

Wallingford Inland Wetlands & Watercourses Commission
Regular Meeting
Wednesday, June 4, 2025
Robert F. Parisi Council Chambers, Second Floor, Town Hall
45 South Main Street, Wallingford, CT

CORRECTED MINUTES

Chair James Vitali called this Regular Meeting of the Wallingford Inland Wetlands and Watercourses Commission to order on Wednesday, June 4, 2025, 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, Commissioners Michael Caruso and Jeffrey Necio, Alternate Commissioners Aili McKeen and James Heilman, and Environmental Planner Erin O'Hare. Alternate Commissioner Mrs. Caroline Raynis entered the meeting at 7:31 p.m.

ABSENT: None.

There were 7 persons in the audience.

A. PLEDGE OF ALLEGIANCE

The Pledge was recited.

B. ROLL CALL. As above.

C. CONSIDERATION OF MINUTES

1. Regular Meeting, May 7, 2025

Secretary Mr. Kern declined to participate here since he had been absent from the May Meeting. Alternate Commissioner Ms. McKeen had participated and voted in May.

<u>MS. PHILLIPS:</u>	<u>MOTION REGARDING THE MINUTES OF THE MAY 7TH, 2025, MEETING, THAT THEY BE ACCEPTED AS SUBMITTED.</u>
<u>MR. NECIO:</u>	<u>SECOND.</u>
<u>VOTE:</u>	<u>MS. MCKEEN – YES; MR. NECIO – YES; MR. CARUSO – YES; MS. PHILLIPS – YES; CHAIR VITALI – YES.</u>

Chair Vitali stated that the voters tonight would be himself and the Regular Commissioners including Secretary Mr. Kern.

Chair Vitali said that the Commissioners had received an excessive amount of communications on the applications just before this Meeting tonight and on Friday. He announced that if any information is handed in by Applicants or staff past Friday, then that particular application will not be heard. Commissioners agreed.

Chair Vitali continued, Also, because one of the reasons is the last few meetings the episodes have been very embarrassing for me to have all this confusion going on that should be taken care of in the staff office. And, speaking of embarrassment, I've got to tell you that I talked to Erin last week. And we talked about an applicant, and it was a difficult conversation. I said, "What do you want the Commission to do?" And she told me she wanted the Commission to embarrass the gentleman on television. And I kind of lost it because she's done that before; and I went ballistic a little bit, and I said that is not what this Commission does. That's not our function here. I think everybody's in agreement. If not,

Speak up. So, unfortunately, I wanted to start it because, if there's any applicants in here, they won't get approved tonight with information that has been punched out since Friday.

D. OLD BUSINESS

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

Ms. O'Hare said this item is not ready for action.

- 2. #A25-3.1 / 142 Hope Hill Road - Town of Wallingford - (track area drainage improvements) - Withdrawn**

Chair Vitali noted this Application has been withdrawn.

- 3. #A20-7.1 / 5 & 21 Toelles Road & Wharton Brook - Pfizer Inc. - (soil remediation project) - Request for release of two of four bonds held)**

Ms. O'Hare said, My Environmental Planner's Report went out to you. They fixed the particular items for the remediation. This is an example of a successful restoration of a 2-acre floodplain site. I instructed them not to come tonight.

Chair Vitali asked, Is it a matter for DEEP?

Ms. O'Hare said, No.

<u>MS. PHILLIPS:</u>	<u>MOTION ON APPLICATION #A20-7.1 / 5 & 21 TOELLES ROAD & WHARTON BROOK – PFIZER INC. – (SOIL REMEDIATION PROJECT) THAT THE BOND FOR SOIL & EROSION CONTROL OF \$33,000 AND THE WETLANDS PLANTING BOND OF \$75,000 WOULD BE RELEASED.</u>
<u>MR. NECIO:</u>	<u>SECOND.</u>
<u>VOTE:</u>	<u>MR. KERN – YES; MS. PHILLIPS – YES; MR. CARUSO – YES; MR. NECIO – YES; CHAIR VITALI – YES.</u>

- 4. #A25-4.1 / 177 Parker Farms Road - Hector Baez - (above-ground pool, patio, minor filling)**

Appearing was Mr. Hector Baez, Applicant.

