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MINUTES

Wallingford Inland Wetlands and Watercourses Commission

Regular Meeting

Wednesday, September 4, 2024, 7:00 p.m.

Robert F. Parisi Council Chambers

Second Floor, Town Hall

45 South Main Street, Wallingford, CT

Chair James Vitali called this Regular Meeting of the Wallingford Inland Wetlands and Watercourses Commission to order on Wednesday, September 4, 2024, at 7:00 p.m. in the Robert F. Parisi Council Chambers, Second Floor of Town Hall, 45 South Main Street, Wallingford, CT.

**PRESENT:** Chair Vitali, Vice Chair Deborah Phillips, Secretary Nick Kern, Commissioner Michael Caruso, Commissioner Jeffrey Necio, and Alternate Commissioners Aili McKeen, James Heilman, and Mr. Bob Russo as Acting Environmental Planner.

**ABSENT:** Alternate Commissioner Mrs. Caroline Raynis.

There were about 20 persons in the audience.

**A. PLEDGE OF ALLEGIANCE**

The pledge was recited.

**B. ROLL CALL**

As above. Chair Vitali announced that the five Regular Members would be voting.

**C. CONSIDERATION OF MINUTES**

1. Regular Meeting, July 17, 2024

**MS. PHILLIPS:** MOTION THAT THE MINUTES OF THE REGULAR MEETING OF JULY 17, 2024, BE ACCEPTED AS SUBMITTED WITH THE CORRECTION IN THE NEW DOCUMENT TO SHOW AT THE BOTTOM PAGE NUMBERS 1-11 ACCORDINGLY; AND WITH TWO SMALL CORRECTIONS: ON P. 4 TO REPLACE "DOO" WITH "DO" WHERE COMMISSIONER KERN SPEAKS AND ON P. 5 WHERE MR. LOGAN SPEAKS IN THE LAST SENTENCE TO CHANGE "FROM" TO "FROG"; AND THE TOWN CLERK IS REQUESTED TO REMOVE THE POSTED MINUTES FROM THE WEBSITE AND TO REPLACE THOSE WITH THE CORRECTED MINUTES.

**MR. NECIO:** SECOND.

**VOTE:** MR. KERN -YES; MS. PHILLIPS - YES; MR. NECIO - YES; CHAIR VITALI - YES.

**ABSTAINED:** COMMISSIONER CARUSO.

**D. CONTINUATION OF PUBLIC HEARING**

1. #A24-4.7 / 898 Church Street - Vincent Perretta - (Modification to permit IWWC #A23-5.6 - (sidewalk installation)

Chair Vitali said, I'd ask for information on the sidewalk issue. The rest of the Application has been approved.

Mr. Bob Russo, Acting Environmental Planner, asked Chair Vitali if he could state the items received

recently and the correspondence. Chair Vitali agreed.

Mr. Russo indicated an IWWC Town of Wallingford Map from May 1988, scale 1" = 1320' has been entered into the file. All correspondence that Erin O'Hare received or that she was copied on has also been entered into the file and record.

Appearing was Mr. Christopher Juliano, L.L.S., P.E., of Juliano Associates of Yalesville. Last month we gave our presentation and a report by our Soils Scientist, and you continued until tonight. We have the Environmental Planner's report, all the e-mails. The public asked about trees to be removed for sidewalk. The Environmental Planner wrote us that there were eight trees "within the work area", so we survey-located those. One is definitely in the area of the sidewalk and will be removed. Two other closest trees should remain. On drainage, the sidewalk will have a cross-pitch away from the road. Runoff will flow westerly into this wetland and north into the municipal drainage system and out to the east. The public questioned that. On my map they've seen a low spot at the corner of Church Street. But their memo didn't point out the berm--there are higher elevations in between the corner and the low spot of the wetlands. They have video: at times, flow can breach this high point and flow to the south, only in large rain events. Normally, water gets into this wetland, flows north, enters the system, and flows east. I found in our records a 2004 project my father worked on. Actually, the Town was sued then by a property owner on the east side of Highland Avenue, Herasimovich, for overburdening their property with stormwater runoff. The Town hired George Cotter, P.E., who did a hydraulic analysis of this area for drainage patterns. His first map shows 1954 to 1965 drainage of Route 68 at Highland Avenue (Broad Swamp Road) with the watersheds with flow arrows. Our watershed is Area 1 here. There's a high point. Water flows down into this watershed. Where the wetland is, he calls it a detention basin. He points out low areas and mentions overflow to Church Street. But he shows water flows to the north enter an existing municipal drain and discharges on the east side of Highland Avenue. The second map, 1987, showed development of Buttonwood and Hayledge. Water flows down to this wetland and continued to flow north, cross the street to the municipal system, and discharge on the east side of Highland Avenue. His final map, 2004, shows the Baptist Church approved and their parking discharge moved west. No change--again, water flows down to this system, to the north, and to the east. So this is independent verification of what I've been saying happens.

Mr. Juliano continued, Second part of the drainage issue is pipe. The public said this pipe is on the property--we survey-located it, and it is not. It was installed within the public right-of-way, under the driveway, and to 283 Highland Avenue. It's likely that the church extended the pipe underneath the driveway and terminated it within the right-of-way and forgot about it--their project never moved forward. The Town ignored it. It isn't maintained, so this pipe may not be functioning. When the driveway for #283 was installed, they put a pipe underneath the driveway. When they put it in, they saw flows north to south--not realizing that flows also went south to north to get into the back of this catch basin here. A pipe into the back of that catch basin allowed water from this area to flow to the municipal system and to the east. When put in, the pipe was laid with a higher flow from the north instead of south. So it trapped a lot of water to accumulate over the years here. In 2004 after the church, they extended that pipe, and it exasperates the issue. Water sits and ponds for a long time, where it didn't in the past. Water flowed unhindered until that driveway got in. So the public's correct, when we get a lot of rain and see a volume of detention in this area, there can be flows into Route 68 which head east and to the state drainage system. None of the flow from this sidewalk makes it to the other part of the project. It should be treated separately.

Mr. Juliano continued, Third is the vernal pools with box turtles. We hired P.E. George Logan to see how the public was qualified to make that determination. Because Mr. Logan sees standing water

here, he felt that we, the site contractor, and any contractors should be cognizant that there could be some type of turtle or other amphibian; and during construction we should be concerned--and by Mr. Cohan offering that condition of approval we should be cognizant of it. There is no one on the PZC who is a soils scientist or biologist.

