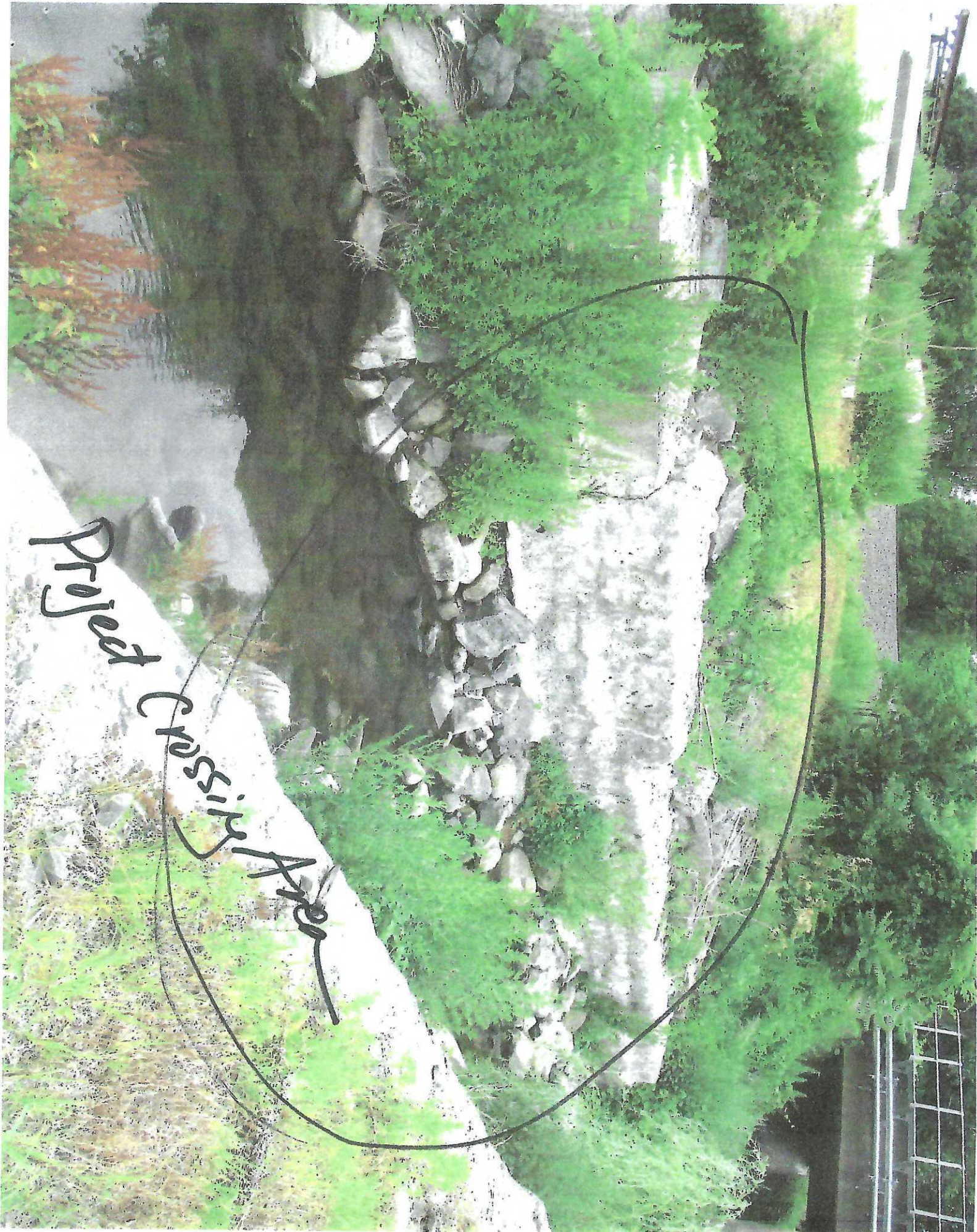
railroad  
property line



120 Church St.

7-8-21





Project Crossing Area

7-8-20





Crossing - Channel 7-8-20





7-8-20 Looking down path.



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INTEROFFICE MEMORANDUM

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TO: ERIN O'HARE, ENVIRONMENTAL PLANNER  
FROM: ERIK KRUEGER, P.E., SENIOR ENGINEER, WATER AND SEWER DIVISIONS *AK*  
SUBJECT: INLAND WETLANDS AND WATERCOURSES  
PERMIT APPLICATION NO. A20-6.3  
454 MAIN STREET & 120 CHURCH STREET (YALESVILLE)  
DATE: JUNE 30, 2020  
CC: N. AMWAKE, P.E.; D. SULLIVAN; J. PAWLOWSKI; K. HAND, TOWN PLANNER; J. GAVIN,  
UNITED CONCRETE PRODUCTS; K. PATEL, MILONE AND MACBROOM

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The drawings dated June 1, 2020 submitted with the subject application have been reviewed by the staff of the Water and Sewer Divisions and this memo consolidates their comments and requirements.

We hereby request that the following items be made conditions of approval to be addressed prior to commencing work at the site:

1. Please make revisions to show the existing sanitary sewer lines correctly as shown on the attached marked up portion of drawing number EX-01.
2. Please note that there are two permanent easements that were granted to the State of Connecticut as part of the railroad improvements in 2015 as recorded in Book 1531 pages 46 to 47 and 49 to 50 of the Wallingford land record. The proposed bridge is shown crossing over said easements. The applicant may wish to contact the State of Connecticut Department of Transportation regarding the existing easements.
3. The bridge will cross over an existing sanitary sewer main with manholes on both sides of the bridge. If access to the manhole located east of the bridge is necessary for maintenance, the Town requests permission to access the manhole from the bridge.

*O:\Engineering\Wetlands Review\Church Street (Yalesville) 120 - Wetlands Permit A20-6.3 - Gavin.docx*

*See attached  
drawing → over →*



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JUL 01 2020

WLFD, INLAND/WETLAND

Yalesville

Benchmark  
X-Cut in Manhole RIM  
Elev. = 64.71

Grass

SAN MH  
T.F. = 64.69  
INV. = 56.4 (NE)  
INV. = 56.4 (N)  
INV. = 57.2 (W)  
INV. = 56.3 (S)

FIRM Zone "AE"

12" ACP  
RCP

EASEMENT TO  
STATE OF CONN.  
BK 1531 PG 46-47

1 1/2" FORCE  
LATERAL  
IN  
5" DIP PIPE  
SLEEVE

Edge of Buried/Submerged  
1'x1' Conc. Blocks

Assumed  
Property Line  
(See Note 4)

12" ACP  
DIP

12" RCP

30' UPLAND REVIEW

MEETING HOUSE BROOK

Mid Channel Bar

SAN MH  
T.F. = 65.81  
ABANDONED  
IN PLACE

Grass

Conc. Blocks

30' UPLAND REVIEW

Gravel

1 1/2" FORCE LAF

Jersey Barrier

Jersey Barrier

Gravel

EXISTING EASEMENT  
TO STATE OF CONN.  
BK 1531 PG 49-50

Jersey Barrier

Conc. Block  
Storage Area

Gravel