Ms. O'Hare said, My report went out to you Friday. You got the Application the month before. Information came to light on the property history and about wetlands there. First, he wanted to put the pool in the ground. He dug a hole. But that involved a lot of work and regrading. So he decided to go with installing it above ground, which is this Application. We were using 1996 wetlands information from the file that depicted wetlands that ran across the south side of the property. Then I realized it was always dry when I was out there two times. There was a 30-foot-wide Town drainage easement through that wetland. I found a United Concrete unit in the back with a pipe. Since the Town put in that drain, the wetland was gone. We have been working with him for two months. I think tonight you could go ahead and treat it as a wetland.

Chair Vitali said, Erin and I discussed the language in the regulation. It's really based on what we think happened, not a lot of proof. When the stone drainage went in there, that drained the surrounding area. Questions? There were none.

There were none.

MS. PHILLIPS: **MOTION ON APPLICATION #A25-4.1 / 177 PARKER FARMS ROAD – HECTOR Wallingford Inland Wetlands & Watercourses Commission**
Regular Meeting, June 4, 2025

BAEZ – (ABOVE-GROUND POOL, PATIO, MINOR FILLING) THAT IT WOULD BE 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 #A25-4.1 / 177 PARKER FARMS ROAD – HECTOR BAEZ – (ABOVE-GROUND POOL, PATIO, MINOR FILLING) BE APPROVED WITH THE CONDITION OF APPROVAL FROM MS. O'HARE WHICH IS THAT EROSION CONTROLS BE INSTALLED ON THE PROPERTY IMMEDIATELY PRIOR TO ANY FURTHER WORK BEING CONDUCTED ON THE SITE.**

MR. NECIO: **SECOND.**

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

5. #A25-4.2 / 360 Woodhouse Avenue – Nerio Tello – (“After-the-Fact” installation of drainage facility for flows from patio and portion of house roof with discharge to southern wetlands & proposed installation of low wall at top of driveway and re-location of chicken coop structure and shed structure with connections to drainage--all in Upland Review Area & proposed additional flow discharge to southern wetlands & Restoration of existing disturbed wetlands areas)

Appearing were Applicant Mr. Nerio Tello and Ms. Araceli Tello, 360 Woodhouse Avenue.

Chair Vitali thought the “After-the-Fact” Application does not fit.

Ms. O'Hare said, Mr. Tello was looking to get the chicken coop out of the wetland and put it elsewhere.

Chair Vitali referred to Agenda Item I.4 Cease & Desist and related Items I.2 and I.3 below and said, He was given a Cease & Desist and a Notice of Violation. I don't see any sense to acting on the After-the-Fact Permit Application. Why is there a new Application for this property when we have existing violations? You want him to work with an engineer, with a soils scientist.

Commissioner Kern said, We can't act. The existing violation has not been handled. We have 30 days.

Ms. O'Hare said, It's actually 65 days, and the Commission can grant another 65 days to work it out. Some of the improvements are not a violation. You would approve them if it wasn't for the violations on site.

Commissioner Kern said, You don't need the Law Department. We need to decide, to get him to clean up the chicken coop and other things--to come back to us with an Application then to do what he wants to do next.

Ms. Tello said, He will move the chicken coop. I want to make it clear he will be moving that last. So he can do the drainage and then move the chicken coop and the shed.

Commissioner Kern said, You told us last year, and we asked you to take the coop and the other structure and remove them and then wait a year. This is a violation. Before we say anything else, you have to move them.

Chair Vitali asked, Did we approve this drainage pipe where you have to have him fill the hole?

Ms. Tello said, No.

Chair Vitali said, So I think the Commission is going to keep the Cease & Desist in place and table everything else.