Commissioner Kern asked, Will the sidewalk be the responsibility of the Owner to clean in the winter?

Mr. Juliano said, Yes.

Commissioner Kern asked, It's 4 to 5 feet wide, and a windrow on the sidewalk. How are they going to maintain it for public safety?

Mr. Juliano said, Not with a larger machine. Plows throw snow onto the curb and probably onto sidewalk. They should not pitch snow from sidewalk into wetlands because of what is put on roads..

Commissioner Kern asked, Is the Applicant aware of this?

Mr. Juliano said, Yes, well aware. He has a similar situation on North Main Street Extension at his Barnes Road property--wetlands adjacent to sidewalk.

Chair Vitali asked, Have you considered the sidewalk going around the tree you have to eliminate?

Mr. Juliano said, To the west, we're impacting two trees nearby. To the east, a telephone pole is in the vicinity, and we're closer to the road. We can look at that with Engineering. Or it could put the sidewalk closer to the road, which I think is more dangerous.

Chair Vitali asked Mr. Bob Russo for comments.

Mr. Russo said, If the Applicant could indicate whether that one tree is in the Upland or the Wetland?

Mr. Juliano said, That tree is in a wetland.

Mr. Russo asked if the Applicant could consider any plantings along that wetland. Is there room between the sidewalk and the wetland?

Mr. Juliano said, We have room between the edge of the sidewalk and the inundated area. We could plant smaller native shrubs that are tolerant of water and wetland species. That would be possibly mitigate the 932 square feet of wetland that we are eliminating.

Chair Vitali asked, Bob, do you have a suggestion of the proper plant?

Mr. Russo said, Native shrubs such as Highbush holly and Winterberry holly.

Chair Vitali said, If that becomes a Condition, you'll work that out with the Environmental Planner.

Commissioner Heilman said, About materials coming off the road with snowplows, is it high enough there today, where the material coming off a plow is not getting into the wetland?

Mr. Juliano said, It's definitely getting into the wetland now because the roadway is higher than the wetland where these trees are. We have about 6 feet between the gutter and sidewalk.

Commissioner Heilman said, Sidewalk is not going to change that?

Mr. Juliano said, No.

Chair Vitali said, This is a public hearing. I'll allow the public to speak. Name and address?

Mr. Paul DiMattei, 4 Shangri Lane, I'd speak to this Request for the Modification to the Permit by installation of a sidewalk along Highland Avenue, based on facts in previous Inland Wetlands and Planning and Zoning meeting minutes on 898 Church Street and videos. I'd ask that the public here would be treated with dignity. The public has always stated we are not against affordable housing but against any development at 898 Church Street based on: environmental impacts; water issues already there and neighboring properties; issues with the developer's design for stormwater management (as in the Tighe and Bond report), along with significant safety concerns with traffic--documented in public hearings with P&Z and meetings and e-mails with Town officials. The developer's engineer touched upon things I'd speak to. Planning and Zoning in their final meeting did have 16 Conditions--#5 being a proposed sidewalk along the western side of Highland Avenue. And "The Applicant shall commence construction after vernal pools are dry and the amphibian breeding season is over." We gave photos and videos to Town officials of amphibians, turtles. On Labor Day, my wife and I saw a turtle coming out of the corner of 68 and Highland, out of the 898 Church Street property. Someone stopped his car with a branch aided this turtle to cross the road.

Mr. DiMattei continued, During the last IWWC meeting July 17th, when asked by the neighbor at 283 Highland Avenue if the proposed sidewalk would create more flows to his driveway and property, the developer's engineer responded that the sidewalk would flow north and into a culvert by the existing gravel driveway and then to catch basins in Highland Avenue and discharge to a wetland on the east side of the street. About two to three weeks after, August 18th, Connecticut got inundated with rain. We had streaming water over the curb on 68 out of 898 Church Street. There was ponding and flooding in the middle of 68. The catch basin could not hold or take the water coming off the property.

Mr. DiMattei continued, Turning the corner towards 283 Highland Avenue, that drainage pipe that we're learning was not either installed or engineered properly had a significant amount of water entering the driveway and the area--probably 3 to 4 feet deep. The drain pipe at 898 Church Street is inadequate, not working, not designed properly at the corner abutting 283 Highland. Sidewalk will only exacerbate standing water along that side of 898 Church Street. This was the same day rainfall exceeded 3" per hour and 7" in three hours from Monroe to Oxford. What if the storm decided to sit 15 miles east over us, what would the situation have been? Water flies off 68 off the curb. Any discussion on sidewalk must contain review and study of the current and potential drainage occurring today at the corner, where the drainage pipe on 898 Church Street is not designed to handle current and future storm flow. A sidewalk installed only exasperates the issue, damages habitat and obviously directly affects wetland. Last, we've been to meetings and met with Town officials. It's hard to comprehend how an engineer's report from Tighe and Bond--a firm with over 100 years engineering experience--has fallen on deaf ears. All we asked was for a review with engineering firms--the Applicant's engineer, our engineer that we hired, and the Town Engineer. We requested a site walk. Evidence of vernal pools--there was a question the public was not able to prove. We requested access..

Mr. Andrew White, P.E., Tighe and Bond, on behalf of Save 898 LLC, said, Thank you, Mr. Juliano, for providing watershed maps and information. There's an increase in impervious surface due to the sidewalk proposed. From the Applicant's engineer, it appears there is at least insufficient size drainage, present or disconnected. We'd request the existing system be reviewed, especially with the more recent NOAA 14 or Atlas NOAA 14 precipitation events--which has been adopted by the State for higher rainfall than for what those pipes were originally designed.

Chair Vitali said, This is Wetlands. Flows across and pipes being too small--that's really stormwater management under Planning and Zoning. We have to focus to wetlands issues under the sidewalk.

Mr. Brad Sammis, 4 Ryan Drive, said, As to submerged areas, we'd have an engineer review whether or not those were vernal pools. I wrote a Certified Mail letter to Meriden Church of Christ, who owns the property--they denied access. Second, a memo August 31 from the Town Environmental Department mentioned all the communication by citizens and says the reason it's fallen on deaf ears is that the appropriate response to concerns would be in this public forum. So why are we focusing on just the sidewalk? I served on Wallingford Conservation Commission from 2019 to this year. You could make a motion to suspend or revoke a permit. There's supposed to be a vegetated strip of 25 feet per State guidelines by the parking lot to filter hydrocarbons running off it into the detention pond--in this plan it's only 7 1/2 feet. I'd motion to suspend or revoke this permit--why is nobody making a motion?