MS. PHILLIPS: **MOTION TO TABLE THIS APPLICATION #A25-4.2 / 360 WOODHOUSE AVENUE - NERIO TELLO – (“AFTER-THE-FACT” INSTALLATION OF DRAINAGE FACILITY FOR FLOWS FROM PATIO AND PORTION OF HOUSE ROOF WITH DISCHARGE TO SOUTHERN WETLANDS & PROPOSED INSTALLATION OF LOW WALL AT TOP OF DRIVEWAY AND RE-LOCATION OF CHICKEN COOP STRUCTURE AND SHED STRUCTURE WITH CONNECTIONS TO DRAINAGE--ALL IN UPLAND REVIEW AREA & PROPOSED ADDITIONAL FLOW DISCHARGE TO SOUTHERN WETLANDS & RESTORATION OF EXISTING DISTURBED WETLANDS AREAS).**

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

This Item D.5. is tabled.

Ms. O’Hare asked for the Hearing to commence.

I. VIOLATIONS – discussion, hearing, and/or action

4. Cease & Desist Order Hearing – 360 Woodhouse Avenue – Nerio Tello – (new unpermitted Activities & noncompliance with permit &, etc.) – issued 5/30/25 (verbal), 6/2/25 (written)

Chair Vitali opened the Cease & Desist Hearing at 7:27 p.m.

Owner Mr. Nerio Tello and Ms. Aracel Tello, representing the Owner, came up to the table.

Chair Vitali then requested a Motion to be made here instead.

MS. PHILLIPS: **MOTION THAT THE CEASE & DESIST ORDER ON 360 WOODHOUSE AVENUE – NERIO TELLO – BE LEFT IN PLACE.**
MR. NECIO: **SECOND.**

Commissioner Heilman said, Is there also a directive on this Application—to first take care of the old violations before proposing new work? You need someone who knows the laws and regulations to get back on track here. This is the directive.

Mr. Tello said, I want to fix it, or whatever we have to do and to come again.

Chair Vitali said, Mr. Heilman’s comment is well taken. He needs to get help to put all of this together. Comments from other Commissioners?

Commissioner Kern asked why Mr. Tello didn’t just move the chicken coop and the shed.

Ms. O’Hare clarified that he did not relocate them because he set up a construction materials area in the relocation area.

There were no other comments, and the vote proceeded.

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

This voted Motion ended the Hearing.

Chair Vitali went to Item D.6.

Commissioner Mrs. Raynis entered the Meeting at this time, 7:31 p.m.

D. OLD BUSINESS

6. #A25-5.1 / 2 Research Parkway – Connecticut Foodshare, Inc. – (building expansion & associated parking/drive improvement & stormwater management improvements)

Appearing were Mr. Ian Cole, Soils Scientist, from Middletown, and Ms. Megan Miller with Civil One, Mr. Martino Rivero for Connecticut Foodshare, Inc., and Mr. Michael Romano from Commercial Development Co.

Ms. Miller said, The Connecticut Foodshare property is at 2 Research Parkway. It has 9.64 acres and is in the Interchange District. It's at the corner with Barnes Road and has distribution and office space. The application is to build an addition of 34,000 square feet plus 51 parking spaces. In orange is the proposed addition (referring to presentation plan on the board). On the north side of the property is where we're moving the existing driveway, towards Joseph Carini Drive. Here on the south side is the new parking and four shipping/receiving bays. It's bordered by Barnes Road, Route 68, Thorpe Avenue, and Joseph Carini Drive, and Research Parkway. The north side has an additional loading bay and tractor-trailer parking.

Ms. Miller continued, The property has three detention basins and no wetlands. We're before you because the existing drainage basin was identified as wetlands. What we have as existing conditions: The stormwater system has 3 detention basins. The one to the west is only for the roof leaders. Then there's a stormwater sand filter which handles all runoff from the driveway and parking area as part of the Watershed Interchange District. A swale has the existing basin over by Barnes Road. For larger storm events water goes to an outlet control structure which drains to the Town drainage system. Our proposed drainage system is by the existing drainage system with improvements. New stormwater from the addition would go to the existing basin that is also for the roof—we need to enlarge it. Runoff from the parking area/driveway half will go to the existing pumps/basins underground to the lines to allow infiltration because the stormwater has not been treated yet. The other half of the water will be going to existing catch basins and to an oil/grit separator going to this sand filter. Two oil/grit separators are required. One will remain and one will be added. The retention basin by Barnes Road will not be modified but remain. The swale will remain.

Ms. Miller continued, Back to the other sheet for Regulated Areas. We have two regulated activities: new area and impervious area over 20,000 square feet. We'd extend the detention system to serve a bit of the parking lot and driveway located within 50 feet of wetlands. We'd mitigate impacts by the Soil Erosion Control Plan. All inlets will have silt sacks and hay bales. Hay bales and silt fence will be around existing drainage basins. The one on the south will be protected by silt fence. No work will be in this area. We propose two temporary sediment traps here and here for stormwater and erosion control sedimentation measures here and here. Water infiltrating in the traps will be maintained during construction. A Maintenance Schedule has been added to the plan for during and after construction, including maintenance and controls.

Ms. Miller continued, The significant question was how we'd maintain this site during construction. The existing systems will continue, and the only mitigation is because we're expanding this basin and using a temporary diversion berm. So the existing berm will be in place. No stormwater will go to the

other side while we excavate and expand that system. Eventually, we'll take out that berm. The development--after we do the erosion controls--is to construct the basin, stabilize impervious area, and then construct the new building addition. That will mitigate any erosion and sediment from entering the existing stormwater system.

Mr. Ian Cole, Professional Soils Scientist and Professional Wetlands Scientist with Civil One, said, I delineated this site in March for the improvements. It was constructed in 2015. Basically, the site was cleared then and stormwater features were added: wetland plants and a sand basin (which is probably not functioning). I believe the proposed basin will fix this. The project will meet State guidelines for stormwater quality.

Chair Vitali said, I think the sand filter was for the benefit of the drinking water of the Town of Wallingford right in the watershed to a primary reservoir.

Commissioner Heilman said, I see a huge amount of impervious for this project. Just mentioned was an inoperable recharge area that has been an important concern. There was no recharge before. My view is we have no recharge taking place. You'd have to use a huge underground galley that's sealed. But you're not taking advantage of the rooftop water, which could be carried and used for additional recharge. I'd like to see that. That field can absorb quite a bit of water. With additional parking spaces, recharge will help any wells in the area. That's a strong recommendation.

Ms. Miller responded, Stormwater does recharge into surrounding soils after it's treated. So, off the roof, it's going by an outlet pipe from the roof leader into the grass swale. And then it will infiltrate and go to the water basin by Route 68 and infiltrate into the soils.

Commissioner Heilman said, I appreciate it.

Ms. Miller said, We have to clean that water before we allow it to go back into the sewer. One will go to the recharge, and then excess stormwater goes into a pipe to our lateral to the Town system at 68. A Stormwater Management Plan was provided for review by the Town and the sewer company. They had no concerns. We conducted soil testing at the existing system along the bank between the existing building and existing basin for the roof. We had better infiltration rates in 5 to 10 minutes.

Commissioner Heilman said, What's your percentage of area that's impacted impervious surfaces? Would It naturally absorb?

Mr. Cole said, I projected the rates. In the area of but the existing building would have the basic --- runoff. We had interval rates of 1, 5, or 10 minutes.

Commissioner Heilman said, I appreciate what we're hearing now.

Chair Vitali asked for comments from Commissioners Caruso and Phillips.

They had no questions or comments.

Commissioner Kern said, One of your reports shows an increase. I couldn't find it.

Ms. Miller said, We're decreasing the off-site flows.