Chair Vitali said, Now, you have a PowerPoint presentation. It's focusing on the sidewalk area? There's no vernal pools in this area, so we're just going to stay sidewalk area.

Mr. Jim Allen, 7 Terrell Farms Way, said, Yes, based on some e-mails we sent, what is going on in the site. I have a video and pictures. I got an e-mail back from the Mayor saying we weren't going to get answers because they needed to be answered at Inland Wetlands. I'll show pictures of the trees to be removed. The video showed "898 Church Modification to the Permit for Sidewalk Installation". We're talking about increased wetlands. This is "Picture of Sidewalk Location at Cross Section". Eight trees would be removed. We questioned that. About vernal pools, this was a video shot in the fall. Water's piling on the gravel drive on 283 Highland Avenue and going out to Route 68 and the trees cut down. Perhaps water in the photo is the driveway that the church installed in 2000. Latest filed plans have only one tree to be removed. Before, Ms. O'Hare asked for some sections to be shown for the sidewalk. Only one tree is going to be removed, but I counted five. The sidewalk goes from 6 feet to 10 feet. There's a 10-foot mark in the wetlands. Ms. O'Hare didn't say we could walk it. In one section, the telephone pole is in the way. There's no way a sidewalk can get in without removing trees. Ms. O'Hare said she did walk the site. We believe there's going to be 8 trees.

Mr. Allen continued, Since the prior approval, there's been change to the site. This picture was taken by the Environmental Planner. You talk about sidewalk encroaching? Mr. Juliano said the sidewalk elevation will follow the contour of the property. Snow is going to the north. In site elevations, this is to go from south to north--water is not going to flow uphill. We also have video of water flowing out from January. You can see it coming onto 68 and the big pond. In this recent photo, look what's going over the wall--there's no way the storm system is up to handle that. There's a level flow onto 68, and he needs approval from the State for 68. In 2000 you had wetland boundaries for the church approval, and the Environmental Planner asked how the wetland boundary changed. I'd show changes in wetland pictures. In this site plan the wetland goes all the way up to Highland. In this new one, it doesn't. So if wetland is growing, maybe there's more wetlands on the site. This is a public hearing. You also have Town requirements. We asked to amend wetland boundaries there, about the change in the

wetlands boundary on Church from the 2000 map to now. The engineer doesn't believe that drain pipe is working right now. I believe wetlands can grow in 24 years. This is water coming off 898 Church property, off his driveway. The Town told us to hire a professional engineer.

Mr. Juliano said, George Logan said there's not evidence of vernal habitat, but it's possible. This is from the Environmental Planner's notes about a wood frog.

Mr. Drucker, 283 Highland Avenue, said, There was a Northern frog. I'm 370 feet from the vernal pool.

Mr. Allen said, There's a certain distance amphibians can travel. I'd show adjacent property lines. We asked the church permission to do a site walk and were told that IWWC does site walks. We petition the Commission to revoke or suspend the permit. We never got official response for a site walk. We ask for the permit to be suspended so all information could be completed. No response. I asked tonight for questions about the Tighe and Bond report. (END OF VIDEO PRESENTATION)

Chair Vitali said, It was your group that got Planning and Zoning to make a Condition of Approval of sidewalk on Highland Avenue. But tonight you don't want a sidewalk on Highland Avenue.

Mr. Allen said, Planning and Zoning has asked for a sidewalk for a safety issue. We thought it was time. But blocking at the vernal pool, and the fact that it's going to be the water flowing at Highland Avenue, and forget Church Street?

Chair Vitali said, If there's a flooding issue, that's Stormwater Management with Planning and Zoning. Is there anything more from the public?

No one else spoke.

Commissioner Heilman said, It doesn't make any difference whether this sidewalk should or should not be put in. Water just hangs in the roads at 68 and Highland Avenue, and could change flows. I have seen sidewalks interrupted, but I also think about public safety for who'd be there, elderly or younger people, to walk as a form of recreation. Why would you want your kids to ride on Highland Avenue or 68? I think of safety. I see some very wet perched wetlands on that whole area.

Chair Vitali asked Mr. Russo for comments.

Mr. Russo had no comments at this time.

Chair Vitali asked for additional Commissioners' comments. There were none.

Chair Vitali said, Then we'll close the public hearing at 8:10 pm.

## **E. CONSIDERATION OF PUBLIC HEARING ITEM**

### **1. #A24-4.7 / 898 Church Street - Vincent Perretta - (Modification to permit IWWC #A23-5.6 - (sidewalk installation)**

Chair Vitali said, We have 35 days to make a decision on this public hearing. Or we can act on it tonight. What's the Commissioners' wish?

Commissioner Necio said, I'm ready. The other Commissioners nodded "Yes."

Chair Vitali noted Ms. O'Hare's three Conditions of Approval in her Environmental Planner's Report of September 1, 2024. He asked for suggestions of mitigating points to add.

No Commissioners responded.

Commissioner Heilman asked if there is need for a determination of Significant Activity.

Mr. Russo said, It's in Ms.O'Hare's report that a determination of Significant Activity should be made.

**MS. PHILLIPS: MOTION THAT APPLICATION #A24-4.7 / 898 CHURCH STREET – VINCENT PERRETTA – (MODIFICATION TO PERMIT IWWC #A23-5.6 – SIDEWALK INSTALLATION) BE DEEMED NOT A SIGNIFICANT IMPACT ACTIVITY.**

**MR. NECIO: SECOND.**

**VOTE: MR. KERN – YES; MS. PHILLIPS – YES; MR. CARUSO – YES; MR. NECIO – YES; CHAIR VITALI – YES.**

**MS. PHILLIPS: MOTION THAT APPLICATION #24-4.7 / 898 CHURCH STREET – VINCENT PERRETTA – (MODIFICATION TO PERMIT IWWC #A23-5.6 – SIDEWALK INSTALLATION) BE ACCEPTED WITH THE CONDITIONS OF APPROVAL IN THE ENVIRONMENTAL PLANNER'S REPORT OF AUGUST 31<sup>ST</sup>, 2024, #1, 2, 3, AND THE 4<sup>TH</sup> OF PLANTING MITIGATION TO BE DETERMINED BY THE ENVIRONMENTAL PLANNER.**

**MR. NECIO: SECOND.**

**VOTE: MR. KERN – YES; MS. PHILLIPS – YES; MR. CARUSO – YES; MR. NECIO – YES; CHAIR VITALI – YES.**

#### **F. OLD BUSINESS**

##### **1. #A18-12.2 / 320 Barnes Road - Rowland Industries - request for release of bond**

Mr. Russo said that Ms. O'Hare stated in her memo that this bond should be released.