Commissioner Kern said, Is this system sized for an increase for rooftop runoff and additional parking?

Ms. Miller said, Yes, the original design was from BL Companies to decrease the flow off the system from what was there. They designed it to be decreased peak rate, attenuated. We decreased the

water off that undeveloped lot and we also decreased the rate.

Commissioner Kern said, From 2005 to 2025, our weather's changed—more intense storms, etc. Can you still put your addition and make it work properly? I hear that the two on Northrop Road aren't working.

Ms. Miller said, In smaller events, it's not going out to the road. In larger storm events, the grade onto that lower system there could be a problem. We're going to fix that design over BL's plan. There's a net decrease for all storms up to a 100-year event.

Commissioner McKeen had no questions.

Commissioner Mrs. Raynis had no questions.

Chair Vitali said, Erin, they talked about not having a wetlands permit in 2015.

Ms. O'Hare said, No--they did get one in 2015. There were no wetlands on the property in 2015, it was mostly because they were creating a big building. That's why they needed a Wetlands Permit in 2015 because of the surface area. To Ian, Could you explain for me about the wet bottom basin on the west? My EPR on Friday was about that you said your impacts to wetlands weren't going to be any. What is being done?

Mr. Cole said, The functionality is not changing. It's just increasing in size.

Ms. O'Hare said, But it's more impacts beyond that. Could you tell us the other impact to this wetland? Also, to the watercourse or water body wetlands?

Mr. Cole showed on the board: There's a sand filter for about three feet and then two basins without vegetation and about an inch of standing water. It's mandated wetland. The swale has riprap on both ends. The other one is 2 feet wide by 2 feet deep, filled with mugwort. And it's been dry. For the mugwort, they don't get the mower down in there. The water source is from the parking lot. After a rain, it's dry. I felt that it provided an opportunity to have this treatment train to get the parcel recharged, more infiltration and treatment. The construction will provide a bigger basin that's more compliant.

Ms. O'Hare said, I was referring to the impact of putting a berm at the elevation at the bottom of this western basin and the impact of getting the outflow from this temporary sediment trap--there's two impacts.

Mr. Cole said, I don't disagree. But it's temporarily impacting. It's a net benefit.

Ms. O'Hare said, But the discharge from the sediment trap went in there (reference to the wetland basin)?

Mr. Cole said, Sure.

Ms. O'Hare said, I have no issue with this Application at this time.

MS. PHILLIPS: MOTION THAT APPLICATION #A25-5.1 / 2 RESEARCH PARKWAY – CONNECTICUT FOODSHARE, INC. – (BUILDING EXPANSION & ASSOCIATED PARKING AREA/DRIVE IMPROVEMENT & STORMWATER MANAGEMENT IMPROVEMENTS) BE TABLED UNTIL NEXT MONTH.

Note: This Motion language was not seconded and not voted. Vice Chair Phillips withdrew the Motion.

Chair Vitali asked, Did you submit information after Friday on this Application?

Ms. O'Hare said, Nothing was sent.

Ms. Miller said, Mr. Chairman, all was in on Friday. No engineering design changes were made—just clarifications about what's to be modified and what's not to be modified. And some things that are to be regulated impacts. That was delivered to Town Hall last Friday.

Chair Vitali said, So all that information was in the packet?

Ms. O'Hare said Yes and requested that a Motion be made on Significant Impact Activity.

MS. PHILLIPS: **MOTION THAT APPLICATION #A25-5.1 / 2 RESEARCH PARKWAY – CONNEC-TICUT FOODSHARE, INC. - (BUILDING EXPANSION & ASSOCIATED PARKING AREA/DRIVE IMPROVEMENT & STORMWATER MANAGEMENT IMPROVE-MENTS) BE DEEMED NOT A SIGNIFICANT IMPACT ACTIVITY.**
MR. NECIO: **SECOND.**
VOTE: **MR. NECIO – YES; MS. PHILLIPS – YES; MR. CARUSO – YES; MR. KERN – YES; CHAIR VITALI – YES.**

Chair Vitali requested a Motion to Approve or Deny this Application.

MS. PHILLIPS: **MOTION THAT APPLICATION #A25-5.1 / 2 RESEARCH PARKWAY – CONNEC-TICUT FOODSHARE, INC. – (BUILDING EXPANSION & ASSOCIATED PARKING AREA/DRIVE IMPROVEMENT & STORMWATER MANAGEMENT IMPROVE-MENTS) BE APPROVED AS SUBMITTED.**
MR. NECIO: **SECOND.**
VOTE: **MR. KERN – YES; MS. PHILLIPS – YES; MR. CARUSO -YES; MR. NECIO - YES; CHAIR VITALI – YES.**

7. #A25-5.2 / 60 Schoolhouse Road – Mario Yopez – (yard improvements near large pond)

Appearing was Owner/Applicant Mr. Mario Yopez.

Ms. O'Hare said, You got the application at the May meeting. It has a map of the property. I worked with Mr. Yopez to do all these improvements. He wants the Commissioners to know that there was a pile of broken bricks, but he has to move them. Commissioner Raynis had notified me about this pile and I went out there. It did originate from 67 Schoolhouse Road. Mr. Yopez told me since then that he doesn't want to deal with this pile and decided he's not going to use it. Also, I wanted the Southwest Conservation District to go out. It's a beautiful pond and there's some erosion at the edge of it. So he wants to do some work this summer. I have photos.

Mr. Yopez said, I have owned this property for more than 20 years. There's a path already on my property around the pond. The pond has two owners: I own $\frac{3}{4}$ of the pond. I made a path with rock pavers. I want to put more pavers so the dirt looks nice—it makes a big difference on my side of the pond. The other owners are in line with the water. The side I'm on, it's about 4 to 5 feet above the pond. It won't change anything but it will look nice. We want from the house to enjoy the view. I plan to finish the project by taking out some dirt that I have there and to put some grass. Later on I may do more.

Chair Vitali asked, Erin, what are we being asked to do?

Ms. O'Hare said, At first it was big; now it's much reduced. He has a 20-year-old path on the edge of the pond where he has the old bricks. And he wants to continue old bricks for the next 30 feet. This path exists. I saw it's just dirt, and he wants to make it brick. Do you want me to pass the pictures?

Chair Vitali said, You can pass them out.

Ms. O'Hare said, Then where the dirt is coming down, he wants to put grass seed and put a brick path around the pond. He wants to do it and get rid of the old fence by the pond.

Mr. Yepez said, Right. I want to take that out.

Ms. O'Hare said, There's some pictures showing the steep grade to the pond, as he said. My idea was to bring it back on a nice slope, as per the Southwest Conservation District—then it would stop eroding. I don't think he can do it by himself. So he would put grass in place for the summer and later finish the landscaping. He also will get rid of the brick pile. He has two types of bricks to use. The nice bricks he will use for the path. But he wants to get rid of the broken bricks off site.

Commissioner Kern said, Is it by law that it would have to have a four-foot fence around it? I'd hate to see him tear it down and then have to put it back up.

Ms. O'Hare responded she was unaware of any such law but will follow up on it.

Mr. Yepez said, Ms. O'Hare has been helping me on things to do. We have the four grandchildren, and they want to go out and enjoy around the pond. Whatever I need to do, I'll do it.

Chair Vitali said, What's he asking for?

Ms. O'Hare said, He wants approval of a partial application: footpath, remove fence, and install grass seed.

Commissioner McKeen said, I have an alternative suggestion. Instead, if you were to plant that slope with flowers, that would stop the erosion better than grass.

Mr. Yepez said, I thank you for your advice.

Chair Vitali said, We'll determine Significant Activity on this Application and then Approve or Deny.

Chair Vitali asked, Are you going to remove the bricks taken from the neighbor down the street?

Mr. Yepez said, Yes.