**MS. PHILLIPS: MOTION ON APPLICATION #A18-2.2 / 320 BARNES ROAD - ROWLAND INDUSTRIES THAT THE BOND BE RELEASED.**

**MR. NECIO: SECOND.**

**VOTE: MR. KERN - YES; MS. PHILLIPS - YES; MR. CARUSO - YES; MR. NECIO - YES; CHAIR VITALI - YES.**

#### **J. VIOLATIONS - discussion and/or action**

##### **4. 360 WOODHOUSE AVENUE - NERIO TELLO - (STRUCTURES, DEPOSITIONS, AND DITCHING IN WETLANDS)**

Chair Vitali announced the reports received by the Commissioners from Environmental Planner Erin O'Hare. He said Ms. O'Hare has suggested part-way approval on the Application #A24-5.1.

Appearing were Mr. and Mrs. Nerio Tello along with Mr. David Lord, Certified Soils Scientist and Environmental Consultant.

Mr. Lord said, I am aware of the Conditions of Approval.

Chair Vitali asked, Are you working on those issues?

Mr. Lord said, Reports are on the presence of two structures, a chicken coop and a small shed, now in the wetlands. You have a report of wetland delineation and the proposed relocation of those out of the wetland into the existing grass lawn. Those are to be at the end of the existing driveway and toward the rear yard. These two issues were brought up when the application for the swimming pool came, and the Environmental Planner went to the site. We submitted two documents supporting the removal of the violation.

Commissioner Kern asked, Did anybody check, Dave, to see if they have building permits for those two structures?

Mr. Lord said, The landowner is here. He said he went to the Building Department, talked about putting in the chicken coop, and was told as long as he did not exceed a certain square footage footprint, that he didn't need a building permit to put it up.

Commissioner Kern said, But it was all right to put them in the wetlands?

Mr. Lord said, No discussion or comment was made by the Building Department that there was an issue of wetlands on the property. So the landowner put the chicken coop up. The small shed, 14' x 20', is elevated on concrete piers and not in contact with the ground at the edge of the grass.

Commissioner Kern asked, Are they going to put them out of the wetlands?

Mr. Lord said, They would be moved generally north. The chicken coop would be north and a little west, as in the sketch map with my second report--all outside of the delineated wetland edge. The wetland is at the existing, non-maintained tall grass. We have the wetland boundary marked and the proposed locations of those two structures marked.

Chair Vitali asked, Is our function tonight to remove the violation by approving the new location?

Mr. Lord said, Yes. Also, you have an application for a swimming pool. The pool is in the same location. The high water table is a result of a perched water table. It's a perched, slowly-permeable hardpan layer down 2 1/2 and 3 1/2 feet below the existing surface. Dig a hole, and there's water on top of the hardpan. The additional element is the need for a foundation drain for the pool to get rid of the perched water table. I don't think you've seen that before.

Chair Vitali suggested that the Commission might approve the remediation of the sheds but not remove the Violation until the work has been done. Is that feasible?

Mr. Bob Russo, Acting Environmental Planner, said, That is feasible. The Commission can choose to.

Chair Vitali asked, Is that acceptable?

Mr. Lord said, Yes. I try to get the work done and then address the violation.

Chair Vitali asked, Is the Commission fine with that?

The Commissioners all said, Yes.

Chair Vitali said, Let it be noted that they're fine. Also, I'd look for a Motion to accept the remediation

plan proposed by the Soil Resource Group for the remediation of the Violation of the chicken coops.

**MS. PHILLIPS:** MOTION THAT THE REMEDIATION ON THE VIOLATION AT 360 WOODHOUSE AVENUE - NERIO TELLO - (STRUCTURES, DEPOSITIONS, AND DITCHING IN WETLANDS) THAT WE ACCEPT THE SOIL RESOURCE CONSULTANTS REPORT CONCERNING THE REMEDIATION OF THE CHICKEN COOP AND SHED LOCATIONS.

**MR. NECIO:** SECOND.

**VOTE:** MR. KERN - YES; MS. PHILLIPS - YES; MR. CARUSO - YES; MR. NECIO - YES; CHAIR VITALI - YES.

Chair Vitali said, So the remediation of the Violation J.4. is approved, and it will be removed from the agenda.

Then Chair Vitali went to the pool Application, F. Old Business, Item 2.

**F. OLD BUSINESS**

**2. #A24-5.1 / 360 Woodhouse Avenue - Nerio Tello - (in-ground pool, pool house, fencing, patio)**

Appearing were Mr. and Mrs. Nerio Tello and Mr. David Lord of Soil Resource Consultants.

Chair Vitali began this F.2. agenda item, saying, The pool information was in last month's packet.

Mr. Lord said, The remediation plan you saw shows where the pool is going, and there's an outline of the fence behind the house. The pool is going within that location.

Chair Vitali said, The edge of the pool is in the Upland Review Area, within 50 feet of the wetland line?

Mr. Lord said, Yes. The pool isn't marked in the field. In photographs you have, there's fence posts, and the pool is going inside those in a grass lawn-maintained area to the rear of the house. The sketch for remediation shows an outline of fence behind the house structure. The pool is going within that.

Chair Vitali said, But it's not going to fill that whole designated area? Is it going to fill the rear or closer to the house?

Mr. Russo said, Mr. Chairman, in the file there are photographs, sketches, if you would like me to bring them to the Commission, to better understand the pool location?

Chair Vitali said, Yes, please.

Mr. Russo said, This is the wetland boundary designated by Mr. Lord. This is the house and the area for the pool. So the pool would be within 50 feet of the wetland boundary designated by Mr. Lord. I will leave these for the Commission to pass around to see the proposed location of the pool.

Mr. Lord added, I wanted the Commission to know: Some copies of my reports were not real clear, but I see that the Chair has a pretty good copy. Is everyone clear?

Commissioner Phillips answered affirmatively. Commissioner Kern said, We got them last month.

Chair Vitali stated, I'll circulate this outline to the Commissioners, showing the pool in the center.

Commissioner Heilman asked, Is this an above-ground or in-ground?

Mr. Lord said, In-ground.

Commissioner Heilman said, It's a perched water table there. What's the elevation?

Mr. Lord said, We have elevation to the south and to the west towards the driveway terminus, where we can have daylight--a curtain drain. I'd confer with the pool installer. I think it needs to be entirely surrounded by a perforated drainage, creating a foundation drain like around the house--and day-light it and direct it toward the driveway. We have sufficient grade there to have a good drainage system. Some of the hardpan layer will be carved out, and the pipe put in under the elevation of the surface of the hardpan. So we catch any water moving towards the pool.

Commissioner Heilman said, Make sure that that pipe stays clear from any rodent activity.

Commissioner Kern said, Dave, about the layer down 3 feet: The water there's going to be removed because of the pressure?

Mr. Lord said, Yes, the 3 feet is the rough estimate to the surface of the hardpan.

Commissioner Kern said, They're going to drain that. Is that going to affect the wetlands?

Mr. Lord said, The type of soils present at the hardpan--this drainage system does not influence the overall perched water table condition except in the area of the pool.

Commissioner Kern asked, Are we sure that this curtain drain is going to be adequate to take the water flow between?

Mr. Lord said, The volume of water that a drain like this handles is relatively small--under 5 gallons a minute flow, at most. We're looking at it operating in a free-flowing condition that persistently lowers that water table as soil water moves on the top of that hardpan layer, moving extremely slowly over the surface of the hardpan, to convey it away from the circumference of the pool. This prevents hydraulic pressure on the edges of the pool, which will cause failure of the pool.

Chair Vitali asked, Did you have core borings down to the hardpan?

Mr. Lord said, Yes, in delineating wetlands I did. And at both test holes we hit hardpan.

Chair Vitali asked, If the Commission has no questions, I'd entertain a Motion on Significant Activity or not because the Application is for construction within the Upland Review Area.

**MS. PHILLIPS: MOTION THAT APPLICATION #A24-5.1 / 360 WOODHOUSE AVENUE - NERIO TELLO - (IN-GROUND POOL, POOL HOUSE, FENCING, AND DRAINAGE INSTALLATIONS) BE DECLARED NOT A SIGNIFICANT IMPACT ACTIVITY.**

**MR. NECIO: SECOND.**

**VOTE: MR. KERN - YES; MS. PHILLIPS - YES; MR. CARUSO - YES; MR. NECIO - YES; CHAIR VITALI - YES.**

Chair Vitali said, Now I'll entertain a Motion to approve or deny this application.

**MS. PHILLIPS: MOTION THAT APPLICATION #A24-5.1 / 360 WOODHOUSE AVENUE - NERIO TELLO (IN-GROUND POOL, POOL HOUSE, FENCING, AND DRAINING INSTALLATIONS BE APPROVED-- (This Motion is continued below.)**

**MR. NECIO: SECOND.**

At this time, Commissioner Kern suggested that Wetland placards should be placed.

Mr. Lord requested, "At 50 feet or at significant turning points of the wetland." It's not straight.

Chair Vitali asked if Mr. Lord will put posts in the ground? We'll supply you the plaques.

Mr. Lord said, Yes.

Ms. Phillips and the Commissioners accepted this language, which Ms. Phillips added as a Condition.

Chair Vitali said, The Motion has been made and modified. Is there still a second?

The Recording Secretary asked that the Motion be restated, which Ms. Phillips did.

**MS. PHILLIPS: . . . THE APPLICATION BE APPROVED WITH THE ADDITION OF WETLAND PLACARDS PLACED AT INTERVALS/POINTS ALONG THE WETLAND BOUNDARIES.**

**MR. NECIO: STILL A SECOND.**

**VOTE: MR. KERN - YES; MS. PHILLIPS - YES; MR. CARUSO - YES; MR. NECIO - YES; CHAIR VITALI - YES.**

This was the end of the discussion and Motion on Item F.2.

Chair Vitali proceeded, calling for Item F.3.

**3. #A19-3.7 / 988 East Center Street - Benchmark Development, LLC - (Request for bond release)**

Chair Vitali stated that this Item 3. is not ready. It remains on the agenda.

Chair Vitali called for Item 4.

**4. #A24-6.2 / 380 Main Street, Yalesville - Town of Wallingford, c/o Alison Kapushinski, P.E. - (Quinnipiac Linear Trail pedestrian bridge installation over Quinnipiac Raceway, elevated boardwalk, and trail construction)**

Note: For the discussion and two Motions made and voted below, Commissioner Kern recused himself from participating and voting. Chair Vitali requested that Alternate Ms. McKeen would participate and vote instead.

Appearing were Town Engineer Alison Kapuskinski, P.E., along with Mr. Tony Ciriello, P.E., and Mr. Mark Mancini, P.E., both of SLR Consulting in Cheshire.

Mr. Ciriello said, We met with you at the Meeting on July 17th on the Quinnipiac River Linear Trail extension. That's from Fireworks Island up to Main Street, about 750 linear feet. Matthew Sanford, Soils Scientist and Certified Wetlands Scientist, was here. He described the regulated areas. I displayed the same boards then, and you had an 11" x 17" copy of the plan. I described the Greenway Extension, on-grade Trail components, the 80-foot bridge, and the boardwalk. We had some repre-

sentation from the condominium at the Meeting, and then the Commission asked for an extension to tonight. Since our last meeting in July, we haven't had any public comments or been made aware of any. Since then, we've worked with Ms. O'Hare's comments and on drawings.

Mr. Ciriello said, Ms. O'Hare shared with us the proposed Conditions of Approval, and we have no objection to any of those. We will provide the construction drawings for the record when they're ready. We agreed to make any edits per Ms. O'Hare. There's a summary of responses that's been documented. We'll make the edits in the Final Construction Drawings for the record. We also agreed with Ms. O'Hare that we'd give notice of a week and have inspection of the S&E Controls before construction begins. And we also agreed with the installation of placards to designate the wetlands or, here, the adjacent watercourse on the property during construction. Do you require a refresher on the plans?

Chair Vitali asked for a quick description.

Mr. Ciriello went to the first board. He said, North is up. This is the Raceway, and then 380 Main Street, which is Yalesville on the Green Condominium. This private drive comes down. To orient: There's a timber bridge over to Fireworks Island. There's the oyster shell parking lot over the bridge, left and right to the south. The existing trailhead is here, where we have a loop. The proposal is to come off that existing greenway, rise up along the easterly side of the Raceway, and cross the Raceway with a pedestrian bridge. The bridge is an 80 foot steel bridge, like the previous two bridges that we designed with the Town. Over the Raceway to the west, we transition to a timber boardwalk of 105 feet. Where the boardwalk touches grade, we go back to trail on grade. That trail is 10 feet wide. We agreed that the paved areas of the trail (in red, here and here) would be permeable pavement. Similarly, the boardwalk and the bridge have timber plank--permeable with gaps between floorboards.