MS. PHILLIPS: **MOTION THAT APPLICATION #A25-5.2 – 60 SCHOOLHOUSE ROAD – MARIO YEPEZ – (YARD IMPROVEMENTS NEAR LARGE POND) 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 #A25-5.2 – 60 SCHOOLHOUSE ROAD – MARIO YEPEZ – (YARD IMPROVEMENTS NEAR LARGE POND) BE APPROVED WITH THESE CONDITIONS OF APPROVAL:**

- 1. IMPROVE THE EXISTING FOOTPATH BY POND.**
- 2. GET RID OF THE OLD FENCING.**
- 3. GRASS SEED BE PLACED.**
- 4. REMOVE THE PILES OF BUILDING BRICKS THAT HAVE BEEN PUT ON THE PROPERTY.**

MR. NECIO:
VOTE:

SECOND.
MR. NECIO – YES; MR. CARUSO – YES; MS. PHILLIPS – YES; MR. KERN – YES; CHAIR VITALI – YES.

8. #A 25-5.3 / 528 South Cherry Street – Virginia Ryan, CPEA, REM, Allnex – (installation of water line)

Appearing were Ms. Amberlee Clarke, L.E.P., Environmental Consultant with WPS USA, Inc., and Ms. Virginia Ryan, Safety, Health & Environmental Manager, at Allnex in Wallingford.

Ms. Clark said, The Allnex business at 528 South Cherry Street is requesting a re-routing of a non-potable water line used by the facility for process water. The current water line is located in the foot-print in an area on site that will require environmental clean-up and landscaping cover soon. The realignment of the water line will place it outside of this area. We conducted a wetland survey in 2024. It's a former landfill. This water line proposal avoids alteration of wetlands and watercourses and only temporarily impacts Upland Review Area, and it will be restored.

Commissioner Kern asked, Is this the site that, years back, we were going to permit sand removal from the field? Across from Suzio?

Ms. Ryan, said, No, this is not the same area. It's the same address, same property. But where this water line is being located is a different portion of it.

Commissioner Kern asked, How far are you away from the Quinnipiac River?

Ms. Ryan said, The area runs off to the southwest. So it's not up against the Quinnipiac River.

Chair Vitali said, I'm going to leave it up to the Commission if we want to act on this tonight or not.

Ms. O'Hare said, I e-mailed my Environmental Planner's Report June 3, yesterday. I saw the site Friday.

Commissioner Kern said, We have to go back to getting everything the Friday before the Meeting. My suggestion is that we should delay this until next month. This will be the first case. I feel it should be at least next month and put all together so we can deal with it. If you couldn't put it on paper and give it to me by Friday for a Wednesday meeting, it's not going to be acceptable. Do you understand?

Ms. Clarke clarified that this Application was 'received' in May. We have been in constant contact with Erin over three weeks. The water line needs to be replaced during a 10-day shutdown period which is in late August.

Chair Vitali said, You want to get it. That's not acceptable. I know you've been in contact with her, but she e-mailed it last night. It's not fair to us. I'd ask for a Motion to table this Item.

MS. PHILLIPS: MOTION THAT APPLICATION #A25-5.3 / 528 SOUTH CHERRY STREET – VIRGINIA RYAN, CPEA, REM, ALLNEX – (INSTALLATION OF WATER LINE) BE TABLED TO THE NEXT MEETING JULY 30.

MR. NECIO: SECOND.

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

E. NEW BUSINES – None.

F. RECEIPT OF NEW APPLICATIONS

Chair Vitali formally received Items 1-4 here for the July 30 Regular Meeting agenda.

1. **#A25-5.4 / 1339 Whirlwind Hill Road - Joseph Gouveia - (pond restoration)**
2. **#A25-6.1 / 360 Woodhouse Avenue - Nerio Tello - ('After-the-Fact' yard improvements & proposed yard & drainage improvements)**
3. **#A25-6.2 / 3 Hampton Trail - Linda Scalesse - (addition & relocated well installation)**
4. **#A25-6.3 / 287 Hall Avenue - Town of Wallingford, Town Planner - (trail footbridge installation & removal of old tires in stream)**

G. ELECTIONS – Were not held.

H. REPORTS & COMMUNICATIONS

1. **Discussion of proposal to adopt fines for violations** – Not discussed.