Mr. Ciriello continued, On the regulated areas, this green band here (second board) are the Inland Wetlands that are south of and on adjacent property, and a small band of wetlands comes here. There are no direct impact to wetlands at all. The Raceway runs north-south on the property, but there are no Inland Wetlands associated with the Raceway. The watercourse has a surveyed edge of water, and there's a delineated high-water line. In orange is a FEMA floodway and a FEMA floodplain. At the July meeting, we presented that all the work spans--the floodplain, the floodway, the ordinary high-water mark, so there are no impacts to those regulated areas. Then the approach on the east and the boardwalk do encroach on the 50-foot Upland Review Area. So we recognized those impacts. So the character of the trail here mirrors the existing segments of trail, and the bridge as well. The boardwalk is on helical piles and has a cable railing. And we're on grade here. Permanent work is confined to the 12-foot easement that was previously granted in favor of the Town.

Chair Vital asked, Commissioners, questions?

Commissioner McKeen said, The permeable surface is what kind? Is it going to be concrete blocks with holes filled in the middle, or just gravel? What will it look like?

Mr. Ciriello said, It may be a permeable pavement, a paved trail.

Chair Vitali said, The pavement is like blacktop, but permeable.

Mr. Ciriello said, It'll look like the previous sections of trail, an asphalt with a permeable design to let water go through to the stone base.

Chair Vitali said, They also have a permeable block that's used for paving. Other questions?

There were none.

Chair Vitali asked, Bob, have you got any issues?

Mr. Russo said, None. Thank you, Mr. Chair.

Chair Vitali said, O.K. At this time I'll entertain if this is a Significant Activity. It's not a public hearing, but yes, you can be heard.

Attorney Ronald Barba spoke. I'm a Partner at Bender, Anderson & Barba. We are general counsel to the Yalesville Condominium Association. They have a significant interest in the outcome. To correct the record, this is an Easement that is subject to my client's approval of any building permits or building plans. None have--no final plans have been submitted to my client for approval, which means that those plans can be subject to change. At any time, there may be requirements for different plans. They haven't been approved yet. There's no right of the Town to move forward with this as though it's a fait accompli, given that under the terms of the Easement granted to the Town, it must get Association approval.

Chair Vitali asked, Do you have a copy of the Easement?

Attorney Barba said, I do.

Chair Vitali asked, Did you submit a copy of the easement to the Town, the Town Engineer, or the Law Department?

Mr. Barba said, I will. I have the pertinent parts of the deed in which the easement was granted. I don't have the whole document, but I will provide the pertinent page (given for the record).

Chair Vitali said, We have a memorandum from our Corporation Counsel: "As owner of the easement, the Town is legally entitled to apply for the permit."

Attorney Barba said, I'm not suggesting it's not entitled to apply for the permit. But it's premature for this Commission to approve any sort of application, given that there are no final plans, and that those plans are subject to my clients' review. I speak to: "In addition to the encumbrances that are listed in this deed, they shall be used for passive recreational purposes only. The purpose extension of the Linear Trail shall be permitted on the subject property." And the restriction that "The following activities may not take place on the subject property without written consent of the grantor or its successors and assigns: The construction of any new temporary or permanent structures." So I offer this in its limited capacity to provide the documentation. May I?

Chair Vitali said, Yes, to give to the Environmental Planner.

Mr. Barba said, I'd supplement the record with the entire document--but that is the pertinent and relevant part here today. Those plans haven't been submitted to my client, and that means there's no final plans for this committee to consider. Their application suggests that they will not impact the Raceway or that there won't be any impact inside the wetlands. That's not determined yet; we haven't had final plans. And my client hasn't had opportunity to study the impact of all the new impermeables

that are contemplated herein is also a major and relevant consideration that has to be given time to address. They have not been presented those plans. Until that time comes, the Town has no right at all to proceed. This is not a temporary and is, certainly, a permanent structure.

Chair Vitali said, O.K. The final plans are the same, I think, as the original submitted plan, is that correct?

Mr. Ciriello said, Yes, Sir.

Chair Vitali asked, Alison, are you aware of this condition on the easement that they're supposed to be notified?

Town Engineer Alison Kapushinski said, We are aware of Mr. Barba's interpretation of the easement. The administration is well aware. We are comfortable proceeding with the plans in front of you tonight.

Chair Vitali said, But you're familiar with this clause in the easement or this part of the easement?

Ms. Kapushinski said, Yes. We view the proposed improvements as a trail. Mr. Barba looks at the boardwalk as a structure. That's the difference of opinion. Again, we have reviewed it, and the Town is comfortable with the plans as submitted.

Chair Vitali asked, So you discussed this with the Corporate Counsel?

Ms. Kapushinski said, Correct.

Attorney Barba said, Corporate Counsel makes a conclusion that somehow that easement doesn't apply, and how that boardwalk--this 100-foot span that's locked in by concrete footings followed by a bridge--is somehow not a permanent structure. I don't see how it's possible. It's absolutely covered by the easement. And the Town, for its ease of use, wants to ignore that fact. The reality is, it is permanent. And, therefore, the easement is triggered; and my client has an absolute right to review and approve these plans before they go into effect. The only guide is that they not be unreasonably denied. But they don't even know what the plans are, so they can't study them. It's way too early for this to be going on. And whether or not there's a Significant Impact, it seems to me there definitely is. Whether or not this is in the public interest, we should have a hearing on that, is something also to be considered. Ultimately, until we're presented officially with those plans, this should not go forward, Sir.

Chair Vitali said, A new issue: That we're getting into an Application that we can't vote on this impact to wetlands. We got to be held up based on the legality, or this is what the gentleman is requesting? I think we have two options: postpone it for 30 days and get a specific reading. You can get him a set of plans, is that an issue?

Ms. Kapushinski said, In the past nine months, we had a couple meetings with the condo association. We offered to do a meeting to the entire condo ownership. At the Board's request, it was just a meeting with them, which we were fine with; and we did present them the plans that are in front today. The only change is that it was not porous pavement. Then in February we had a public information meeting, and we sent invites to every condo owner and posted it as required. We made a presentation of the plans, through every step, and took all questions. That is when the porous pavement came about as a comment from the public. We incorporated that. And that's how we got here today. So we have been including the condo association in the process. I would hate to hold this project up any further. I

feel like the plans haven't changed. There haven't necessarily been Wetland comments. And these plans have been for review in the Town, I think June 5th were received. So at any point anybody in the public could go and review them. I understand nobody has, and it's been three months.

Chair Vitali said, With that, it sounds like your client had opportunities to discuss this with the Town.

Attorney Barba said, I don't deny that. They've discussed many concerns that have been raised by the project. But, as Mr. Ciriello said, "We will be providing construction plans when they are ready." He said tonight: "They're not ready, done, finalized." When they're finalized, that's when they're supposed to be presented to us.

Mr. Russo stated, Mr. Chairman, I think there's an important difference here between plans prepared for permitting and plans that are prepared for construction. Typically, plans prepared for permitting are not necessarily as detailed as construction documents put out to a bid. Construction documents are not prepared at the same level as Wetland permitting plans, and you wouldn't get those presented to you as part of the approval process. Thank you.

Attorney Barba said, Mr. Chairman, it seems to me that the engineering of this 100-foot span and a boardwalk and an 80-foot bridge have a certain engineering requirement that we should be able to evaluate. We haven't been able to do that. Until such time as we do, until we can see not only the impact of the footing, and removing trees in order to accommodate the bridge, what impact it's going to have on that very precipitous riverbank? We haven't had an opportunity because we don't see their final plan. They haven't identified all the things in steps. We don't know what's going to happen to the drainage and all the water precipitation running across the surface as a result of increased impermeables. All that needs to be studied by my client. That's why they're given the right in this easement, so somebody can't come in and put whatever they want there. Whether this is a temporary or permanent structure, common sense suggests it's absolutely a permanent structure. Again, my client has every right in the world to be able to approve these plans when they are finished--either in this application process or in the construction process. There's going to be little difference if there's more specificity in the construction phase. We haven't seen anything that's considered final.

Chair Vitali said, I sympathize. But you're dealing with a legal issue. I'm going to deal with a Wetlands issue tonight. And, whatever outcome from the Wetlands issue, if you want to go to the legal issue, you can take it to the Corporate Counsel or wherever. I can't get in the middle of a legal battle on whether it's the final set of plans or construction drawings.

Commissioner Heilman said, Mr. Chairman, maybe what you're asking for can't exist until those plans pass through stages. Before Planning and Zoning can do their approval and activities can start--before the plans are final plans--it has to get the approval of this Commission. If you ask us to stop now, the plan can never go through, so that doesn't work. We have to have a pre-approval of things; then it passes to Planning and Zoning before anything can happen. So it seems a moot point. You're not going to get a plan until we approve what they pass on to you.

Attorney Barba, I'm not going to question this committee. But I do suggest that, until we get one, you're dealing with a partial plan which is going to be subject to change. Whether that's sufficient to vote upon, that's to your discretion. Also, given the nature, the proximity, and density of the impact on the wetland so adjacent, the precipitous fall of that bank, there should be a Significant Impact finding and a hearing on that. I'd respectfully ask the Commission to schedule that for the October 4th meeting. This is in the public interest, significantly, whose lives are going to be affected, and I'm not sure

that we all fully appreciate.

Mr. Russo said, Mr. Chair, just as a point of information: Should the legal proceedings result in a change, I'd respectfully suggest that the plans would have to be resubmitted to your Commission.

Chair Vitali said, I think so, too. If the final plans don't meet with your client's approval, they may have to come back before Wetlands. To move forward, I think we have to deal on Wetlands issues tonight. I don't like the whole area, but the Raceway became as much the river as the river became what's out there. It's unfortunate what's taken place in that area, but I don't know about the bridge.

Attorney Barba said, Thank you for your attention.

Chair Vitali said, I'll entertain a Motion regarding Significant Activity.

**MS. PHILLIPS:** MOTION THAT APPLICATION #A-24-6.2 / 380 MAIN STREET, YALESVILLE, AND MAIN STREET, TOWN OF WALLINGFORD - (QUINNIPIAC LINEAR TRAIL PHASE 3B PEDESTRIAN BRIDGE INSTALLATION) BE DEEMED NOT A SIGNIFICANT IMPACT ACTIVITY.

**MR. NECIO:** SECOND.

**VOTE:** MS. MCKEEN - YES; MS. PHILLIPS - YES; MR. CARUSO - YES; MR. NECIO - YES; CHAIR VITALI - YES.

**MS. PHILLIPS:** MOTION THAT APPLICATION #A24-6.2 / 380 MAIN STREET, YALESVILLE, AND MAIN STREET, TOWN OF WALLINGFORD - (QUINNIPIAC LINEAR TRAIL PHASE 3B PEDESTRIAN BRIDGE INSTALLATION) BE APPROVED WITH THE CONDITIONS OF APPROVAL IN THE AUGUST 30TH, 2024, ENVIRONMENTAL PLANNER'S REPORT, #1, #2, AND #3.

**MR. NECIO:** SECOND.

**VOTE:** MS. MCKEEN - YES; MS. PHILLIPS - YES; MR. CARUSO - YES; MR. NECIO - YES; CHAIR VITALI - YES.

5. #A24-6.3 / 59 North Elm Street - Choate Rosemary Hall - (modification to permit IWWC #A22-10.1 - detention basin to underground infiltration unit) Request for consideration of an administrative approval - **WITHDRAWN**

Chair Vitali stated that this item has been withdrawn.

**G. NEW BUSINESS** - There was no New Business.

#### **H. RECEIPT OF NEW APPLICATIONS**

1. #A24-8.1 / 20 Mohawk Drive - Jim Russo - (drain pipe installation with discharge to stream) - Request for Administrative Approval - **Granted 8/14/24**

Chair Vitali stated that this Application was granted Administrative Approval.

2. #A24-8.2 / 862 East Center Street - John A. Tangredi - (detached garage) - Request for Administrative Approval - **Granted 8/27/24**

Chair Vitali described this and stated the Application was granted Administrative Approval.

3. #A24-8.3 / 2 Wojtasik Drive - Joseph T. Wojtasik - (fence installation in URA & in wetlands) - Request for Administrative Approval for fencing in URA only

Chair Vitali said Ms. O'Hare agrees that the bulk of the fence can be handled by Administrative Approval, except for something. Mr. Russo, are you familiar with this?