2. **Farm Hill Road Detention Basin** – Not discussed.

Chair Vitali asked for the status here. Ms. O'Hare said the Mayor had the Town Planner get a consultant on it.

I. VIOLATIONS - discussion, hearing, and/or action

Note: Items 1, 2, and 3 are moved to the July 30 Meeting agenda:

1. **Order - 14 Brookview Avenue - John Santamaria - emergency slope stabilization, block wall replacement, and footbridge restoration in and near unnamed stream) issued 2/28/25; accepted plan 4/2/25**

Ms. O'Hare said, The work is completed. I will be going out there soon. Been busy.

2. **360 Woodhouse Avenue – Nerio Tello – (structures, depositions, and ditching in wetlands) – Letter regarding violations – issued 5/28/24**

3. **Notice of Violation – 360 Woodhouse Avenue – Nerio Tello – (noncompliance with IWWC #A24-5.1 approved plan & installation of drainage facility across URA and wetlands with discharge to wetlands) – issued 4/15/25**

J. VIOLATIONS - pending (no action requested at this time) – All #1-6 here move to the July 30 Meeting agenda.

1. **Cease & Correct Order Remains - 55 Kondracki Lane - Fifty-five, LLC - (correction plan to comply with 6/5/18 Order) approved 12/6/23 – status**

Chair Vitali asked for status. Ms. O'Hare said there is a pending new owner.

2. **Cease & Correct Order Remains - 67 Schoolhouse Road - Michele Millican & Michael Gerace (new filling over prior filling); Order modified 12/4/24 to allow remediation to remain as it exists; restoration/stabilization pending**

Chair Vitali asked for status. Ms. O'Hare said it's a "lake" out there, so no restoration is possible right now.

3. **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; remediation planting plan approved 6/5/24 - pending installation**

4. **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 10/4/23 action

5. **Cease & Correct Order Remains - 67 Schoolhouse Road - Karl Kieslich - (new filling over prior filling)** issued 4/25/23

Chair Vitali asked for status on this item.

Ms. O'Hare indicated to Chair that she feels outside consultants are needed to address these violation matters that drag on. Chair Vitali said, No.

6. **Notice of Violation Remains - 24 Maplevue 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 Maplevue Rd. & on 13 Rolling Meadow Dr.)** issued 4/21/23

7. **Notice of Violation Remains - 119 Quigley Road - Matt Turner - (clearing & grading in wetlands)** issued 9/29/23

Chair Vitali asked for status on this item.

Ms. O'Hare reported that the situation on this property is good. The Violation can be released.

<u>MS. PHILLIPS:</u>	<u>MOTION TO REMOVE THE NOTICE OF VIOLATION ON 119 QUIGLEY ROAD - MATT TURNER – (CLEARING & GRADING IN WETLANDS) ISSUED 9/29/23.</u>
<u>MR. NECIO:</u>	<u>SECOND.</u>
<u>VOTE:</u>	<u>MR. KERN – YES; MS. PHILLIPS – YES; MR. CARUSO – YES; MR. NECIO – YES; CHAIR VITALI – YES.</u>

K. ADJOURNMENT

<u>MS. PHILLIPS:</u>	<u>MOTION TO ADJOURN THE MEETING.</u>
<u>MR. NECIO:</u>	<u>SECOND.</u>
<u>VOTE:</u>	<u>UNANIMOUS AYES TO ADJOURN.</u>

The Meeting was adjourned at 8:43 p.m.

L. NEXT SCHEDULED REGULAR MEETING: July 30, 2025

Respectfully submitted,

Kathleen L. Burns
Recording Secretary