Mr. Russo said, Ms. O'Hare reported that the Owner wishes to put a fence around the perimeter of his property on a couple of sides. That would actually cross wetland. She indicated it could be Administrative Approval for the portion outside the wetland, but could not be such for the limited distance where the fence actually crosses the wetland. There are three components to this request: 1) the fencing I described along the northern property line, being approximately 100 feet of fence outside of wetlands and 30 feet of fence crossing wetlands; 2) the fencing now along the southern property line at top of slope, which would be outside of wetland; and 3) installing a temporary grate, in autumn only during leaf season, around a pipe that is occasionally plugging and causing flooding. So Ms. O'Hare's comments/notes indicate that a portion here would require approval from the whole Commission.

Chair Vitali asked, Does it clearly show the part that can be Administratively Approved?

Mr. Russo said, It is not on a clear map. It's on a hand sketch that I think is difficult to interpret.

Chair Vitali said, What regulation is she working on that it can't be administratively approved?

Mr. Russo said, Activity in the wetland.

Chair Vitali said, Even setting fence posts?

Mr. Russo said, Yes.

Chair Vitali said, I have no problem with following Erin's suggestion that the bulk of the fence can be granted Administration Approval. The Application has been submitted, and the other we'll deal with next month. I'd ask for a Motion to grant Administrative Approval to follow Erin's recommendations.

**MS. PHILLIPS: MOTION THAT APPLICATION #A24-8.3 / 2 WOJTASIK DRIVE - JOSEPH T. WOJTASIK - (FENCE INSTALLATION) BE ADMINISTRATIVE APPROVED FOR THE FENCING IN THE UPLAND REVIEW AREA ONLY.**

**MR. NECIO: SECOND.**

In discussion, Mr. Heilman said it's a matter of the Applicant's knowledge of where this boundary is. The map's not good. I'd suggest we could send people there to check it out.

Commissioner Caruso said, You can't tell where it is.

Chair Vitali said, I think our staff person here could identify it, with the explanation given by Erin. Administrative Approval doesn't need Significant Activity. So we're voting on Administrative Approval granting other than what Erin's described tonight.

**VOTE: MR. KERN - YES; MS. PHILLIPS - YES; MR. CARUSO - YES; MR. NECIO - YES; CHAIR VITALI - YES.**

Note: Also see J. Violations, Item 3 below, regarding this property.

## **I. REPORTS & COMMUNICATIONS**

. These were not taken up.

1. Discussion of Proposal to Adopt Fines for Violations
2. Farm Hill Road Detention Basin
3. Interim IWWC Consultant - Scope of Work dated 8/30/24.

**J. VIOLATIONS - discussion and/or action**

1. **Cease & Correct Order Remains - 67 Schoolhouse Road - Michelle Millican & Michael Gerace (new filling over prior filling); issued 4/25/23; 11/1/23 extended deadline for removal to 9/4/24**

Chair Vitali said, I am told there is activity going on that is cleaning the brick out. There was a request that this would be done, and it's in the works.

Mr. Michael Gerace, 67 Schoolhouse Road, and Mrs. Michelle Gerace, appeared. Mr. Gerace stated, Hay bales were installed. The contractor will be coming in Friday, starting to remove material on the righthand side where the silt fence is, pulling it back, leaving 20 feet on the lefthand side but not allowing the water to move over, to control it.

Chair Vitali said, I think Erin said you're going to drain them before you haul them off site. I'm glad the work is coming to an end.

There were no questions by the Commissioners.

Chair Vitali noted, Everything is status quo. It remains. Thank you.

2. **Notice of Violation - IWWC #A18-1.2 / 801 North Colony Road & 6 Beaumont Road / Padens Brook - IAmTheWalrus, LLC - (violations regarding implementation of the Padens Brook Corridor Restoration Plan) - issued 3/4/24; approved remediation planting plan & tabled 6/5/24**

Chair Vitali asked for a report.

Mr. Russo replied, They have not made the plantings. There was an update e-mailed from Sigrun Gadwa, their Environmental Consultant, indicating that removal of invasive species (Japanese knotweed, mugwort, etc.) has progressed and will continue. The trees specified have not been planted yet, and I believe there's still 6 or 8 weeks left to accomplish the plantings.

Chair Vitali explained that addressing the invasive species has not been successful. But the recently approved planting plan from George Logan is to be done.

Mr. Russo said, I'll follow up with the consultant.

3. **Notice of Violation - 2 Wojtasik Drive - Joseph Wojtasik - (unpermitted clearing, grading, removal of trees, re-setting drainage pipes in wetlands and within URA) issued 3/27/24**

Chair Vitali said, This Violation remains until the fence gets through. (See related Item H.3. under Receipt of New Applications above.)

4. **360 Woodhouse Avenue - Nerio Tello - (structures, depositions, and ditching in wetlands)**

Mr. Russo asked whether Chair Vitali wishes that he would make an inspection and report.

Chair Vitali agreed, saying this Violation Item J.4. will remain on the agenda. (But see J.4. Motion

voted earlier.)

**K. VIOLATIONS - pending (no action requested)**

Chair Vitali did not take these up in K. here, and these remain:

1. **Notice of Violation Remains - (1245 Old Colony Road & Quinnipiac River - Jerzy Pytel - (unpermitted clearing & filling near river) issued 6/4/19; NOV to be recorded on Land Records per 10/4/24 action**
2. **Cease & Correct Order Remains - 67 Schoolhouse Road - Karl Kieslich - (new filling over prior filling) issued 4/25/23; tabled**
3. **Notice of Violation Remains - 24 Mapleview Road - Patricia Clarke c/o James W. & Patricia Clarke, Trustee of The Clarke 2022 Living Trust - (alteration & filling within wetlands and in Upland Review Area on 24 Mapleview Rd. & on 13 Rolling Meadow Dr.) issued 4/21/23**
4. **Notice of Violation Remains - 119 Quigley Road - Matt Turner - (clearing & grading in wetlands) issued 9/29/23**

Chair Vitali stated that Bob Russo has a good handle on what his duties are for us.

**L. ADJOURNMENT**

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

**MR. NECIO: SECOND.**

**VOTE: UNANIMOUS VOTE TO ADJOURN.**

The Meeting was adjourned at 9:36 p.m.

**M. NEXT SCHEDULED REGULAR MEETING: Oct. 2, 2024**

Respectfully submitted,

Kathleen L. Burns  
Recording Secretary